Occasional Papers/Reprints Series in Contemporary Asian Studies

NUMBER 3 — 1986 (74)

THE HONG KONG AGREEMENT AND AMERICAN FOREIGN POLICY

Hungdah Chiu

School of Law University of Maryland
Occasional Papers/Reprint Series
in Contemporary Asian Studies

General Editor: Hungdah Chiu
Acting Executive Editor: Shaiw-chei Chuang
Managing Editor: Chih-Yu Wu

Editorial Advisory Board
Professor Robert A. Scalapino, University of California at Berkeley
Professor Martin Wilbur, Columbia University
Professor Gaston J. Sigur, George Washington University
Professor Shao-chuan Leng, University of Virginia
Professor James Hsiung, New York University
Dr. Lih-wu Han, Political Science Association of the Republic of China
Professor J. S. Prybyla, The Pennsylvania State University
Professor Toshio Sawada, Sophia University, Japan
Professor Gottfried-Karl Kindermann, Center for International Politics, University of Munich, Federal Republic of Germany
Professor Choon-ho Park, International Legal Studies Korea University, Republic of Korea

Published with the cooperation of the Maryland International Law Society
All contributions (in English only) and communications should be sent to Professor Hungdah Chiu, University of Maryland School of Law, 500 West Baltimore Street, Baltimore, Maryland 21201 USA.

All publications in this series reflect only the views of the authors.
While the editor accepts responsibility for the selection of materials to be published, the individual author is responsible for statements of facts and expressions of opinion contained therein.

Subscription is US $15.00 for 6 issues (regardless of the price of individual issues) in the United States and Canada and $20.00 for overseas. Check should be addressed to OPRSCAS and sent to Professor Hungdah Chiu.
Price for single copy of this issue: US $2.00

ISSN 0730-0107
ISBN 0-942182-76-6
THE HONG KONG AGREEMENT AND AMERICAN FOREIGN POLICY

Hungdah Chiu*

TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>1</td>
</tr>
<tr>
<td>The U.S. Political and Economic Stake in Hong Kong</td>
<td>3</td>
</tr>
<tr>
<td>The U.S. and the Sino-British Negotiations on the Restoration of Hong Kong to China</td>
<td>7</td>
</tr>
<tr>
<td>The U.S. Response to the Sino-British Joint Declaration on the Future of Hong Kong</td>
<td>10</td>
</tr>
<tr>
<td>Conclusions</td>
<td>15</td>
</tr>
<tr>
<td>Map of Hong Kong</td>
<td>17</td>
</tr>
<tr>
<td>Basic Facts of Hong Kong</td>
<td>18</td>
</tr>
</tbody>
</table>

* Professor of Law, University of Maryland School of Law, Baltimore, Maryland 21201 U.S.A. This paper was originally published in Issues & Studies, Vol. 22, No. 6 (June 1986), pp. 76-91. Reprinted here with the permission of Institute of International Relations of the National Chengchi University, Taipei. Map and basic facts of Hong Kong were added here by the author.
THE HONG KONG AGREEMENT AND
AMERICAN FOREIGN POLICY
Hungdah Chiu

Introduction

During the nineteenth century, Great Britain concluded three treaties with the then Chinese [Ch'ing] Government relating to Hong Kong: the Treaty of Nanking, signed in 1842 and ratified in 1843 under which Hong Kong Island was ceded in perpetuity\(^1\); the Convention of Peking in 1860 under which the southern part of the Kowloon Peninsula and Stonecutters Island were ceded in perpetuity\(^2\); and the Convention of 1898 under which the New Territories (also referred to as Kowloon Leased Territories in the Chinese documents comprising 92 percent of the total land area of present-day Hong Kong) were leased to Great Britain for 99 years from July 1, 1898.\(^3\) The United States has never challenged the legality of British acquisition of these areas from China. In fact, the United States also followed a similar practice in seizing territories. For instance, after the United States defeated Spain in the war of 1898, it forced Spain to cede the Philippine Islands to the United States.\(^4\) Later, the United States also established a permanent lease of Guantanamo from Cuba.\(^5\)

After the United States and the United Kingdom (Great Britain)

---

\(^1\) Article 3 of the 1842 Treaty, in *Consolidated Treaty Series* 93:467.
\(^2\) Article 6 of the 1860 Convention. Ibid. 123:73-74.
\(^3\) Ibid. 186: 310-11.
\(^5\) U.S.-Cuba Agreement for the Lease to the U.S. of Lands in Cuba for Coaling and Naval Stations, signed at Havana February 16, 1903 and at Washington February 23, 1903, in TS 866; Bevans, 6:1113.
entered into war against Japan on December 8, 1941, the Republic of China under the leadership of Chiang Kai-shek became an ally of these two countries. In late 1942 both countries entered into negotiation with the Republic of China on the abolition of their extraterritorial and other special rights in China. The United States' negotiations with China went very smoothly, but the negotiations between the Republic of China and the United Kingdom remained deadlocked over the Chinese demand for the return of the leased territories of Kowloon (the so-called "New Territories"). In order not to delay the abrogation of British extraterritorial and other special rights in China, the Chinese side finally agreed to drop the Kowloon leased territories issue, but made clear that it reserved the right to reopen negotiations in the future. On January 11, 1943, both countries signed treaties with the Republic of China, abrogating their extraterritorial and other special rights in China.

At that time the U.S. policy was to make China a strong and stabilizing force in East Asia after the defeat of Japan. Therefore, the U.S. was sympathetic to the Chinese aspiration to restore its territorial integrity by regaining its lost territories. In March 1943, President Roosevelt proposed to Mr. T. V. Soong, Chinese representative in the United States, that he, if it was agreeable to the Republic of China, would propose to the United Kingdom a voluntary return of Hong Kong to China. At the same time, he suggested that China should designate Hong Kong and part or whole of Kowloon as a free port to preserve part of the British nationals' interest there. Mr. Soong reported the proposal to Chiang Kai-shek, who referred the proposal to the Supreme National Defense Council for deliberation. The Council resolved that if the United Kingdom returned Hong Kong to China, the Chinese Government would voluntarily declare Hong Kong and Old Kowloon area (i.e., not including the New Territories) as a customs free port. However, the return of Hong Kong to China could not be preconditioned on this term. The designation of Hong Kong and Kowloon area as a customs free port had to be done voluntarily by China. Mr. Soong transmitted this message to President Roosevelt who, the Chinese side

---


believed, did convey the message to the United Kingdom. Because the United Kingdom did not sincerely intend to return Hong Kong to China, no response was made to this message.⁸

Since the Chinese Communists took over the Chinese mainland in 1949, the United States, until recently, appeared to take a "hands off" policy toward Hong Kong. It has not committed itself to defending Hong Kong in case of a Chinese invasion. In 1972, when the People’s Republic of China (PRC) requested the Special Committee on Colonialism of the United Nations General Assembly to remove Hong Kong and Macao from its list of colonial territories entitled to self-determination,⁹ the United States did not oppose the Chinese request. It was not until the PRC and the United Kingdom began their negotiations on the future of Hong Kong, that the United States publicly renewed its concern over Hong Kong’s future.

