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Bureaucratic Response to Political Change

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Bureaucratic Response to Political Change: Theoretical Use of the Atypical Case of the Hong Kong Police

Abstract

This is an empirical study in the first instance. This is an atypical case and cannot be directly compared with other cases of police undergoing decolonization already covered in the literature. Unlike other former British colonies, Hong Kong will not gain independence but become a Special Administrative Region of China in 1997. Unlike the return of Taiwan to China by Japan in 1945 or the return of foreign concession areas in China to Chinese authorities at the end of the Second World War, Hong Kong will not be totally reintegrated with socialist China but allowed to retain its capitalist system and some degree of autonomy for fifty years. Thus, Hong Kong is a mixed and unique case, which nevertheless can be used to test and generate theoretical hypotheses on how a public bureaucracy copes with structural political change. Three models of police operation are discussed: colonization, decolonization/democratization, and a mixed model. The issues compared include role of police in sustaining political order, control and oversight of the police, basis of allocation of authority and sustenance of morale, communication link, political control exerted by the police over the public, and use of resources. While the intent of the public bureaucracy may have been to protect its own organizational interests, the unintended consequence of its actions may have greater political implications. The stronger the police is as an organization, the better it will be as a political tool. Increased coercive capabilities may be effectively used to enhance Hong Kong's autonomy, or abused to support the continuation of colonization or recolonization in Hong Kong's reintegration with greater China.

THIS is an empirical study in the first instance. The empirical question addressed here is how the Hong Kong police copes with the return of Hong Kong to China in 1997. As a case study, this is atypical, and cannot be directly compared with other cases of police undergoing decolonization already covered in the literature. Unlike other former British colonies in Africa and Asia (Killingray, 1986; Bayley, 1969; Jeffries, 1952), Hong Kong will not gain independence but become a Special Administrative Region of China in 1997. On the other hand, unlike the return of Taiwan to China by Japan in 1945 (Chen, 1975; Chen, 1973:193-266) or the return of foreign concession areas in China to Chinese authorities at the end of the Second World War (Wakeman, 1988), Hong Kong will not be totally reintegrated with socialist China

but allowed to retain its capitalist system and some degree of autonomy for fifty years. Thus, Hong Kong is a mixed and unique case, which nevertheless can be used to test and generate theoretical hypotheses. The theoretical question addressed here is how a public bureaucracy, such as the police, copes with structural political change, as in decolonization.

If the police is an independent political actor, it can 'critically affect political competition and mold social processes, which in turn shape political life' (Bayley, 1985:210). Through powers of arrest, detention and exile, the police can determine who can participate in politics, regulate public gathering, impose censorship, spy on and manipulate political groups, defend regimes from violent attack (or threaten not to defend), and advocate policy. Indeed, 'Police activity is crucial for defining the practical extent of human freedom' (Bayley, 1985:189-201). However, if the police is subordinate to higher authority with greater coercive power (such as the military) at its disposal, then the police is not an independent political actor but merely a politically neutral agent of the government controlled by other political actors. The police simply carries out orders.

On the other hand, the police is also an organization and has its own organizational interests and survival instinct. The police can be seen as an independent political actor in the sense that it is an interest group. It does not challenge the government or the political system, but it wishes to protect its own organizational stakes in resource allocation. In a changing political environment, it must accommodate conflicting interests and demands of other political actors and at the same time maintain its own organizational effectiveness, efficiency and morale. It must sell its bureaucratic-functional indispensability to an economically modernizing society irrespective of its changing political content.

While the intent of the police may have been to protect its own organizational interests amidst political change, the unintended consequence of its actions may have greater political implications. On the one hand, the police is a coercive arm of the government and a political tool, and is ultimately used by those in control of the government. The stronger the police is as an organization, the better it will be as a political tool. As demonstrated by our case here, if the Hong Kong police is able to acquire more powers, such increased coercive capabilities of the government may be used (or abused) to support the continuation of colonization or recolonization in Hong Kong's reintegration with greater China.

On the other hand, the effective performance of public-bureaucratic tasks fulfills various degrees of public wants and needs. If by acquiring more powers the Hong Kong police proves to be more effective in maintaining law and order, the Chinese government may have one fewer reason to intervene in Hong Kong affairs, thereby reinforcing the autonomy of Hong Kong.

It is uncertain which scenario is more likely to be actualized, but a great deal of the outcome depends on two sets of factors: (1) In reformulating its role, restructuring its organization, and redeploying its resources, how the Hong Kong police can develop a new model of operation in the transitional period that will also fit Hong Kong's future political system, which is neither colonial nor truly independent; neither socialist nor truly democratic. This will be discussed in Parts I and III of this paper. (2) How the police's assertion of its organizational interests interacts with the public's assertion of its political influence and control, and what kind of balance can be struck between the two forces. This will be dealt with in Part II of this paper.

Part I. Between Two Models of Police Operation

A. Colonization, decolonization, recolonization and reintegration

Decolonization denotes the termination of a colonial system. Colonization, in brief, is the establishment of sovereign control, usually through military means, over a foreign territory and its population in order to enhance the interests of the mother country. The political relationship between the mother country and the colony is hierarchical, and colonial rule is by definition authoritarian or undemocratic. Allocation of authority and power in the colony is done on the basis of nationality and political loyalty to the mother country rather than functional or professional merit or political popularity in the first instance.

This colonial system is also reinforced by the imposition of an alien official language, that of the mother country. In order to generate an affinity to the mother country, other institutions, laws, and socio-economic-cultural norms and practices from the mother country may also be transplanted to the colony, provided that they are consistent

with the colonial system. (Democracy, for instance, is not.)

A government enjoys legitimacy when it is accepted by the people. In the absence of legitimacy, the government has to rely on coercion to govern. A colonial government forcibly superimposed from outside is unlikely to gain legitimacy, at least not initially. Colonization therefore must be sustained by coercion. Political activities in general, opposition and linkages with external political adversaries in particular, must be suppressed.

Coercion, however, can be very costly. One way of reducing political resistance is to depoliticize the population through the education-indoctrination system. Another way is to generate legitimacy by providing or emphasizing such nonpolitical goods as economic development and social welfare. Local elites can be coopted by the granting of social status and prestige and economic rewards. An expanded middle class brought about by economic development, concerned about its own security and the security of its property, is also likely to support law and order even under a colonial government. Finally, if the external environment can be portrayed as unfavorable – in terms of political or military threat, international economic competition, or even population pressure created by refugees and illegal immigrants – it may also be used to justify consolidation of domestic rule, colonial or otherwise.

Decolonization usually leads to the termination of the above system. At least three possibilities may ensue. First, decolonization may give rise to a postcolonial, independent and sovereign government. This government may be democratic, authoritarian, or otherwise. Irrespective of its nature, the key here is that it is independent and sovereign. Second, decolonization may only signify the termination of colonization by one regime; recolonization by another regime may follow. The definition of recolonization here is based on the aforementioned characteristics of colonization. Third, a decolonized place may be neither independent nor recolonized but administratively subsumed under another sovereign state, as in a trusteeship situation, or reintegration with the country from which this place had been previously separated by colonization.

