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## A note about ‘Two Systems’

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## A note about 'Two Systems'

### **Abstract**

The poem's title refers to 'one country, two systems', the principle that Hong Kong's capitalist way of life should remain unchanged for 50 years following its return to China on 1 July, 1997. The former British colony is currently a third of the way through this limbo-like phase, in which it supposedly enjoys a 'high degree of autonomy' from China's socialist system, as the countdown ticks ever closer to 2047. In the early summer of 2014, just as I was working on this poem, Beijing released a white paper that aroused widespread concern in Hong Kong. Many there interpreted it as yet another sign of the mainland seeking to interfere in the SAR's domestic affairs – including, for example, the suggestion that its judges should show fealty to Beijing.

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The poem’s title refers to ‘one country, two systems’, the principle that Hong Kong’s capitalist way of life should remain unchanged for 50 years following its return to China on 1 July, 1997. The former British colony is currently a third of the way through this limbo-like phase, in which it supposedly enjoys a ‘high degree of autonomy’ from China’s socialist system, as the countdown ticks ever closer to 2047. In the early summer of 2014, just as I was working on this poem, Beijing released a white paper that aroused widespread concern in Hong Kong. Many there interpreted it as yet another sign of the mainland seeking to interfere in the SAR’s domestic affairs – including, for example, the suggestion that its judges should show fealty to Beijing.

During the 1980s, preparations for the handover in 1997 included London and Beijing negotiating the document that would become the ‘Basic Law of the Hong Kong Special Administrative Region’, the new Hong Kong’s constitution. In reading through and about the Hong Kong Basic Law, I couldn’t stop thinking about its nature as a sort of self-deconstructing text – self-destructing even to the point that it enshrines within itself the date of its own undoing.

The text’s self-destruction reminded me of the ‘erasure poem,’ a form which has been popular among Western avant garde writers since the 1960s. One famous example is Ronald Johnson’s *Radi Os* (1977), which erases most of the words in Milton’s *Paradise Lost* to create a new, surprisingly affecting, work out of the earlier poem’s rubble.

## Howe

It was satisfying, in a childlike-way, to set about these pages from the Basic Law with Photoshop's eraser tool. I imagined myself releasing their anarchic, subversive, gloriously vulgar undersongs. I was delighted to find, in amongst the nonsense, touches of sense emerging: allusions to the current unrest about Hong Kong's path to universal suffrage ('Power to the People'), or, more subtly, to its colonial past. (I found myself writing about a hapless character called 'Reg', whose name is an irreverent nod to the 'Regina vs X' formula of English law: a sort of cut-down Crown). I chose the pages either side of the anti-subversion law (article 23), because in 2003 it caused huge protests in defence of freedom of speech and the press. By the poem's final page – which seeks to define a 'Hong Kong resident' – hardly anything is left, except that haunting date: 2047.

## Notes

Sarah Howe is a Research Fellow at Gonville and Caius College, University of Cambridge. Her debut pamphlet of poems, *A Certain Chinese Encyclopedia*, was published in 2009. She won an Eric Gregory Award from the Society of Authors in 2010. Her first full collection is forthcoming from Chatto & Windus in 2015 (slh50@cam.ac.uk).

## **Two Systems**

The courts of the Hong Kong Special Administrative Region shall have no jurisdiction over acts of state such as defence and foreign affairs. The courts of the Region shall obtain a certificate from the Chief Executive on questions of fact concerning acts of state such as defence and foreign affairs whenever such questions arise in the adjudication of cases. This certificate shall be binding on the courts. Before issuing such a certificate, the Chief Executive shall obtain a certifying document from the Central People's Government.

#### **Article 20**

The Hong Kong Special Administrative Region may enjoy other powers granted to it by the National People's Congress, the Standing Committee of the National People's Congress or the Central People's Government.

#### **Article 21**

Chinese citizens who are residents of the Hong Kong Special Administrative Region shall be entitled to participate in the management of state affairs according to law.

In accordance with the assigned number of seats and the selection method specified by the National People's Congress, the Chinese citizens among the residents of the Hong Kong Special Administrative Region shall locally elect deputies of the Region to the National People's Congress to participate in the work of the highest organ of state power.

#### **Article 22**

No department of the Central People's Government and no province, autonomous region, or municipality directly under the Central Government may interfere in the affairs which the Hong Kong Special Administrative Region administers on its own in accordance with this Law.

If there is a need for departments of the Central Government, or for provinces, autonomous regions, or municipalities directly under the Central Government to set up offices in the Hong Kong Special

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Administrative Region, they must obtain the consent of the government of the Region and the approval of the Central People's Government.

All offices set up in the Hong Kong Special Administrative Region by departments of the Central Government, or by provinces, autonomous regions, or municipalities directly under the Central Government, and the personnel of these offices shall abide by the laws of the Region.

\*For entry into the Hong Kong Special Administrative Region, people from other parts of China must apply for approval. Among them, the number of persons who enter the Region for the purpose of settlement shall be determined by the competent authorities of the Central People's Government after consulting the government of the Region.

The Hong Kong Special Administrative Region may establish an office in Beijing.

### Article 23

The Hong Kong Special Administrative Region shall enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the Central People's Government, or theft of state secrets, to prohibit foreign political organizations or bodies from conducting political activities in the Region, and to prohibit political organizations or bodies of the Region from establishing ties with foreign political organizations or bodies.

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Note:

- \* See The Interpretation by the Standing Committee of the National People's Congress of Articles 22(4) and 24(2)(3) of the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China (Adopted at the Tenth Session of the Standing Committee of the Ninth National People's Congress on 26 June 1999) (see **Instrument 17**)

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### Chapter III: Fundamental Rights and Duties of the Residents

#### Article 24

Residents of the Hong Kong Special Administrative Region (“Hong Kong residents”) shall include permanent residents and non-permanent residents.

The permanent residents of the Hong Kong Special Administrative Region shall be:

- (1) Chinese citizens born in Hong Kong before or after the establishment of the Hong Kong Special Administrative Region;
- (2) Chinese citizens who have ordinarily resided in Hong Kong for a continuous period of not less than seven years before or after the establishment of the Hong Kong Special Administrative Region;
- \* (3) Persons of Chinese nationality born outside Hong Kong of those residents listed in categories (1) and (2);
- (4) Persons not of Chinese nationality who have entered Hong Kong with valid travel documents, have ordinarily resided in Hong Kong for a continuous period of not less than seven years and have taken Hong Kong as their place of permanent residence before or after the establishment of the Hong Kong Special Administrative Region;
- (5) Persons under 21 years of age born in Hong Kong of those residents listed in category (4) before or after the establishment of the Hong Kong Special Administrative Region; and

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Note:

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