While the United States has, since 1949, taken a low posture toward the Hong Kong question, the United States has an important political and economic stake in Hong Kong, as will be discussed in the next section.

**The U.S. Political and Economic Stake in Hong Kong**

Immediately after the Chinese Communist takeover of the Chinese mainland, U.S. interest in Hong Kong was primarily for intelligence gathering. The staff members of the U.S. Consulate-General in Hong Kong was increased from less than 12 to several hundred, most of whom were engaged in gathering, analyzing, and translating Chinese Communist materials. One major publication is *Survey of China Mainland Press (SCMP)*, which for many years has been a major source of information on China for U.S. officials, news media and scholars.

In the early 1950s, the U.S. economic stake was minimal or of adverse impact. When the U.S. instituted an embargo against the PRC after the Chinese intervention in Korea, many strategic materials were smuggled to China through Hong Kong. Moreover, after the Korean Armistice Agreement was signed in 1953, British

---


Concern over her interest in Hong Kong also prompted the British Government to withdraw from the U.S. effort to enforce a collective embargo against the PRC.

On the political side, despite the U.S. support for principles of decolonization and self-determination at the United Nations, it has never attempted to apply these principles to Hong Kong. Since the PRC has made it clear that the Hong Kong question is none of the United Nations' and/or any other countries' (except the United Kingdom) business, the U.S. hands-off attitude is understandable.

Over the years, the nature of the U.S. stake in Hong Kong underwent a significant change. With the gradual opening of China and improved U.S.-PRC relations, Hong Kong's role as an intelligence gathering post gradually diminished. On the other hand, the spectacular economic development of Hong Kong under British laissez-faire policy has transformed it into a significant economic power in East Asia and a major trading partner of the U.S. Moreover, the U.S. has a significant amount of private investments and connections in Hong Kong. The following is a summary of U.S. economic and business interests in Hong Kong.

In 1984 Hong Kong imported US$3.1 billion worth of goods from the United States. Because the British ran Hong Kong as a customs free port, all U.S. exports were free of import duty. In per capita terms, imports from the U.S. were about US$577 per Hong Kong resident, higher than that of the European Economic Community (US$172), Japan (US$198), the Republic of Korea (US$150), the Republic of China on Taiwan (US$268) and Australia (US$312). Major items of imports from the United States include integrated circuits (US$326 million in 1984), electronic components (US$305 million), tobacco (US$173 million) and vegetables and fruit (US$161 million). The Hong Kong-based airline Cathay Pacific has a fleet of 19 aircraft, comprising ten U.S.-made Boeing 747's and nine Lockheed Super Tri-Stars. On the export side, the U.S. is Hong

---

10 At the World Youth Forum held on September 23, 1964, the Chinese delegate denounced the Soviet attempt to put Hong Kong and Macao on the list of colonies and demand their "independence" in a draft resolution. He pointed out that Hong Kong and Macao are Chinese territories occupied by British and Portuguese imperialism on the strength of unequal treaties. The Chinese people, he said, would recover them without fail at an appropriate time. The demand for "independence" for the two places, as proposed in the Soviet-supported resolution, means in fact to demand their detachment from China. See Cohen and Chu, People's China and International Law 1:381-82.

11 United States and Hong Kong, Some Important Facts (prepared by British Hong Kong Government Trade Department, August 1985), 1.
Kong's largest market; in 1984, Hong Kong exported US$7.9 billion of goods to the United States which constitutes 45 percent of Hong Kong's total exports. Thirty-one percent of Hong Kong's exports to the United States in 1984 was textiles.¹²

Hong Kong is also an important location for U.S. business interests. There are approximately 14,000 U.S. residents in Hong Kong, and approximately half a million U.S. nationals visit Hong Kong annually. Many large U.S. firms, such as Wang Laboratories, Westinghouse, Hercules Inc., Bank America Trading Corp., Mast Industries, and Allen-Bradley, have set up their Asia-Pacific regional headquarters in Hong Kong. There are over 800 U.S. firms in Hong Kong, including 3M, Dow Chemical, IBM, Mobil Oil, Exxon, Eastman Kodak, Texas Instruments, Sea-Land, Xerox, and others. Moreover, there are 20 U.S. banks, including Citibank, Bank of America and Chase Manhattan Bank; 36 U.S. deposit-taking companies, 31 wholly U.S.-owned insurance companies¹³ and branches of many U.S. law firms in Hong Kong. Total U.S. investment is difficult to estimate because there is no foreign exchange control in Hong Kong. However, the U.S. Consulate-General estimates that U.S. firms invested between US$4 billion and US$5 billion in Hong Kong, thus putting it second in Asia, after Japan, as a locale for U.S. investment.¹⁴ With regard to the manufacturing industry, in 1983 U.S. investment constitutes 46.2 percent of all foreign investment, which is the highest among foreign countries.¹⁵ Furthermore, the U.S. also has a strong interest in using Hong Kong as a base for promoting its investment and business interest in mainland China.

Because of the existence of important U.S. trade, investment and business interests in Hong Kong, the U.S. Consulate-General remains the largest one among 61 consular offices there.¹⁶ Hong Kong maintains an office at the British Embassy in Washington, D.C.; an office of the Commission for Hong Kong Commercial Affairs at

¹² Ibid., 2.
¹³ Ibid., 1.
¹⁴ See U.S. Consul-General to Hong Kong Burton Levin's speech delivered at The Asia Society, New York, June 7, 1984, mimeographed text, 3.
¹⁵ U.S. nationals or corporations have 78 wholly-owned and 54 joint-venture manufacturing factories, with a total employment of 40,379 persons. Information supplied by British Embassy Hong Kong Office, Washington, D.C.
¹⁶ In addition to 61 consulates, there are eight British Commonwealth countries that maintain Commissioner's Office in Hong Kong. For a list of these countries, see Hong Kong 1985 (Hong Kong: Government Information Services, n.d.), 305.
the British Consulate-General in New York; an Industrial Promotion Office in San Francisco; five Hong Kong Development Councils in New York, Chicago, Dallas, Los Angeles, and Miami, respectively; and three Hong Kong Tourist Associations in San Francisco, New York, and Chicago, respectively.\footnote{17}