This third scenario may or may not lead to some form of recolonization. It may even represent a form of democratization if: (1) sovereign control is not superimposed from outside but negotiated or voluntarily accepted or welcomed by the subjects; (2) the interests of

the mother country are not enhanced at the expense of the subjects; (3) within a hierarchical relationship, the subjects enjoy a high degree of autonomy and are able to express their own preferences through a democratic process; (4) local allocation of authority and power is done on the basis of functional or professional merit or political popularity; (5) no alien official language, institutions, laws, or socio-economic-cultural norms and practices are superimposed on the subjects; and (6) coercion is deemphasized and peaceful political activities are tolerated.

In the case of Hong Kong, decolonization is supposed to be followed by reintegration in the form of administrative subsumption. It is unclear, however, whether this subsumption will take a democratic form or degenerate into some form of internal recolonization of Hong Kong by China. This latter scenario can happen as follows: On July 1, 1997, sovereign control will be once again superimposed on Hong Kong from outside. This is not the same as the previous British colonization, since China is not 'foreign' in historical and cultural terms. But the political system of China is different, thus 'foreign.' The interests of greater China, the mother country, will be enhanced. The relationship between the mother country and Hong Kong will be hierarchical. Local autonomy will be limited.[1] Allocation of authority and power in Hong Kong will be done on the basis of nationality and political loyalty to the mother country rather than functional or professional merit or political popularity in the first instance. The official language of the mother country, *Putonghua*, will replace the local Cantonese dialect. In order to generate an affinity to the mother country, other institutions, laws, and socio-economic-cultural norms and practices from the mother country will be transplanted to Hong Kong, provided that they are consistent with the 1984 Sino-British Joint Declaration and the 1990 Basic Law. The population in general will continue to be depoliticized through the education-indoctrination system. Political activities in general, opposition and linkages with external political adversaries in particular, will continue to be suppressed. Local elites will continue to be coopted by the granting of social status and prestige and economic rewards. The external environment – especially international economic competition – will continue to be portrayed as unfavorable in order to justify consolidation of domestic rule. Chinese recolonization will therefore be basically the same as the current British colonization. Whether this scenario

will be realized remains to be seen.

B. Two ideal-type models of police operation under colonization and decolonization/democratization

As Bayley (1975:328) puts it, 'A police force is an organization authorized by a collectivity to regulate social relations within itself by utilizing, if need be, physical force.' As a branch of the public bureaucracy, the police is supported by resources and surpluses extracted from the public by the government. At the same time, the coercive functions of the police can be used in return to suppress public demands for fulfilment of wants and needs. However, coercion is costly and thus has its limits. A certain degree of voluntary public support is ultimately needed, which can be gained by the offering of service to the public and the fulfilment of selective public demands. The extent of police coercion on the one hand, and service and responsiveness to the public on the other, as well as the permissible degree of public control over the police, are all functions of the nature, goals, and policies of the government.

Let us consider two ideal-type models of government under which police operation takes place: colonization and decolonization/democratization. While democratization may not necessarily accompany decolonization, a decolonization/democratization model is discussed here for the purpose of contrast. Between the two extremes of colonization and democratization, it is understood that there is a spectrum of other possible variations and combinations under decolonization. Throughout the rest of this paper, we shall discuss six aspects of police organization and functions:

(1) Role of police in sustaining political order. The police's major functions are to fight crime and maintain law and order. Police officers may not personally take a political stand while performing their duties, but the very functioning of the police is in itself a 'political' activity in at least two respects.

Firstly, in performing its functions, the police helps sustain the government and the political order behind it. Police officers have to pledge allegiance to the government that they serve. They have to support the general political and ideological foundations of the government, though they may not personally approve of the specific programs of the incumbent administration, or the party or faction in control.

Secondly, fighting crime and enforcing the law can be political to the extent that the definition of crime and the content of law are politically determined. For instance, certain political parties, labor unions, or peaceful demonstrations can be outlawed for political reasons. In this sense, under whatever political systems, law is always a function of politics to the extent that law is made and can be changed through a political process. The police, in enforcing the law, is always an agent of the government and those who control it. The difference lies in whether an unpopular law or government can be democratically removed.

Let us take riots as an example. In Hong Kong, political organizations and activities are generally suppressed. Until very recently, there have also been very few legal and formal channels of political participation. In the absence of proper representation, people with political-ideological convictions (as exemplified by the 1956 and the 1967 riots) or socio-economic grievances (as demonstrated by the 1966 Star Ferry, the 1981 Christmas Eve and the 1984 taxi drivers disturbances) can only resort to public protest as an outlet for their frustration. When emotions run high, the situation can easily be exploited by agitators from street gangs or idle mobs.[2]

Controlling riots is certainly a normal law-enforcement function of the police; but it becomes a particularly 'political' activity when the root causes of riots are political in nature: it is a political decision of the colonial government to suppress political activities and restrict political participation in order to uphold the colonial order. It is this policy that forces people to take their discontent to the streets. The police, in performing its coercive functions, thus plays a critical 'political' role in upholding the colonial order by force.

A colonial government is forcibly superimposed from outside, undemocratic by definition, and likely to face violent resistance, at least initially. Therefore, it is necessary to emphasize the coercive power of the police. Police coercion can be characterized in terms of the means of physical force at the disposal of the police and the extent of police authority. The means of physical force at the disposal of the Hong Kong police is enhanced not only by its acquisition of the latest equipment and weaponry, but also by its paramilitary form of organization and training. The Police Tactical Unit, drawing over one thousand officers from the regular police force on a rotation basis,

provides a highly mobile reserve for emergency use. While attached to this unit, officers undergo training in crowd-control and other internal security tactics. If needed, thousands more from the regular police force can be mobilized within hours to form additional tactical units. This institutionalized paramilitary capability is required because, in the absence of other peaceful political channels, violent expression of public demands and frustration has become a permanent possibility and threat.

In addition to the means of physical force, police coercion can also be characterized in terms of the extent of police authority. Compared with Britain, the mother country, the police in Hong Kong has far greater authority. Without going into the technical, legalistic details, suffice it to say here that the Hong Kong police has the powers to demand a satisfactory explanation of a 'loiterer' and, on the basis of suspicion alone, to stop, search, and arrest anyone in public areas. The police can also enter premises without a warrant to search for illegal immigrants (Rear, 1971; *Far Eastern Economic Review*, July 25, 1985:35-36).[3]

Under a decolonized/democratic government, ideally, local public interests are given priorities. Emphasis is on constabulary service and responsiveness to public wants and needs rather than sheer coercion.

(2) Control and oversight of the police. A colonial government must have absolute control over the police, allowing no or only nominal public input. Under a decolonized/democratic system, the public demands more channels of communication and greater participation in overseeing and controlling the police. The extent of police authority and the means of physical force at the disposal of the police are more closely scrutinized by the public, balancing community needs on the one hand and individual rights on the other.

(3) Basis of allocation of authority and sustenance of morale. In order to maintain colonial control, expatriate and local police officers are internally differentiated by rank. Expatriate officers are recruited not as constables but at higher supervisory ranks. They occupy most, if not all, of the senior posts. They also enjoy better benefits (in terms of housing, vacation, etc.). Allocation of authority is therefore done on the basis of nationality and political loyalty to the mother country and the colonial government.

Morale of the less privileged local officers is sustained in two

ways. First, the differentiation between expatriate and local officers is institutionalized. Local officers are conditioned to accept the fact that in a colonial context the two groups are treated differently. Second, through acculturation, local officers can seek professional advancement. Command of an alien official language is a prerequisite since it is the medium in which official business is conducted and promotion examinations are given. In addition to promotion, reward often comes in the form of advanced training at prestigious institutions in the mother country, leading to even greater acculturation, as well as personal and professional prestige and further career advancement.