Internationaly, while the British Government only concluded two postal agreements with the U.S. on behalf of Hong Kong (one relates to parcel and the other express mail),\footnote{18} Hong Kong has participated, through the United Kingdom, in more than 85 multilateral treaties or agreements to which the U.S. is also a contracting party. These treaties or agreements include matters relating to arbitration, aviation, copyright, customs, trade, health, protection of industrial property, settlement of investment disputes, judicial assistance, maritime matters, the control of narcotic drugs, patents, publications, satellite communications, telecommunications, and other matters.\footnote{19} Hong Kong is also a full member of the Asian Development Bank\footnote{20} and an associate member of the International Maritime Organization.\footnote{21}

The above survey establishes that the U.S. has an important stake in the future of Hong Kong. In the next section, the U.S. attitude toward Sino-British negotiations on Hong Kong's future will be analyzed.

\begin{footnotes}
\item\footnote{17}{Ibid., 306-307.}
\item\footnote{18}{U.S.-Hong Kong Parcel Post Agreement and Regulations of Execution, signed at Hong Kong January 18 and at Washington, February 2, 1961 and entered into force July 1, 1961, in \textit{United States Treaties and Other International Agreements} (hereinafter cited as UST) 12: 328ff.; \textit{Treaties and Other International Acts Series} (hereinafter cited as TIAS). no. 4721; and U.S.-Hong Kong International Express Mail Agreement, with Detailed Regulations, signed at Hong Kong and Washington, January 2 and February 6, 1979 and effective February 1, 1979, in UST 30: 3427ff. and TIAS no. 9398.}
\item\footnote{19}{For a list of these treaties or agreements, see \textit{Treaties in Force, A List of Treaties and Other International Agreements of the United States in Force on January 1, 1985} (hereinafter cited as \textit{Treaties in Force 1985}) (Washington, D.C.: U.S. Government Printing Office, 1986).}
\item\footnote{20}{Articles of Agreement Establishing the Asian Development Bank, with Annexes, done at Manila, December 4, 1965 and entered into force August 22, 1966, in UST 17: 1418ff.; TIAS no. 6103; \textit{United Nations Treaty Series} (hereinafter cited as UNTS), 123ff. See also \textit{Treaties in Force 1985}, 239, for a list of all members.}
\item\footnote{21}{Convention on the Intergovernmental Maritime Consultative Organization, signed at Geneva March 6, 1948 and entered into force March 17, 1958, in UST 9: 621; TIAS no. 4044; UNTS 289:48. The title of the Convention was changed to the Convention on International Maritime Organization by amendment adopted by the Organization, November 14, 1975 and effective May 22, 1982, in TIAS no. 10374. See also \textit{Treaties in Force 1985}, 257, for a list of all members.}
\end{footnotes}
The U.S. and the Sino-British Negotiations on the Restoration of Hong Kong to China

On September 24, 1982, following a meeting between Prime Minister Margaret Thatcher and Chairman Teng Hsiao-p'ing, the following statement was issued:

Today the leaders of both countries held far-reaching talks in a friendly atmosphere on the future of Hong Kong. Both leaders made clear their respective positions on this subject. They agreed to enter talks through diplomatic channels following the visit with the common aim of maintaining the stability and prosperity of Hong Kong.\textsuperscript{12}

The negotiations lasted two years and a draft agreement was initialed on September 26, 1984,\textsuperscript{13} formally signed on December 19, 1984, and instruments of ratification were exchanged on May 27, 1985.\textsuperscript{14}

The U.S. important economic and business interest in Hong Kong made it necessary for the U.S. to pay special attention to the negotiations. Moreover, U.S. interest in the PRC's future policy toward Taiwan also prompted the U.S. to follow closely the PRC's approach to Hong Kong's future, since it would provide an indication of how the PRC intends to deal with Taiwan in the future. Finally, the U.S. has an interest in the future well-being and security of the Chinese in Hong Kong, especially those who left China in 1948-49 to make their home in Hong Kong.\textsuperscript{14}

In view of the strong U.S. interest in Hong Kong's future, does it mean that the U.S. should try to play an active role in the Sino-British negotiations? One view is that the U.S. should try to intercede with the PRC privately in order to encourage a restrained PRC policy toward Hong Kong that appears more likely to preserve the economic and social status quo there. Along this line, some suggest that U.S. officials could attempt to influence the course of events indirectly, especially through American business leaders that have a strong interest in Hong Kong and enjoy good ties with

\textsuperscript{12} *Hong Kong* 1985, 17.
\textsuperscript{13} For text of the agreement and related documents, see ibid., 1-16 and *International Legal Materials* 23, no. 6 (November 1984): 1366-87.
\textsuperscript{14} See a high U.S. State Department official's view reported in *Winsome Lane*, "U.S. Confident about 1997," *South China Morning Post*, January 1, 1984, 6.
the PRC leaders; or that U.S. officials might also encourage Hong Kong leaders to be more assertive in their discussions with PRC leaders in emphasizing the need for Chinese restraint.26

Despite the possibility of playing an active role in the Sino-British negotiations by the U.S., the U.S. official position appeared to restrict its involvement to the role of an interested bystander during the period of the Sino-British negotiations. In an interview with a Hong Kong newspaper on January 20, 1984, Eugene Lawson, a senior official at the East Asian Bureau of the U.S. Department of State, stated:

While we have a considerable interest in how these talks progress, we have no intention of inserting ourselves and our views when they are going on.

We accept that a peaceful and satisfactory solution is possible to preserve the investment climate and the political and economic freedom that makes Hong Kong what it is.

Hong Kong is unique in the world. We appreciate that it will not take too much to change that climate and bring about economic disaster.

We have an interest in how the talks progress, but we have no intention of interposing our views at the present time. We look at it as strictly an issue between the UK and the People’s Republic of China.27

While maintaining the position of an interested bystander toward the Sino-British negotiations, Mr. Lawson took the opportunity, however, to discuss U.S. policy toward Hong Kong to remind the PRC of the implications of Hong Kong’s future on the Taiwan question, where the U.S. has a strong political, moral and legal interest under the U.S. Taiwan Relations Act of 1979.28 Thus, in the same interview, he also said:

... A smooth transition for Hong Kong would serve as a model for the future of Taiwan and encourage the Taiwanese to accept the sovereignty of China.

The PRC could never hope to enter into negotiations with the Taiwanese on any basis unless there has been a smooth transition in Hong Kong that is satisfactory to the people of Hong Kong.29

27 See note 25 above.
29 Lane, “U.S. Confident about 1997,” 1.
A more elaborate discussion on the future of Hong Kong and U.S. policy along the same line was made on June 7, 1984 by Burton Levin, U.S. Consul-General in Hong Kong, in his speech delivered at a meeting sponsored by The Asia Society in New York City. In addition to the economic aspect of U.S. interest in Hong Kong, he also pointed out the cultural and human relations aspects of U.S. concerns over the future of Hong Kong. He said:

As a prosperous and creative society, we have attracted thousands of students from Hong Kong to our universities and hundreds of thousands of Hong Kong tourists and businessmen to our cities and towns. Many of the three quarters of a million Chinese living in the States have family ties in Hong Kong. Millions of Americans have visited Hong Kong. Over the past few decades the people of the United States and Hong Kong have gotten to know each other much better. Americans come away from this relationship with respect and admiration for a group of people who have worked hard, endured many hardships over the decades and have contributed in many ways to the world community. We believe they deserve a secure future.\(^{30}\)

Despite the existence of important U.S. stakes in Hong Kong's future, he did not, however, see any U.S. role in the Sino-British negotiations. This attitude is manifested in his following statement:

The United States does not see a role for itself in the present negotiations. We have made clear our interest in a settlement that preserves Hong Kong's prosperity and stability and our pleasure that both the U.K. and the PRC share and are working toward this objective. We will be supportive in any appropriate way we can.\(^{31}\)

Similar to Mr. Lawson's reference to the Taiwan issue to influence indirectly the Sino-British negotiations, he also took this opportunity to remind the PRC of the implications of the Hong Kong question on Taiwan's future. He said:

China . . . has a major political interest in Hong Kong. One of its most important national objectives is Taiwan's reunification with the mainland. China has stated that it seeks to accomplish this by peaceful means. In recognition of the different systems and styles of life, China is proposing to Taiwan a high degree of autonomy under a confederal arrangement featuring one state, two systems. Its promises to Taiwan closely resemble those made to Hong Kong. China has publicly proclaimed that Hong Kong is to serve as a model for Taiwan's reunification. It has to be presumed that China

---

\(^{30}\) Pages 10 to 11 of the mimeographed text of Levin's speech.

\(^{31}\) Ibid., 11.
would want to make that model as attractive as possible to the people of Taiwan.\textsuperscript{22}

In one aspect Mr. Levin's speech went beyond Mr. Lawson's interview, i.e., for the first time he indicated that the U.S. "would continue its support of Hong Kong's participation in such arrangements as international postal and telecommunications organizations, the GATT [General Agreement on Tariff and Trade], and the multi-fiber arrangements following restoration of Chinese sovereignty."\textsuperscript{33} He was silent, however, on the crucial immigration quota problem for Hong Kong people. At present, Hong Kong, with its status as a British colony, is entitled to have a 600 immigrant quota annually.\textsuperscript{34} After losing its colonial status, presumably the quota would be automatically canceled unless U.S. Congress is willing to amend the law and the PRC is agreeable to the amendment.\textsuperscript{35}

Judging from the fact that the United Kingdom and the PRC had not asked the U.S. to play a role in their negotiations, China's sensitivity to its sovereignty, the lack of any solid legal basis for the U.S. to intervene in the negotiations, and the absence of U.S. domestic pressure to get the U.S. involved in the Hong Kong question, it appears that the U.S. Government's decision to refrain from an active role in the Sino-British negotiations is only natural.\textsuperscript{36}

The U.S. Response to the Sino-British Joint Declaration on the Future of Hong Kong

On September 26, 1984, an agreement in the form of Joint Declaration on the Question of Hong Kong was initialed by the United Kingdom and the PRC.\textsuperscript{37} The Joint Declaration contains

\textsuperscript{22}Ibid., 8-9.
\textsuperscript{33}Ibid., 11.
\textsuperscript{36}Cf. Timothy Elder, "U.S. Shuns Active Interest in Hong Kong Negotiations," The Washington Times, April 6, 1984, 7A.
\textsuperscript{37}For text, see sources indicated in note 23.
more than 8,000 words and is, perhaps, the second longest international agreement ever concluded by the PRC. It spelled out in detail the PRC's policy toward Hong Kong, the post-1997 Hong Kong regime and its international relations. The highlights of the Declaration are as follows:

(1) After 1997, Hong Kong will become a Special Administrative Region of the PRC under Article 31 of the PRC Constitution. It will enjoy a "high degree of autonomy" except in foreign and defense affairs.

(2) Hong Kong will be vested with executive, legislative, and independent judicial power, including that of final adjudication.

(3) Hong Kong's chief executive will be appointed by the PRC after elections or consultation in Hong Kong. The government of Hong Kong will be composed of local people.

(4) Hong Kong shall maintain the capitalist economic and trade systems for 50 years after 1997.

(5) The existing social and economic system will remain unchanged. Freedom of speech, movement, the press, assembly, strike, religion, and others will be protected by law. Similarly, private property rights will be protected.

(6) Apart from displaying the national flag and national emblem of the PRC, Hong Kong may use a regional flag and emblem of its own.

(7) Hong Kong may participate in relevant international organizations and international trade agreements. It may establish official and semiofficial economic and trade missions in foreign countries. Using the name "Hong Kong, China" to maintain and develop relations and conclude and implement agreements with states, regions and relevant international organizations in appropriate fields.

(8) The PRC defense force stationed in Hong Kong shall not interfere in the internal affairs in Hong Kong and the expenditures for these military forces shall be borne by the PRC's Central People's Government.

---


39Article 31 provides: "The state may establish special administrative regions when necessary. The systems to be instituted in special administrative regions shall be prescribed by law enacted by the National People's Congress in the light of the specific conditions."
The official U.S. response to this Declaration is extremely positive. Acting U.S. Department of State Spokesman Alan Romberg, on behalf of Secretary Shultz, stated, at his September 26, 1984 press conference:

The U.S. Government welcomes the successful conclusion of two years of negotiations between the United Kingdom and the People's Republic of China over the future of Hong Kong.

The United States has a strong interest in the continued stability and prosperity of Hong Kong and believes the agreement will provide a solid foundation for Hong Kong's enduring future progress.

In this regard, we have noted statements by both sides indicating that Hong Kong's way of life will be guaranteed for 50 years from 1997 and that systems existing in Hong Kong will continue in the special administrative region.

We expect the American business communities, both in the United States and Hong Kong, will see in this agreement good reason for sustained confidence in the future of Hong Kong as an attractive and thriving commercial center.

The United States will provide any assistance it can, in close cooperation with the United Kingdom and the People's Republic of China, to maintain Hong Kong's appropriate participation in international bodies.\footnote{U.K. and China Reach Agreement on Hong Kong, Department of State Bulletin 84, no. 292 (November 1984): 56.}

Despite the official optimistic response to the Sino-British Declaration on Hong Kong, whether the future of Hong Kong would lead to U.S. expectation remains a serious doubt. This is because the Sino-British Declaration does not insulate Hong Kong from future Chinese political development. As analyzed by a leading U.S. newspaper:

China . . . has powerful practical reasons for honoring the declaration: to impress Taiwan, which it recently has been courting in public again; to use Hong Kong's aid in its own modernization; or simply to prove to the world that it's no longer a Maoist experiment station.