Under a decolonized/democratic system, police officers, including command personnel, are usually recruited locally. Expatriate officers, if any, are treated in the same way as local officers. Benefits are differentiated only by rank, not by nationality. Allocation of authority is done entirely on the basis of functional or professional merit, equally applied to all personnel. The local language is the official language. Overseas training, if necessary, is treated as part of regular training with no added prestige or benefit. As reward is tied to performance, there should be no special morale problems.

(4) Communication link. Under colonization, given the cultural and language barrier, a communication gap may exist between expatriate officers and the public, as well as between expatriate supervisors and junior local officers. Middle-ranking local officers are strategically placed to play a liaison role. Opportunities are thus created for manipulation as well as possible abuse of authority initiated by the middle-ranking local officers, eventually spreading and bringing dysfunction (including corruption) to some of the upper ranks.

Under decolonization/democratization, in the absence of a cultural or language barrier, there is one fewer reason for the existence of a communication gap between the police and the public, or between senior and junior officers. Therefore, mediation by middle-ranking officers is that much less necessary, and the resultant manipulation, abuse of authority, and dysfunction and corruption are less likely to be tolerated.

(5) Political control exerted by the police over the public. A colonial police force usually has a large political department (known as the Special Branch in a British-type system).[4] This department is usually staffed by a disproportionately high number of senior ex-

patriate officers and operated in an extraordinarily secretive manner. The very existence of a political department heightens the political role of the police: it helps sustain the colonial order by detecting and suppressing what the colonial government views as subversive and espionage activities. Under decolonization/democratization, normal political activities are no longer seen as subversive. Therefore, the size and functions of the political department of the police are reduced, redefined, and more closely monitored by the public.

(6) Use of resources. Under decolonization/democratization, use of resources is more efficient and effective. Extra expenses incurred in employing expatriate officers can now be saved. Promotion on the basis of merit and elimination of the language barrier provide new channels of mobility for talented local officers, ultimately improving the performance of and benefitting the police organization as a whole. Increased public control and increased police responsiveness mean increased coordination between wants and needs and resources.

The organization and functions of the police are thus very different under the two models of colonization and decolonization/democratization. The above scenarios, however, are only ideal-type cases. In reality, the two models may overlap in the transitional period, and an alternative, mixed model may be generated.

In the current situation of Hong Kong, expatriate and local police officers are still internally differentiated by rank, with expatriate officers recruited at higher supervisory ranks (Inspector and above). As at January 1986, of the 426 senior posts (i.e., gazetted ranks, including Commissioner, Deputy Commissioner, Senior Assistant Commissioner, Assistant Commissioner, Chief Superintendent, Senior Superintendent, and Superintendent), 297 or 70 per cent were held by expatriate officers.[5] They also enjoy better benefits in terms of housing and home leave allowances.

In theory, as clearly stated in the Sino-British Joint Declaration, expatriate officers may remain in employment after Hong Kong's return to China in 1997. The only qualification is that they cannot be head or deputy head of department, i.e., Commissioner or Deputy Commissioner in the case of the police. In reality, however, all of the expatriate officers I interviewed told me that they would not want to serve beyond 1997. As one officer put it, he had pledged allegiance to the Queen and the Queen alone. While it is possible that some expatriate officers may still choose to stay for personal-family or financial-employment reasons, it is likely that a considerable number of them will have left by 1997. Gradual and orderly localization, therefore, becomes the major organizational change that the Hong Kong police has to undergo.

Operationally, localization is defined as having a local Commissioner and two local Deputy Commissioners by 1995, and 50 per cent of the gazetted ranks held by local officers by 2000 (*Off Beat*, Sept. 3-6, 1986:7). Localization must be gradual and orderly in order to ensure a smooth transition and maintain police effectiveness, efficiency, and morale. Any instability within the police, which symbolizes law and order, would have a devastating impact on the rest of society in the face of political change. Moreover, localization means loss of control for the incumbent colonial government, and it is understandable that the latter does not want to lose such control until the very last moment.

Given the above constraints, what organizational measures can be taken to achieve the organizational goals necessitated by political change?

C. Drawing on organizational resources in response to political change

A number of the tactics used by the Hong Kong police can be generalized as follows:

(1) Tokenism at the top through differentiation between rank and function. When a local officer, Li Kwan-ha, was promoted to the rank of Senior Assistant Commissioner in 1984, it was an historic event since no local officers before had held a rank higher than Assistant Commissioner (as in the cases of Szeto Che-yan and Cheng Chik-shin). When Li was promoted to Deputy Commissioner (Operations) one year later in 1985, it was seen by the public as localization at work.

Localization does not mean promotion without merit. On the other hand, to argue that Li's promotion was based on merit alone would imply that no other local officers before him had been as capable – which is rather difficult to prove. While Li's promotion may indeed have been based on merit, the timing of it seems to be related to localization.

Before Li's appointment, the Deputy Commissioner (Operations) was the Senior Deputy (by rank, not by service seniority), overseeing two functional departments at Police Headquarters (Operations and Special Branch), and acting on the Commissioner's

behalf in his absence. Li's appointment to this post, while appropriate for localization purposes, created at least two difficulties for the colonial government: it would have meant giving a local officer authority, first, to oversee sensitive Special Branch business and, second, to assume command over the entire colonial police force as Acting Commissioner in the absence of the Commissioner. This would have changed, rather prematurely, the very definition of colonization, and would probably have demoralized some of the senior expatriate officers.

In order to get around the issues and soften the abruptness of transition, a new post of Deputy Commissioner (Special Branch) was created, and the Deputy Commissioner (Operations) was no longer considered the Senior Deputy. These two organizational changes put the other two expatriate Deputy Commissioners (in charge of management and Special Branch) ahead of Li on the basis of service seniority. It was not until 1988 – almost three years after Li's appointment as Deputy Commissioner and after the retirement of the other two more 'senior' expatriate Deputy Commissioners – that Li was briefly made Acting Commissioner in the absence of the Commissioner. In 1989, Li became the first local officer to be appointed Commissioner. It is unclear whether Li actually oversees the work of Special Branch, or whether the core of such work has been shifted to another department outside the police. In any event, it is possible that Special Branch may be abolished after 1997 (*Sing Tao Daily News*, March 17, 1988).

Organizationally, it is rather irregular that Special Branch should be headed by a Deputy Commissioner whereas the other functional departments at Police Headquarters are headed only by Senior Assistant Commissioners and a civilian equivalent. It is true that the head of Special Branch in 1985 when the upgrading occurred (James Morrin) had already been given the rank of Deputy Commissioner back in 1979 (which also gave him service seniority), but it was done only on an *ad personem* basis, as stated in the annual reports up to 1981. This fact was even omitted in the annual reports from 1982 to 1984, and the post of Director of Special Branch was listed in the organizational chart as one held by a Senior Assistant Commissioner, not Deputy Commissioner. If indeed the reason for upgrading the post had had to do with the importance of the work of Special Branch, the upgrading should have been formalized back in 1979.