That said, however, the essence of the declaration is that five million largely free people will soon have their futures determined by a totalitarian government not known for tolerance or stability. As the Journal's former Peking correspondent, Frank Ching, wrote recently, China's constitution promises its own citizens many of the same rights and freedoms now promised for Hong Kong, but they are honored only in the breach. An Amnesty International report issued last month puts this fact into grim focus: The report lists dozens of political prisoners held in China, among them Catholic priests arrested for nothing more than refusing to
renounce their ties to the Vatican.

The Special Administrative Zone idea is supposed to shelter Hong Kong from similar treatment, of course. But both precedent and the text of the declaration itself give reason to worry. It is in the nature of totalitarian regimes to seek to control, after all, and China has expressed that nature elsewhere—in Tibet, for example.

In addition, China will now go about fashioning a so-called Basic Law for Hong Kong after 1997; this will offer its cadres a chance to “reform” the current system, if they so wish, and not necessarily for the better. The declaration also allows China to appoint its own chief executive for Hong Kong after 1997, heeding neither local “elections or consultations,” though whom China will consult with isn’t stated. What has been a growing movement for democratic rule by Hong Kongers themselves seems to have been overruled.

Can the Chinese then be trusted to appoint someone who understands the rule of law and a free economy? And more important, will the successors to China’s 80-year-old leader, Deng Xiaoping [Teng Hsiao-p’ing], also honor the pact? In short, Hong Kong will now live or die by Peking’s political whim.41

Be that as it may, aside from making a positive statement regarding the U.S. confidence on the future of Hong Kong and encouraging the PRC to honor its promise to Hong Kong, there appear to be only limited options available to U.S. policy makers to deal with this situation. This question is described by a U.S. specialist on East Asian affairs as follows:

One U.S. option would be to intercede strongly with Chinese leaders, using U.S. influence to advocate policies toward Hong Kong that would take U.S. interests into account. Nevertheless, such a maneuver could backfire, because the PRC has always been sensitive to matters involving its sovereignty. Any appearance that the United States was attempting to interfere might offend Chinese leaders and adversely affect U.S.-China relations. In particular, Beijing [Peking] might resent such American action coming at a time when PRC leaders still see the United States repeatedly affronting Chinese sovereignty with arms sales to Taiwan. Moreover, U.S. willingness to discuss Hong Kong’s status with the PRC could put the United States into the compromising position of appearing also to be willing to bargain with Beijing over Taiwan’s future.

A second option available to U.S. policy makers is to play a greater role in Hong Kong’s political affairs prior to 1997, en-

---

couraging Hong Kong’s officials and residents to demand a greater voice in their own government on the theory that more active participation now could mean greater autonomy in the future. Advocates of this viewpoint to increased political activity in heretofore apathetic Hong Kong over the past two years is evidence that Hong Kong’s citizens are interested in self-government and may respond to U.S. encouragement in this area. However, this option could seriously complicate Sino-American relations by setting the United States directly against PRC plans for the territory, and it could set a precedent for a similarly activist U.S. approach for political organization and self-determination in Taiwan – a position strongly opposed by both the Nationalist government in Taipei and the Communist government in Beijing.

Those advocating a stronger stand on Hong Kong’s future have expressed support for use of U.S. trade sanctions involving Hong Kong should China’s rule contribute to a serious decline in Hong Kong’s status quo. According to these observers, the U.S. trade relationship is so important to Hong Kong’s economic survival that trade sanctions would be an effective means in influencing events there. In particular, the United States could threaten to reduce the benefit Beijing derives from the territory and thereby prompt the Chinese to follow a policy in Hong Kong more compatible with U.S. interests. Others, however, have pointed out that trade sanctions against other countries in the past have rarely proven successful in influencing policy. Moreover, for the United States to protect its significant economic interests in Hong Kong by imposing economic sanctions would seem to be counterproductive.  

While the U.S. was not actively involved in the negotiations, it has adopted the policy of supporting the Sino-British Joint Declaration in the post-Declaration period in order to stabilize Hong Kong’s situation during the transitional period. It has also taken concrete steps to achieve this goal. For instance, when the British Government proposed issuing a new British (Overseas) Passport [BN(O)] to Hong Kong residents, many people in Hong Kong raised the issue of whether this passport would be recognized by other countries, the U.S. was the first country to announce that it would recognize the validity of that passport.  

---


Conclusions

Despite the extensive U.S. economic and business stake in Hong Kong, it does not appear feasible for the U.S. to play a more active role in the Sino-British negotiations on the future of Hong Kong. Under international law, there is no basis for the U.S. to intervene in either the return of Hong Kong to the PRC or the Sino-British negotiations. Strategically, Hong Kong is indefensible since the PRC can force Hong Kong's surrender simply by cutting off the water supply to Hong Kong. Moreover, any confrontation between the U.S. or the United Kingdom and the PRC over Hong Kong can only trigger a large exodus of refugees and severely undermine U.S. economic and business interests there.

In view of this situation, the policy options of the U.S. are very limited and its present policy appears to be the only sensible one. Whether this policy will succeed is beyond U.S. control. This is because Hong Kong's fate is now tied to the political development in China. Any political turmoil in China from now on would have a serious impact on Hong Kong. One may argue that during the Cultural Revolution period, except for a brief period during 1967, the high degree of political turmoil in China did not affect Hong Kong. However, the situation now is different. At that time, the British presence in Hong Kong served as a buffer to minimize the effect of political turmoil in China from spreading to Hong Kong. With the removal of that buffer in 1997 without providing a credible substitute, one can hardly see how Hong Kong can be insulated from any future drastic political changes in China.

In U.S. officials' comments on the Hong Kong question, they on several occasions remind the PRC of the implication of the Hong Kong settlement on the PRC's goal of "peaceful unification" with Taiwan. This appears to be the only effective restraining factor, in addition to PRC's self-interest in maintaining Hong Kong as a foreign exchange earning commercial center, on the PRC's policy toward Hong Kong. The effectiveness of this factor is, however, dependent on Taiwan's ability to maintain sufficient deterrence capability to discourage the PRC to change its "peaceful unification" policy to "military unification." In view of this delicate situation,

---

44 See notes 29 and 32 and accompanying text.
any U.S. effort to strengthen the self-defense capability of the Republic of China on Taiwan, as long as the latter maintains its one-China policy principle to keep the peaceful unification option open, would indirectly enhance the chance of success of U.S. policy toward Hong Kong.
THE HONG KONG AGREEMENT AND U.S. FOREIGN POLICY 17

MAP OF HONG KONG

Source: Background Notes, Hong Kong, United States Department of State, Bureau of Public Affairs, February 1986, p. 2.
BASIC FACTS OF HONG KONG

Official Name: Hong Kong

PROFILE
People

Geography
Area: 1,064 sq. km. (411 sq. mi.). Terrain: Hilly, steep-sloped, with excellent natural harbor; 52% arable, 9% urban, 81.8% uncultivable. Climate: Tropical, but with definite seasons—comfortable and sunny in autumn, hot and rainy in spring and summer, cool and humid in winter.

Government
Type: British dependent territory.
Branches: Executive—governor appointed by British monarch, chief secretary, and Executive Council. Legislative—Legislative Council. Judicial—Supreme Court, Court of Appeal, High Court, district and magistrate courts.
Subdivisions: Hong Kong, Kowloon, and New Territories.
Suffrage: All adults with 7 years' residence in Hong Kong may vote.
Flag: Union Jack (UK).

Economy
Natural resources: None.
Agriculture: Products—vegetables, pigs, chickens, fish.
Industry: Types—apparel, textiles, toys, watches, clocks, and electronics.
Major markets—US (44%), UK, FRG, China, Japan. Imports—$28.6 billion: raw materials and semimanufactured goods, consumer goods, capital goods, food. Major suppliers—Japan, China, US (10.8%).
Official exchange rate: Since October 1983, the Hong Kong dollar has been linked to the US dollar at the rate of HK$7.8 = US$1.
Fiscal year: April 1–March 31.

Source: Background Notes, Hong Kong, United States Department of State, Bureau of Public Affairs, February 1986, p. 1.
Occasional Papers/Reprints Series
in Contemporary Asian Studies

500 West Baltimore Street
Baltimore, MD. 21201
U.S.A.
(301) 528-3870

1977 Series

No. 1 - 1977      ISSN 0730-0107      ISBN 0-942182-00-6
Chinese Attitude Toward Continental Shelf and Its Implication on Delimiting Seabed in Southeast Asia (Hungdah Chiu) 32 pp. $1.00

No. 2 - 1977      ISSN 0730-0107      ISBN 0-942182-01-4
Income Distribution in the Process of Economic Growth of the Republic of China (Yuan-Li Wu) 45 pp. $1.00

No. 3 - 1977      ISSN 0730-0107      ISBN 0-942182-02-2
The Indonesian Maoists: Doctrines and Perspectives (Justus M. van der Kroef) 31 pp. $1.00

No. 4 - 1977      ISSN 0730-0107      ISBN 0-942182-03-0
Taiwan's Foreign Policy in the 1970s: A Case Study Adaptation and Viability (Thomas J. Bellows) 22 pp. $1.00

No. 5 - 1977      ISSN 0730-0107      ISBN 0-942182-04-9
Asian Political Scientists in North America: Professional and Ethnic Problems (Edited by Chun-tu Hsueh) 148 pp. Index $3.00

No. 6 - 1977      ISSN 0730-0107      ISBN 0-942182-05-7
The Sino-Japanese Fisheries Agreement of 1975: A Comparison with Other North Pacific Fisheries Agreements (Song Yook Hong) 80 pp. $2.00

Foreign Trade Contracts Between West German Companies and the People's Republic of China: A Case Study (Robert Heuser) 22 pp. $1.00

No. 8 - 1977      ISSN 0730-0107      ISBN 0-942182-07-3
Reflections on Crime and Punishment in China, with Appended Sentencing Documents (Randle Edwards, Translation of Documents by Randle Edwards and Hungdah Chiu) 67 pp. $1.00
No. 9 - 1977
ISSN 0730-0107
ISBN 0-942182-08-1
$3.00

No. 10 - 1977
ISSN 0730-0107
ISBN 0-942182-09-X
Index
$5.00

No. 11 - 1977
ISSN 0730-0107
ISBN 0-942182-10-3
$1.00

No. 12 - 1977
ISSN 0730-0107
ISBN 0-942182-11-1
$1.00

1978 Series

No. 1 - 1978 (13)
ISSN 0730-0107
ISBN 0-942182-12-X
$1.00

No. 2 - 1978 (14)
ISSN 0730-0107
ISBN 0-942182-13-8
Index
$3.00

No. 3 - 1978 (15)
ISSN 0730-0107
ISBN 0-942182-14-6
Index
$3.00

No. 4 - 1978 (16)
ISSN 0730-0107
The Societal Objectives of Wealth, Growth, Stability, and Equity in Taiwan (Jan S. Prybyla) 31 pp.
$1.00

No. 5 - 1978 (17)
ISSN 0730-0107
The Role of Law in the People's Republic of China as Reflecting Mao Tse-Tung's Influence (Shao-Chuan Leng) 18 pp.
$1.00
<table>
<thead>
<tr>
<th>No.</th>
<th>Year</th>
<th>ISSN</th>
<th>ISBN</th>
<th>Title and Author(s)</th>
<th>Pages</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>1978</td>
<td>0730-0107</td>
<td>0-942182-17-0</td>
<td>Criminal Punishment in Mainland China: A Study of Some Yunnan Province Documents (Hungdah Chiu)</td>
<td>35</td>
<td>$1.00</td>
</tr>
<tr>
<td>8</td>
<td>1978</td>
<td>0730-0107</td>
<td>0-942182-19-7</td>
<td>The Pueblo, EC-121, and Mayaguez Incidents: Some Continuities and Changes (Robert Simmons)</td>
<td>40</td>
<td>$2.00</td>
</tr>
<tr>
<td>9</td>
<td>1978</td>
<td>0730-0107</td>
<td>0-942182-20-0</td>
<td>Two Korea's Unification Policy and Strategy (Yong Soon Yim)</td>
<td>82 Index</td>
<td>$2.00</td>
</tr>
</tbody>
</table>