The upgrading of the Director of Special Branch to Deputy Commissioner is also inconsistent with the recent reorganization of Police Headquarters. The trend has been consolidation and rationalization of functions and posts. For instance, the former Criminal Investigation Department, under a Senior Assistant Commissioner, has been incorporated into the Operations Department, and the top crime post downgraded to Assistant Commissioner. Even in Britain, the mother country, Special Branch at New Scotland Yard (Metropolitan Police) is headed only by a Deputy Assistant Commissioner, which is equivalent to Assistant Commissioner in the Hong Kong system, which is two ranks below Deputy Commissioner. Moreover, in the British case, Special Branch is not an independent department but subsumed under Department C (Crime). There is thus no organizational basis, internally or relative to Britain, for the upgrading in the Hong Kong case. Finally, in terms of numbers, only sixty new posts were created for Special Branch in the preceding two years (*South China Morning Post*, March 13 and 14, 1986), which certainly did not warrant any upgrading of the top post.

The above case demonstrates that any externally superimposed change that an organization is not yet ready to make, such as localization in this case, can take the form of tokenism at the top: any member of the organization, in this case a local officer, can be given a high and conspicuous rank but not all of the functions that would normally (and immediately) go with it. This differentiation between rank and function allows certain expectations to be fulfilled by the symbolism of rank while the actual function of ultimate control remains undisturbed until the opportune time.

(2)Remuneration and promotion as incentives for maintaining organizational continuity and morale amidst political change. Political change affects individual members of a public bureaucracy differently, depending on each member's own political and ideological convictions and other personal considerations. Such individual variations, however, also provide greater flexibility for the internal rearrangement of a public bureaucracy in response to political change. For instance, while one individual may want to quit because of political loyalty or fear of political uncertainty, another individual with different political priorities may readily want to take over, seeing it as an opportunity for professional advancement, and in effect helping to maintain the organizational continuity of the public bureaucracy itself.

A public bureaucracy can utilize internally available resources,

such as promotion and pension, to boost the morale of its members. In the case of the Hong Kong police, expatriate officers are concerned about whether localization will affect their promotion prospects in the interim period. This worry can be alleviated by:
(a) making only token appointments of local officers to senior posts; (b) creating 'shadow posts' for locals without affecting the real power held by expatriates; and (c) creating more senior posts through 'natural' bureaucratic expansion (as in the case of upgrading the post of the Director of Special Branch) so that more expatriate officers can be promoted more rapidly for the purpose of boosting their pensions.[6]

It may be difficult to guarantee pension rights and the value of the Hong Kong currency after 1997. For the British government to underwrite such liabilities would mean casting a vote of no confidence on the future government of Hong Kong, which is politically unacceptable. But such financial concerns can be relieved by:
(d) making early retirement possible (as early as 50) and retirement in general more flexible (between 50 and 60) so that retirement can be planned around 1997 and benefits maximized; and (e) distributing 50 per cent of pension and possible additional compensation in a lump sum (*Sing Tao Daily News*, December 8, 1986), as proven effective in the case of Nigeria (Tamuno, 1970:149).

In order to maintain organizational continuity, local officers, who eventually will take over, must also be given similar incentives. They may not be pleased by the fact that, despite localization, some of them may still be passed over so that more expatriate officers can be promoted and given bigger pensions in the interim period. On the other hand, this discrepancy between expatriate and local officers is not too difficult for the latter to accept since it is nothing new to a colonial police force. With localization, at least more local officers will eventually be promoted. This hope indeed provides greater incentives to younger local officers, who may want to protect their stakes in the organization by helping to maintain the *status quo*.

Nevertheless, there are other local officers who may not want to serve beyond 1997. These include older officers who are closer to retirement and have dimmer promotion prospects; or those who are ideologically against communism or have been involved in anti-communist work and thus fear reprisal. These local officers are more concerned about getting pension, additional compensation, and British citizenship (*Far Eastern Economic Review*, July 17, 1986:34-35).

The magnitude of these demands creates a problem for the government. Moreover, such demands, if granted, would set a precedent for the rest of the larger civil service which would be more difficult for the government to cope with and compensate in a similar fashion.

A police strike is forbidden by law. A 'coup' is unthinkable because it would undoubtedly be militarily suppressed (by British or Chinese troops or both). The Local Inspectors' Association has nonetheless threatened to pull out of the Police Force Council, a consultative organ, if its demands are not met (*South China Morning Post*, May 30 and June 2, 1986). It is conceivable that some commitments – in terms of a lump sum compensation as well as emigration opportunities – may be made to local officers involved in sensitive Special Branch posts (*Sing Tao Daily News*, March 17, 1988), but these officers only constitute a relatively small number.

With resources too limited to meet all of the demands, how can a public bureaucracy utilize existing organizational means to contain internal discontent?

(3) Immobilization through controlling entry and exit. Organizational hierarchy dictates that subordinates obey their superiors. This is especially true in a disciplined force such as the police. In the interim period, discontent of junior local officers can be contained in the first instance through regular organizational control and discipline if (a) expatriate officers (or a preferred group) can continue to occupy most of the senior posts and (b) local officers promoted to those posts are preselected and groomed to conform to existing organizational norms.

The role of expatriate officers in controlling junior local officers is rather obvious in a colonial police force. As confirmed by my confidential interviewing, expatriate and local officers do form two separate groups. Culturally, the two are obviously different. At a deeper level, the gulf seems to be one between the colonists and the colonized. Local officers feel that they are as capable as their expatriate counterparts, and resent the fact that expatriates occupy most of the senior posts. As one author has suggested, 'Normally there was a high degree of accommodation between the two, but in times of crisis divergencies could appear' (Lethbridge, 1985:140).

The present situation is different from the 1977 police demonstrations. The issue in 1977 was government action against police corruption which affected the entire police force. Junior local officers who organized the demonstrations received support (perhaps

tacit) from most of their expatriate superiors. In the present case, the stakes involved are different for the two groups.

Continued expatriate predominance is currently justified as a stabilizing force during the interim period: it can be seen as a symbol of continued British presence and commitment, and as a check against any dysfunction of local officers caused by political fear or even triad penetration. Promotion to senior ranks as well as recruitment of junior Inspectors have always been deliberately made difficult for locals so that their numbers can be restricted. Required proficiency in the English language alone is enough barrier to many local candidates, let alone other hard-to-define, subjective criteria (such as leadership).

In 1985-86, for instance, there were 245 Recruit Inspector posts. Of the 2,637 local applicants, only 59 were accepted, representing a 2.2 per cent success rate. Of those who applied, 32 per cent (843) had a university degree, suggesting that there was no lack of (a) academically qualified candidates or (b) interest in a police career among the highly educated despite the anticipated political change in 1997. In contrast, of the 701 overseas applicants, 56 were accepted, representing a 7.9 per cent success rate.[7] This discrepancy between local and overseas success rates suggests that an apparent lack of 'suitable' local candidates may only have been artificially created to justify a continuing need for expatriate officers.

While the entry of locals into the Inspectorate and senior ranks is controlled, their exit from the organization is also restricted. Very few specialized skills of police officers are of commercial value or transferable to the civilian sector. Private security agencies do not offer comparable compensations and can only accommodate a small number of former or retired police officers. Commercial crime specialists may have a better chance in the private sector, but they only make up a small number. Private companies may also be apprehensive about employing former police officers, not knowing if they are undercover or have other motives.

Such alternative employment opportunities will further diminish if an officer has been disciplined or discharged as a result of expressing discontent beyond organizationally acceptable limits. Unlike their expatriate counterparts who can explore alternative employment opportunities in their home country, other British colonies or Commonwealth countries, most of the local officers are physically immobile (unless they have relatives overseas). If they fear political

reprisal after 1997, they should be better off having organizational protection by trying to stay in.