**1979 Series**

<table>
<thead>
<tr>
<th>No.</th>
<th>Year</th>
<th>ISSN</th>
<th>ISBN</th>
<th>Title and Author(s)</th>
<th>Pages</th>
<th>Price</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>1979</td>
<td>0730-0107</td>
<td>0-942182-21-9</td>
<td>Asian Immigrants and Their Status in the U.S. (Edited by Hungdah Chiu)</td>
<td>54</td>
<td>$2.00</td>
</tr>
<tr>
<td>2</td>
<td>1979</td>
<td>0730-0107</td>
<td>0-942182-22-7</td>
<td>Social Disorder in Peking After the 1976 Earthquake Revealed by a Chinese Legal Documents (Hungdah Chiu)</td>
<td>20</td>
<td>$2.00</td>
</tr>
<tr>
<td>3</td>
<td>1979</td>
<td>0730-0107</td>
<td>0-942182-23-5</td>
<td>The Dragon and the Eagle — A Study of U.S.-People’s Republic of China Relations in Civil Air Transport (Jack C. Young)</td>
<td>65</td>
<td>$3.00</td>
</tr>
<tr>
<td>4</td>
<td>1979</td>
<td>0730-0107</td>
<td>0-942182-24-3</td>
<td>Chinese Women Writers Today (Edited by Wai-lim Yip and William Tay)</td>
<td>108</td>
<td>$3.00</td>
</tr>
<tr>
<td>5</td>
<td>1979</td>
<td>0730-0107</td>
<td>0-942182-25-1</td>
<td>Certain Legal Aspects of Recognizing the People’s Republic of China (Hungdah Chiu)</td>
<td>49</td>
<td>$2.00</td>
</tr>
<tr>
<td>7</td>
<td>1979</td>
<td>0730-0107</td>
<td>0-942182-27-8</td>
<td>U.S. Status of Force Agreement with Asian Countries: Selected Studies (Charles Cochran and Hungdah Chiu)</td>
<td>130 pp.</td>
<td>$2.50</td>
</tr>
<tr>
<td>8</td>
<td>1979</td>
<td>0730-0107</td>
<td>0-942182-28-6</td>
<td>China’s Foreign Aid in 1978 (John F. Copper)</td>
<td>45 pp.</td>
<td>$2.00</td>
</tr>
</tbody>
</table>
### 1980 Series

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>30</td>
<td>0730-0107</td>
<td>0-942182-29-4</td>
<td>The Chinese Connection and Normalization (Edited by Hungdah Chiu and Karen Murphy) 200 pp. Index</td>
<td>$5.00</td>
</tr>
<tr>
<td>3</td>
<td>32</td>
<td>0730-0107</td>
<td>0-942182-31-6</td>
<td>Policy, Proliferation and the Nuclear Proliferation Treaty: U.S. Strategies and South Asian Prospects (Joanne Finegan) 61 pp.</td>
<td>$2.50</td>
</tr>
<tr>
<td>4</td>
<td>33</td>
<td>0730-0107</td>
<td>0-942182-32-4</td>
<td>A Comparative Study of Judicial Review Under Nationalist Chinese and American Constitutional Law (Jyh-pin Fa) 200 pp. Index</td>
<td>$3.50</td>
</tr>
<tr>
<td>5</td>
<td>34</td>
<td>0730-0107</td>
<td>0-942182-33-2</td>
<td>Certain Problems in Recent Law Reform in the People's Republic of China (Hungdah Chiu) 34 pp.</td>
<td>$1.50</td>
</tr>
<tr>
<td>6</td>
<td>35</td>
<td>0730-0107</td>
<td>0-942182-34-0</td>
<td>China's New Criminal &amp; Criminal Procedure Codes (Hungdah Chiu) 16 pp.</td>
<td>$1.00</td>
</tr>
<tr>
<td>7</td>
<td>36</td>
<td>0730-0107</td>
<td>0-942182-35-9</td>
<td>China's Foreign Relations: Selected Studies (Edited by F. Gilbert Chan &amp; Ka-che Yip) 115 pp. (out of print)</td>
<td>$3.00</td>
</tr>
<tr>
<td>8</td>
<td>37</td>
<td>0730-0107</td>
<td>0-942182-36-7</td>
<td>Annual Review of Selected Books on Contemporary Asian Studies (1979-1980) (Edited by John F. Copper) 45 pp.</td>
<td>$2.00</td>
</tr>
</tbody>
</table>

### 1981 Series

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>38</td>
<td>0730-0107</td>
<td>0-942182-37-5</td>
<td>Structural Changes in the Organization and Operation of China's Criminal Justice System (Hungdah Chiu) 31 pp.</td>
<td>$1.50</td>
</tr>
<tr>
<td>2</td>
<td>39</td>
<td>0730-0107</td>
<td>0-942182-38-3</td>
<td>Readjustment and Reform in the Chinese Economy (Jan S. Prybyla) 58 pp.</td>
<td>$1.00</td>
</tr>
</tbody>
</table>
No. 3 - 1981 (40)  ISSN 0730-0107  ISBN 0-942182-39-1
Symposium on the Trial of Gang of Four and Its Implication in China
(Edited by James C. Hsiung) 118 pp.  $2.50

No. 4 - 1981 (41)  ISSN 0730-0107  ISBN 0-942182-40-5
China and the Law of the Sea Conference (Hungdah Chiu) 30 pp.  $2.00

No. 5 - 1981 (42)  ISSN 0730-0107  ISBN 0-942182-41-3
China’s Foreign Aid in 1979-80 (John Franklin Copper) 54 pp.  $2.00

No. 6 - 1981 (43)  ISSN 0730-0107  ISBN 0-942182-42-1
Chinese Regionalism: Yesterday and Today (Franz Michael) 35 pp.  $2.00

Elite Conflict in the Post-Mao China (Parris H. Chang) 40 pp.  $2.00
(Out of print, please order No. 2 - 1983 (55) for a revised version of this item.)

No. 8 - 1981 (45)  ISSN 0730-0107  ISBN 0-942182-44-8
Proceedings of Conference on Multi-system Nations and International
Law: International Status of Germany, Korea, and China (Edited by
Hungdah Chiu and Robert Downen) 203 pp. Index  $5.00

1982 Series

Socialist Legalism: Reform and Continuity in Post-Mao People’s Republic
of China (Hungdah Chiu) 35 pp.  $2.00

No. 2 - 1982 (47)  ISSN 0730-0107  ISBN 0-942182-46-4
Kampuchea, The Endless Tug of War (Justus M. Van der Kroef) 51 pp.  $2.50

Social Change on Mainland China and Taiwan, 1949-1980 (Alan P.L. Liu)
55 pp.  $3.00

No. 4 - 1982 (49)  ISSN 0730-0107  ISBN 0-942182-48-0
Taiwan’s Security and United States Policy: Executive and Congressional
Strategies in 1978-1979 (Michael S. Frost) 39 pp.  $2.50

No. 5 - 1982 (50)  ISSN 0730-0107  ISBN 0-942182-49-9
Constitutional Revolution in Japanese Law, Society and Politics (Law-
rence W. Beer) 35 pp.  $2.00

No. 6 - 1982 (51)  ISSN 0730-0107  ISBN 0-942182-50-2
Review of Selected Books on Contemporary Asian Studies, 1981-1982 (Ed-
ited by David Salem, Roy Werner and Lyushen Shen) 67 pp.  $2.00
No. 7 - 1982 (52)  ISSN 0730-0107  ISBN 0-942182-51-0
Chinese Law and Justice: Trends Over Three Decades (Hungdah Chiu) 39 pp. $2.00