(4) Fostering political support through bureaucratic linkage and functional exchange. Some public-bureaucratic functions may be redefined as the political environment changes. However, such functions as the maintenance of law and order by the police may be too basic and indispensable to society to be significantly altered by politics. Continued performance of these latter functions helps a public bureaucracy survive political change.

To protect its organizational interests amidst political change, a public bureaucracy can foster political support through establishing bureaucratic linkage and functional exchange with other functionally related units that seem to have an input into the political process of redefining or reaffirming public-bureaucratic functions.

In the case of the Hong Kong police, such bureaucratic linkage and functional exchange have been established with the Public Security Ministry of China. Two Commissioners of Police have visited China (in 1985 and 1986 respectively), with reciprocal visits by Chinese officials. Such exchange visits will continue on a semiannual basis. Issues discussed have included forgery, counterfeiting, commercial crime and narcotics (*Off Beat*, May 28 to June 10, 1986:1). Given this communication channel and the common bureaucratic concerns about crime that both sides share, the Chinese Public Security Ministry may be in a position to appreciate the indispensability of the law and order functions performed by the Hong Kong police. On this basis, the Chinese Public Security Ministry may lend its bureaucratic-political support to the Hong Kong police in reaffirming the latter's public-bureaucratic functions and in protecting the latter's organizational interests after 1997.

Part II. Public Assertion of Control and Police Response

A. Bureaucratic control with public input

While an emphasis on economic development may generate legitimacy for a colonial government, an expanded middle class is also created as a result. To protect its property and life style, this elite group may support law and order even under colonial rule; but at the same time

its ability to articulate its own political interests and demands is also enhanced by its wealth, social status, education (including overseas, noncolonial education), and organization – in terms of professional associations or even social clubs (Nie *et al.*, 1969; Lau, 1983). To the extent that the economic role played by this group helps generate legitimacy for the colonial government, the political interests and demands of this group cannot be totally ignored by the colonial government. Political concessions made to this group in turn help create a favorable political environment for other groups or the general public to make similar demands. The resultant political transformation may also stimulate transformation of cultural inhibitions (such as submission to authority in Chinese tradition) which in turn may reinforce political change.

Over time, even a colonial government may be inclined to grant a limited degree of political participation and indirect public control. This is the case not only because of political pressure from the middle class or subsequently from the general public. The costs of sheer coercion may have become too high. Overconcentration of power in the public bureaucracy may have bred dysfunction and corruption. Economic development and modernization in general may have created numerous additional public-bureaucratic functions. Effective and efficient fulfilment of these and other functions requires rational coordination between resources and wants and needs, which in turn requires a certain degree of public feedback, input and control.

The public, however, is unlikely to be satisfied with only limited input and control. Its desire for greater control over its own destiny through political participation may further intensify when there is fear of political uncertainty (as in the case of Hong Kong's political future being externally determined). But precisely because of political uncertainty, and without knowledge of what a future government may favor, the incumbent colonial government is unlikely to introduce drastic change and risk its own bargaining position based on the maintenance of the *status quo*. The colonial government especially will not allow the ultimate control of its coercive capabilities to be disturbed during this critical period of transition.

As a result of this tension, a mixed system gradually emerges, in which increased bureaucratic control, i.e., control internal to the government, is combined with increased public input. The government has to maintain a delicate balance between not arousing too much public expectation over gaining control on the one hand, and not giving the impression of lack of responsiveness to public demands on the other.

In terms of increased bureaucratic control over the Hong Kong police, the Independent Commission Against Corruption (or ICAC) was established as early as 1974. This executive branch unit reports directly to the Governor. The issue of police corruption is a complicated one and has to be dealt with in another context. Here suffice it to say that the colonial government has over the years built up the power of the police to such an extent that there are unintended and undesirable consequences: not only are there police corruption and dysfunction which ultimately diminish the effectiveness and legitimacy of the government, but members of the police force collectively can also use the threat of a mutiny as bargaining leverage when their interests in the organization are threatened by corrective measures taken by the government.

A case in point is the 1977 incident where thousands of off-duty police officers demonstrated in the streets, and a small group (including some who were no longer police officers) attacked the ICAC headquarters. These police demonstrators protested against tactics used by the ICAC in its investigations into police corruption – the same tactics, ironically, used by the police in its own operations (such as early morning arrest to catch a suspect off guard, and the use of convicted criminals as witnesses). The complaint that there was a lack of communication between junior officers and the top police management may have been legitimate. But the unmistaken truth of the matter is that many police officers were demoralized by the ICAC investigations. Faced with the possibility of a police mutiny, the Governor declared a partial amnesty for most of the police corruption offenses in the past (Lethbridge, 1985:Ch.6).

This case demonstrates why even the colonial government desires increased public input. In order to maintain or restore its own bureaucratic control over the police, the government needs the public to report cases of police corruption and supply evidence and witnesses before charges can be brought. What the public has gained, however, is only a supportive role in checking police deviation from norms set by the government. There is still no direct public control in the form of a publicly elected civilian board or commission endowed with administrative and sanctioning authority over the police.

In addition to the ICAC, there are other mechanisms of bureaucratic control with public input. For instance, there is control over the police budget. Within the executive branch of the colonial government, the Secretary for Security, responsible for law and order matters, oversees the preparation of the police budget and other general policy matters. There is also the Legislative Council, which is a branch of government responsible for legislation and appropriation of public funds. However, the public, through its limited number of elected representatives, can always be outvoted by the appointed members. Members of the Legislative Council can address questions to the government, and are thus in a position to influence, but not control, the police by bringing issues to public attention. The same function is served at local levels by elected members of the district boards which advise local government officials, including the police.

A third mechanism of bureaucratic control with public input is the Fight Crime Committee, which was reconstituted in 1983 with the Chief Secretary (highest government official next to the Governor) as chairman. Its responsibilities are to draw up plans to reduce crime, to coordinate the work involved among government departments, and to monitor the results. Similar committees are also set up at the district level. In other words, bureaucratic control is exercised through coordination and oversight within the executive branch of government. The public is represented by the unofficial committee members who, however, are not elected but appointed. Again, these committees can make recommendations but have no sanctioning authority over the police.

A fourth mechanism of bureaucratic control with public input is known as the UMELCO Police Group from 1977 to 1985, which consisted of unofficial members (elected or appointed members who are not officials of the executive branch of government) of the Executive and Legislative Councils. (The Executive Council, consisting of appointed members, advises the Governor on policy matters.) Since 1986, the UMELCO Group has been renamed the Police Complaints Committee, which is a reconstitution of the former to include Justices of the Peace and an independent secretariat. The main function of this watchdog unit is to monitor and review how the police, through its own Complaints Against the Police Office (or CAPO), handles complaints by the public. The fact that it can only monitor and review the work of CAPO and at most make recommendations to the Commissioner of Police or the Governor makes it a mere tool of bureaucratic rather than public control.

It is important to note that actual investigations into complaints are not carried out by this independent unit but by the police's own CAPO. Whether police officers are capable of conducting impartial investigations into complaints against fellow officers is always an open question. In my interviewing, one officer who had been with CAPO told me that while CAPO officers are usually conscientious about their work, they are also aware of the need to maintain collegial solidarity with fellow officers outside of CAPO. Working at CAPO is only one of many temporary assignments; being a member of the police force is the permanent occupation.

Putting the issue of objectivity aside, sometimes investigating a complaint does not necessarily mean that the truth can be found. It is always possible for a suspect to file a complaint against the arresting officer in the hope of avoiding charges against himself. On the other hand, a true victim of police misconduct may not be able to substantiate his case if it is based only on his word against that of the officer. Even hard physical evidence such as bruises can be brushed off if the officer countercharges that the suspect has resisted arrest. In 1985, for instance, only 8.5 per cent of the complaints could be substantiated (*Report of the UMELCO Police Group 1985*: Appendix V).

In my interviewing, one unofficial member of the Legislative Council (the term 'unofficial' was abolished in October 1986) told me that CAPO is 'a joke.' However, a senior police officer has reportedly told his subordinates that police 'efficiency' has indeed been negatively affected by the very existence of CAPO, implying that the latter does serve a restraining – but not sanctioning or controlling – function.

As the above discussion suggests, the four mechanisms provided by the government have facilitated bureaucratic – but not public – control over the police. However, in all four cases, there has been increased public input. These examples suggest a growing mixed system where the colonial government still retains ultimate control but at the same time the public is given various channels of communication and influence. Given this ambiguous and fluid situation, in order to gain more public support and further their own political ambitions, local politicians are likely to take advantage of whatever concessions and mistakes the government has made to further criticize the government. Under attack, the government and its public bureaucracy have to defend themselves. This competition for public support may result

in the politicization of the public. A politically unsophisticated public can also be easily manipulated. For instance, while politicians may criticize the police's excessive powers, the police can exploit the public's fear of crime to rally public support for greater police authority. Through appealing to the public for support, the police also participates in the political process as an interest group. To illustrate the point, let us turn to the debate over the possibility of infiltration of the police by triad members, and the related debate on how to deal with the problem of triads.

B. Politicization and mobilization of external resources

Before discussing the debates, a few words about triad societies are in order. The term 'triad' denotes the unity of heaven, earth, and man. Triad societies were originally secret, patriotic organizations formed to overthrow the Manchu Ching government and restore the Ming government in China. Subsequently, the name triad and its organizational structure have been exploited by other groups. For instance, in the absence of adequate police protection in Hong Kong around the turn of the century, triads were organized among laborers to provide means of protection and conflict resolution. Another example is the 14K triad which in the 1940's had close political connections with the Chinese Nationalists.

Triads became the targets of criminal penetration precisely because of their exploitable secrecy, organization, and reputation. Criminally transformed triads in Hong Kong not only engaged in ordinary criminal activities but also took advantage of political turmoil to further their interests. For instance, they assisted the Japanese in the latter's occupation of Hong Kong in the 1940's. After the Second World War, the police relied on triad members as informers and regulators of underworld conflicts. Triads were not seen as a major security threat until their participation in the massive riots of 1956.

In 1957, a Triad Society Bureau was set up within the police's Criminal Investigation Department. Police efforts in combatting triads, while interrupted by the 1967 communist-instigated riots, were generally successful. The number of triad members was reduced from an estimated half a million in the 1960's to around 80,000 in the 1970's (Sinclair, 1983:Ch.32; Zhang, 1979; *The Express Daily News,* August 8, 1976).

The controversy discussed here began in December 1984. In response to a newspaper story, Sir Philip Haddon-Cave, the then Chief Secretary and Deputy to the Governor, and chairman of the Fight Crime Committee, disclosed in a public interview that a 1983 police report acknowledged that the government and the police had underestimated the amount of triad activity since the 1976-77 major review of the triad problem. The 1976-77 review concluded that triad societies existed largely in name only, and that they had degenerated from strictly controlled and politically motivated organizations into loose-knit gangs of criminals which usurped the names of triad societies (*Transcript* of 'This Week' Interview, December 2, 1984; *South China Morning Post*, December 3, 1984).

This disclosure subsequently drew public criticisms. The most vocal critic was Martin Lee, an elected member of the Legislative Council and a prominent and outspoken political figure. In a letter to the Attorney General, Lee asked if the 'incorrect' 1976-77 review was the result of an error of judgment or 'of something much more sinister, for example, that a number of police officers had deliberately misled their senior officers into thinking that all was well with triads in Hong Kong because they were, to say the least, "friendly" with certain triad bosses.' Lee wanted to know who the police officers were, and whether they were still with the police.

The Secretary for Security, responsible for law and order matters, replied on behalf of the government. He stated that the 1976-77 police review in fact concluded that the problems posed by triads 'are very real,' and that what was possibly exaggerated was the extent to which triads had been splintered into smaller gangs. He emphasized that there was no deliberate misleading of the police or of the government; nor was there any reduction in antitriad effort.[8]

In my interview with Lee, he acknowledged that he was satisfied with the reply by the government after he had been given access to the 1976-77 report in question. Indeed, according to Lee, there was no evidence of misleading, though the report did emphasize the need to avoid publicity over the problem of triads.

Why then was the police so concerned about avoiding publicity over triads? A survey of the press reveals that in the summer and autumn of 1976, there were overseas as well as local rumors linking Hong Kong triads to organized crime in Europe and America (*Oriental Daily News,* August 8, 1976; *Sing Tao Daily News*, August 12, 1976).

These rumors prompted the then Deputy Commissioner of Police, Roy Henry, and Senior Superintendent Teddy U of the Triad Society Bureau to pronounce that triad societies had in fact degenerated into loose-knit gangs of criminals (*Sing Tao Daily News*, August 16, 1976; *Oriental Daily News*, November 10, 1976). In other words, the concern about avoiding publicity over triads as emphasized in the 1976-77 police review may have been a tactical response to an exogenous factor, i.e., press rumors tarnishing the international image of Hong Kong and, by implication, that of the Hong Kong police in particular. This hypothesis is supported by a passage in the *Police Annual Report* (1977:24): 'During the latter part of the year an increasing number of reports appeared in the press regarding triad activity in various countries. These gave the impression that triad elements constitute a criminal syndicate of global proportion. This is sensationalism, and is simply not true.'

It is noteworthy that the same exogenous factor may also have been indirectly instrumental in bringing this whole controversy to the limelight: Sir Philip Haddon-Cave's remark, which was the source of the controversy, was made in response to a newspaper report published in the autumn of 1984 – at a time when a special presidential commission in the United States was conducting hearings on organized crime and its Asian connections (*The Seventies*, 179:60-63, December 1984).

Admittedly, the police has little control over such exogenous factors, and can only respond to them as they occur. Whether the police made a tactical error in 1976-77 in avoiding publicity over the problem of triads remains an open question. (In my interviewing, Deputy Commissioner Li Kwan-ha conceded that, in retrospect, it was a tactical error to avoid publicity, but he distinguished what was understated from what was underestimated, and insisted that there was no underestimation.) There was, however, at least one other mistake that the police made.

When the issue of triads was raised in 1984-85, public concern heightened by what was perceived to be an apparent reduction in police effort against triads. The reality was that the original Triad Society Bureau had been reorganized through the years, culminating in its combination in 1983 with the Homicide Bureau and the Special Crime Division to form the Organized and Serious Crime Bureau. This enlarged unit and the Criminal Intelligence Bureau together constitute

the Organized and Serious Crime Group, which is the central unit within the police responsible for fighting organized crime, including triads.