No. 8 - 1982 (53)  ISSN 0730-0107  ISBN 0-942182-52-9
Disarmament and Civilian Control in Japan: A Constitutional Dilemma (Theodore McNelly) 16 pp. $2.00

1983 Series

Essays on Sun Yat-sen and the Economic Development of Taiwan (Maria Hsia Chang and A. James Gregor) 60 pp. $3.00

Elite Conflict in the Post-Mao China (Revised edition) (Parris H. Chang) 48 pp. $2.50

No. 3 - 1983 (56)  ISSN 0730-0107  ISBN 0-942182-55-3
Media-Coverage on Taiwan in The People's Republic of China (Jörg-M. Rudolph) 77 pp. $3.50

No. 4 - 1983 (57)  ISSN 0730-0107  ISBN 0-942182-56-1
Transit Problems of Three Asian Land-locked Countries: Afghanistan, Nepal and Laos (Martin Ira Glassner) 55 pp. $3.00

No. 5 - 1983 (58)  ISSN 0730-0107  ISBN 0-942182-57-X
China's War Against Vietnam: A Military Analysis (King C. Chen) 33 pp. $2.00

The People's Republic of China, International Law and Arms Control (David Salem) 325 pp. Index $7.00

1984 Series

No. 1 - 1984 (60)  ISSN 0730-0107  ISBN 0-942182-60-X
China's Nuclear Policy: An Overall View (Shao-chuan Leng) 18 pp. $2.00

No. 2 - 1984 (61)  ISSN 0730-0107  ISBN 0-942182-61-8
The Communist Party of China: Party Powers and Group Politics from the Third Plenum to the Twelfth Party Congress (Hung-mao Tien) 30 pp. $3.00
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Legal Problems of Seabed Boundary Delimitation in the East China Sea (Ying-jeou Ma) 308 pp. Index</td>
<td>$10.00</td>
<td>$15.00</td>
</tr>
<tr>
<td></td>
<td>A New Direction in Japanese Defense Policy: Views from the Liberal Democratic Party Diet Members (Steven Kent Vogel) 63 pp.</td>
<td>$3.00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taiwan's Elections: Political Development and Democratization in the Republic of China (John F. Copper with George P. Chen) 180 pp. Index</td>
<td></td>
<td>(Hardcover $10.00) (Paperback) $5.00</td>
</tr>
<tr>
<td></td>
<td>Cankao Xiaoqi: Foreign News in the Propaganda System of the People's Republic of China (Jörg-Meinhard Rudolph) 174 pp. Index</td>
<td>$5.00</td>
<td></td>
</tr>
</tbody>
</table>

1985 Series

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The Political Basis of the Economic and Social Development in the Republic of China (Alan P. L. Liu) 22 pp.</td>
<td></td>
<td>$2.00</td>
</tr>
<tr>
<td></td>
<td>The Legal System and Criminal Responsibility of Intellectuals in the People's Republic of China, 1949-1982 (Carlos Wing-hung Lo) 125 pp. Index</td>
<td></td>
<td>$5.00</td>
</tr>
<tr>
<td></td>
<td>Symposium on Hong Kong: 1997 (Edited by Hungdah Chiu), 100 pp. Index</td>
<td></td>
<td>$4.00</td>
</tr>
<tr>
<td></td>
<td>The 1982 Chinese Constitution and the Rule of Law (Hungdah Chiu), 18 pp.</td>
<td></td>
<td>$2.00</td>
</tr>
<tr>
<td></td>
<td>Peking's Negotiating Style: A Case study of U.S.-PRC Normalization (Jaw-Ling Joanne Chang), 22 pp.</td>
<td></td>
<td>$2.00</td>
</tr>
<tr>
<td></td>
<td>China's Marine Environmental Protection Law: The Dragon Creeping in Murky Waters (Mitchell A. Silk), 32 pp.</td>
<td></td>
<td>$3.00</td>
</tr>
</tbody>
</table>
1986 Series

No. 1 - 1986 (72) ISSN 0730-0107 ISBN 0-942182-74-X
From Tradition to Modernity: A Socio-Historical Interpretation on China's Struggle toward Modernization Since the Mid-19th Century (Wen-hui Tsai), 76 pp. $4.00

No. 2 - 1986 (73) ISSN 0730-0107 ISBN 0-942182-75-8
Peace and Unification in Korea and International Law (Byung-Hwa Lyou), 205 pp. Index. $8.00

No. 3 - 1986 (74) ISSN 0730-0107 ISBN 0-942182-76-6
The Hong Kong Agreement and American Foreign Policy (Hungdah Chiu), 18 pp. $2.00

Forthcoming

No. 4. - 1986 (75) ISSN 0730-0107 ISBN 0-942182-77-4
United States-China Normalization: An Evaluation of Foreign Policy Decisionmaking (Jaw-ling Joanne Chang), copublished with Monograph Series in World Affairs, University of Denver, 200 pp. Index. $8.00
MARYLAND STUDIES IN EAST ASIAN LAW AND POLITICS SERIES

(The following books are published under the auspices or co-auspices of the East Asian Legal Studies Program of the University of Maryland School of Law. The views expressed in each book reflect only those of the author. All books published in hard cover edition.)


5. Hungdah Chiu and Shao-chuan Leng, editors, China: 70 Years After the 1911 Hsin-hai Revolution. Charlottesville, Virginia: University Press of Virginia, 1984. 600 pp. (Published under the co-auspices of the Committee on Asian Studies, University of Virginia.) ISBN No.: 0-8138-1027-7 $20.00

   ISBN No. 0-87395-948-5 (paperback) $19.95


* Occasional Papers/Reprints Series in Contemporary Asian Studies, Inc., 500 West Baltimore St., Baltimore, Maryland 21201. (Tel. (301) 528-3870).


--------------------------------

**ORDER FORM**

To Occasional Papers/Reprints Series in Contemporary Asian Studies, University of Maryland School of Law, 500 West Baltimore Street, Baltimore, Maryland 21201, U.S.A.

Check One:

□ Please Send:

<table>
<thead>
<tr>
<th>No.</th>
<th>Author</th>
<th>Title</th>
<th>Copies</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

□ Please start my subscription of the OPRSCAS: Starting issue

____________________________________

Subscription price is U.S. $15.00 for 6 issues (regardless of the price of individual issues in the U.S. and Canada and $20.00 for overseas.)

My check of U.S. $__________ is enclosed ________ copy(s) of invoice/receipt required. (Institution/library may request billing before making payment) (Make check payable to OPRSCAS) (Please add postage/handling of $1.50 for one to three copies and $0.50 for each additional copy.)

Please send book to:

Name/Corp./Library:
Address: (Please include zip code)

____________________________________

____________________________________

____________________________________