But this fact was never made clear to the public. As late as the end of 1985 – almost three years after the reorganization – the Commissioner of Police, Raymon Anning, still had to explain to reporters that There is a misconception that the Triad Society Bureau was fragmented in some way or was disbanded. What happened was that the resources within it were reorganized and have now become a more powerful central unit in the Organized and Serious Crime Group' (*South China Morning Post*, November 18, 1985).

The above episode suggests that the public bureaucracy is very much a political animal. On the one hand, in the absence of direct public control, the police overlooked the need to keep the public fully informed about its internal reorganization and the impact of such reorganization on police functions. On the other hand, its political sensitivity made it understand the following relationships: Hong Kong's survival hinges on its international status and image as a safe and efficient commercial center; it is the responsibility of the government and its public bureaucracy to uphold such status and image; and any branch of the government that fails to perform the aforementioned function will be bureaucratically punished. Therefore, the police found it necessary to respond to exogenous rumors by understating the problem of triads in 1976-77.

Likewise, in 1984-86 the police felt the need to respond when the infiltration issue raised by Lee and others drew public attention to the possibility of police dysfunction – which, if proven, would have warranted bureaucratic punishment. Instead of directly addressing the issue, the police once again demonstrated its political instinct and skill by shifting the focus from triad infiltration of the police to enhanced police efforts against triads. Through a report issued by the Fight Crime Committee in April 1986, the police recommended further expansion of police powers, including:

– revival of the Police Supervision Ordinance (repealed in 1983), enabling the police to place a 'potentially dangerous reoffender' under a curfew, restrict his entry into vice and gambling establishments, and alter his right to remain silent if charged;

– expansion of the Societies Ordinance to prohibit a convicted triad member from entering the jockey club, gambling and vice estab-

lishments, massage parlors, automatic games centers, billiard or pool saloons, and martial arts clubs, and from possessing a paging machine;

– use of accomplice evidence;

– the taking of evidence on oath but in secret;

– the granting of more questioning powers to the Commissioner of Police as Registrar of Societies (Fight Crime Committee, 1986).

This police 'counteroffensive' proved successful in at least two respects. Firstly, a public opinion poll showed that there was strong public support (80 per cent) for the spirit of the recommendations. Fifty per cent of those polled, however, also expressed a concern about possible abuse of such additional powers by the police, and 66 per cent thought that there were not sufficient safeguards against such a possibility. Nevertheless, 73 per cent agreed with Chief Secretary David Akers-Jones, who was also chairman of the Fight Crime Committee, that 'restrictions on civil liberties will apply to people who have chosen to bully, extort and to intimidate law-abiding members of the public' (*Sing Tao Daily News*, July 2, 1986). This kind of response gave the police what it wanted: evidence of public support.

Secondly, despite the admission by the Commissioner of Police that 'It is possible that triad members have penetrated the police department' (*South China Morning Post,* November 18, 1985), there was little subsequent public discussion on the extent of the problem. In fact, there was little questioning of a subsequent government proposal offering amnesty to police officers agreeing to renounce their triad links (*Far Eastern Economic Review*, August 27, 1987:26). In other words, the police succeeded in shifting the focus: while politicians criticized the police's excessive powers and possible dysfunction, the police responded by appealing to the public's fear of crime in order to rally public support for even greater police authority. The police knows that it can resort to politicization or mobilization of public opinion to defend its organizational interests and acquire more powers because, through performing its regular crime-fighting functions, it has created for itself a ready and large constituency.

While the intent of the police may have been to protect its own organizational interests, its actions may have other unintended consequences of greater political significance. Additional police powers represent an increase of the coercive capabilities of the government. In the eyes of some critics, this also means a corresponding reduction of civil rights and liberties. Such additional police powers granted at this time might be politically abused after the return of Hong Kong to China in 1997, as some critics fear (*Far Eastern Economic Review*, May 15, 1986:50-51; *South China Morning Post*, November 17, 1985). What is omitted from this view is that it is equally possible that with more powers the police may indeed do a better job in maintaining law and order, rendering Chinese intervention that much less likely.

Part III. The Emergence of a Mixed Model of Police Operation

We have earlier discussed two ideal-type 'models' of police operation under colonization and decolonization/democratization. In the current situation of Hong Kong, neither ideal-type model alone seems to be applicable. The current transition is marked by contention between local politicians pushing for a more democratized form of administrative subsumption under greater public control on one hand, and the police fighting for its own organizational interests and more powers on the other. Amidst such fluidity and uncertainty, a mixed model seems to have emerged which can be summarized as follows:

(1) Role of police in sustaining the political order. Increased political demands and expectations from the public as a result of decolonization have two opposite effects on the police: (a) they prompt the police to acquire more powers through politicization not only to prevent any possible destabilization of the political order in the transitional period, but also to protect the police's own organizational interests amidst uncertainty; (b) but at the same time they also render sheer coercion too costly and insufficient, and thus the police must also be more responsive to public demands for service.

(2) Control and oversight of the police. While the outgoing colonial government is unwilling to let the public usurp its control over its coercive capabilities during this critical period of transition, there is also a need to satisfy rising public expectations by allowing increased public input into what are basically still bureaucratic control and oversight. A balance is of critical importance here since 'external regulation impinges on police pride and self-esteem' and 'defensiveness, riding on embitterment, destroys effective self-regulation' (Bayley, 1985:178-179).

(3) Basis of allocation of authority and sustenance of morale.

Nationality and loyalty to the mother country and colonial government are still the primary criteria. However, as gradual localization is necessitated by decolonization, nationality and loyalty may be less relevant, and some element of professional or functional merit must also be used as a criterion in the promotion of local officers. In the transitional period, in order to retain ultimate colonial control and to sustain the morale of expatriate officers, whose career prospects may be affected by localization, a number of measures can be taken: differentiation between rank and function for senior local officers allows expectations of localization to be fulfilled by the symbolism of rank while the actual function of ultimate expatriate control remains undisturbed until the opportune time; more senior posts are created so that more expatriate officers can be promoted more rapidly for the purpose of boosting their pensions; retirement is made more flexible to maximize benefits; discontent from local officers is contained through immobilization; and external political support is fostered through bureaucratic linkage and functional exchange.

(4) Communication link. The gap between expatriate and local officers and that between expatriate officers and the public are gradually narrowed, but not immediately eliminated, through localization.

(5) Political control exerted by the police over the public. Political change redefines political crime as well as the necessary kind and degree of political control. This redefinition, however, is implemented gradually. In the transitional period, existing and new definitions may coexist, thereby increasing and complicating the political aspects of police work. The political department is enlarged to accommodate the extra workload. The mother country must also make sensitive preparations for shifting its intelligence operations from overt to covert after decolonization. Expatriate control in this area must therefore be kept until the very last moment. Unlike other former British colonies such as India where Special Branch was retained (Bayley, 1969:133-134), the Hong Kong Special Branch may be abolished. It is therefore possible that the core work of Special Branch may have already begun to be shifted to another covert department outside the police.

(6) Use of resources. The mixed model is more inefficient due to artificial expansion, duplication, increased powers, and extra compensation for outgoing expatriates. Facilitating a smooth transition through a mixed model is therefore more costly than normal operation under either colonization or decolonization/democratization.

If the above mixed model is a response to political pressure, it will continue to be developed and modified according to changing political requirements. Whether decolonization will lead to recolonization or a more democratized form of administrative subsumption is a function of bargaining between the Chinese government and local political forces. In this larger political context, whatever model the police offers can be expediently adopted or administratively altered by the Hong Kong government after 1997. In this regard, all interest groups, including the police, still have a chance to make their strongest arguments in this ongoing political process of decolonization and formulation of a post-1997 political structure.

The focus of this paper has been empirical in the first instance. The mixed model may be unique and this atypical case may not be directly compared with other cases of police undergoing decolonization. Nevertheless, the findings may be used to test and generate theoretical hypotheses regarding how a public bureaucracy copes with structural political change in general.

A comparison of the three models is summarized as follows:

	Political Change		Organizational Response
Function \ Model	Colonization	Decolonization/ Democratization	Transitional/ Mixed
Sustaining political order	Coercive power	Service/ Responsiveness	More coercive power/ Some service
Control/ Oversight	Bureaucratic	Public	Bureaucratic/ Public input
Allocation of authority and sustenance of morale	Nationality/ Loyalty/ Institutionalized differentiation of expatriate & local subcultures	Functional merit/ Equal opportunity	Nationality/ Loyalty/ Merit & differentitation of rank & function / Remuneration & promotion/ Immobilization/ Bureaucratic linkage
Communication link	Liaison by local officers/ Abuse & dysfunction	Elimination of gap through localization	Gap gradually narrowed through localization
Political control	Large political department/ Expatriate control	Reduced & redefined/ Local control	Enlarged/ Political crime redefined/ Expatriate control

Use of resources	Inefficient due to extra costs incurred by expatriates/ No public scrutiny	More efficient without extra expatriate costs/ Public scrutiny	More inefficient due to compensation for outgoing expatriates and expansion and increased powers

Notes

[1] The degree of local autonomy after 1997 is specified in the 1990 Basic Law. Local autonomy is limited in a number of ways. For instance, the local Chief Executive is appointed by and held accountable to the central government, which also has the authority to revoke a local law and interpret and amend the Basic Law. Local courts have no jurisdiction over cases relating to defense, foreign affairs, and executive acts of the central government. See *Beijing Review*, May 9-15, 1988: 23-51.

[2] The 1956 riots were sparked off on October 10 (the national day of the Nationalist Government on Taiwan) when Nationalist flags were torn down by a government housing official at a government resettlement estate populated by refugees from China. The 1967 riots, sparked off by a labor dispute, were communist-instigated and took place at a time when the Cultural Revolution was in full swing in China. The 1966 Star Ferry riots were a reaction to a proposed fare hike. The 1981 Christmas disturbance and the disturbance that followed a strike by taxi drivers in 1984 primarily involved mobs of idle youth.

[3] In view of public concern over police powers, the Legal Department of the Hong Kong government has established a Law Reform Commission to review the issue in 1989. See *Far Eastern Economic Review,* July 14, 1988:31.

[4] The term 'Special Branch' was derived from 'Special Irish Branch' when a detachment of the Royal Irish Constabulary was called to protect Whitehall from bombing in 1883. 'Special Branch' was considered better sounding than 'Political Branch' (Allason, 1983).

[5] Information provided by the Chief Staff Officer of Personnel at Police Headquarters.

[6] In mid-1986, for instance, two-thirds of the officers promoted from Chief Inspector to Superintendent were expatriates. See *Sing Tao Daily News*, July 26, 1986.

[7] Data provided by Acting Senior Staff Officer in charge of recruitment at Police Headquarters.

[8] Letter from the Secretary for Security to Martin Lee (provided by Lee).

References

Rupert Allason, *The Branch: A History of the Metropolitan Police Special Branch 1883-1983* (London: Secker & Warburg, 1983).

David H. Bayley, *The Police and Political Development in India* (Princeton: Princeton University Press, 1969).

David H. Bayley, 'The Police and Political Development in Europe' in Charles Tilly, ed., *The Formation of National States in Western Europe* (Princeton: Princeton University Press, 1975).

David H. Bayley, *Patterns of Policing: A Comparative International Analysis* (New Brunswick, N.J.: Rutgers University Press, 1985).

Beijing Review, Beijing, China.

Ching-chih Chen, 'Japanese Sociopolitical Control in Taiwan, 1895-1945' (Ph.D. thesis, Harvard University, 1973).

Ching-chih Chen, 'The Japanese Adaptation of the *Pao-chia* System in Taiwan, 1895-1945,' *The Journal of Asian Studies* XXXIV.2 (February 1975), 391-416.

The Express Daily News, Hong Kong.

Far Eastern Economic Review, Hong Kong.

Fight Crime Committee, *A Discussion Document on Options for Changes in the Law and in the Administration of the Law to Counter the Triad Problem*, April 1986.

Sir Charles Jeffries, *The Colonial Police* (London: Max Parrish, 1952).

David Killingray, 'The Maintenance of Law and Order in British Colonial Africa,' *African Affairs* (July 1986), 411-437.

Siu-kai Lau, 'Social Change, Bureaucratic Rule, and Emergent Political Issues in Hong Kong,' *World Politics* 35 (July 1983), 544-562.

H.J. Lethbridge, *Hard Graft in Hong Kong* (Hong Kong: Oxford University Press, 1985).

Norman, H. Nie *et al.*, 'Social Structure and Political Participation: Developmental Relationships,' *American Political Science Review* 63 (June 1969 and September 1969), 361-378 and 808-832.

Off Beat, Hong Kong.

Oriental Daily News, Hong Kong.
Police Annual Report, Hong Kong.
John Rear, 'The Power of Arrest in Hong Kong,' *Hong Kong Law Journal* 1 (May 1971), 142-193.
Report of the UMELCO Police Group 1985, Hong Kong.
The Seventies, Hong Kong.
Kevin Sinclair, *Asia's Finest* (Hong Kong: Unicorn, 1983).
Sing Tao Daily News, Hong Kong.
South China Morning Post, Hong Kong.
Tekena N. Tamuno, *The Police in Modern Nigeria 1861-1965* (Ibadan University Press, 1970).
Transcript of 'This Week' Interview, December 2, 1984.
Frederic Wakeman, Jr., 'Policing Modern Shanghai,' *The China Quarterly* 115 (September 1988), 408-440.
Sheng Zhang, 'Three Stages in the Organizational Development of Triads in Hong Kong,' *The Seventies* 108 and 109 (January 1979 and February 1979), 46-50 and 77-82.

政治變遷的科層回應：香港警隊非典型例子之理論效用

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（中文摘要）

本文是探討香港警察如何面對政權移交的首項實證研究。

香港是一個非常特殊的個案。一方面，它在一九九七年後將成爲中國政府的特別行政區，不會像其他前英國殖民地般享有政治獨立的地位；但另一方面，基於"一國兩制"的安排，香港仍能在主權轉移後的五十年內保留其資本主義制度及某些程度的自主權。因此，香港的例子並不能與其他經歷非殖民地化地區之警察個案直接比較，但卻能用以驗證和推論有關公共科層組織在結構性政治變遷過程中之適應問題的理論和假設。

本文探討了警察運作的三個模式：殖民地化、非殖民地化和混合模式；進行比較的課題包括：警察維持政治秩序的角色、對警察的制衡、權力分配的基礎與士氣的維繫、溝通的渠道、警察對市民在政治方面的控制、和資源的運用。

公共科層組織在保障自身的利益時，其行動的非預期後果可能會帶來更大的政治性影響。警察的組織愈强，便愈能成爲有效的政治工具。其强制能力的增强可有效地用於提高香港的自主權、或被濫用於維繫殖民地管治的持續、或促成香港在回歸中國後的再殖民地化。