

香港中文大學取消學院院長選舉  
The Abolition of Faculty Dean Election at CUHK

Alumnus Chan Wing Chi's notes on the Deanship issue

(English only)

Dear CU fellows,

Recently V-C Lawrence Lau released an open letter on the Deanship issue on February 5, stating that he, himself, has already "invited" faculties to "establish" a Dean's Selection/Appointment/Implementation Consultation Committee. Binding by the current CUHK Ordinance [Statute 15], CU's Deans have been "elected" from a pool of senior faculties who, in practice, concurrently provide additional services for Deanship. On one side, I personally agree that such concurrent system, not the election process, is not quite proper and could be considered for amendment accordingly. On the other side, I am quite concerned that V-C Lau's "inviting" action could have created a potential legitimate crisis that was not known to the CU community ["The Council and the Senate may establish such committees as they think fit"-- CUHK Ordinance 10(1) ]. According to the legitimate structure of 1997 Hong Kong Re-unification Laws, any proposals submitted for amending any one of the Hong Kong Ordinances, including the CUHK Ordinance, must be referred to the Legislative Council through a certain legal and legislative procedures for review, approval, and announcement. In fact, the 1997 Hong Kong Laws, under a monumental One-Country-Two-Systems structure, have been systematically binding by a form of common law that is, by power, totally independent from the Hong Kong SAR Government's executive branch. So the CU Chancellor (who is also the Chief Executive of Hong Kong), if even at the request of the CU Council, has no legitimate power to amend any Statutes of the CUHK Ordinance.

As a matter of fact, I do not disagree CU to consider for a managerial change in employing full-time Deans for managing complex academic affairs at a business frequency that has already gone beyond the faculty's concurrent workload. A group of CU alumni, two weeks ago, met with the Treasurer and Chairman of the CU Council and expressed their deep concern for any unwanted harsh in making a quick structural change on the CU's Deanship. So grateful the CU Council, under the leadership of Dr. Edgar Cheng, has paid kind attention to the alumni's plead and only "noted" to, but not approved, a "Report" referred by V-C Lau on the Deanship issue at their last Council

Meeting. The CU Council, so far, has not approved for amending Statute 15 and, of course, never referred that Statute under the CUHK Ordinance to the Legislative Council for review and granting a legitimate amendment. While "the Council and the Senate may from time to time make decrees and regulations respectively to direct and regulate the affairs of the University" [CUHK Ordinance 14], I wonder whether V-C Lau's "inviting" action in establishing a Dean's Selection/Appointment/Implementation Consultation Committee may have already bumped up a legitimate disorder in overstepping the CUHK Council and the Hong Kong Legislative Council.

Furthermore I would like to express my heartfelt concern in sharing with the CU community for the follows.

1) The CU's Governance Consultation Committee was consisted of scholars mostly from Oxford and Stanford that, due to cultural boundaries, those scholars might not have an in-depth knowledge of Hong Kong's socio-economics and education structure; they even could have been blinded to the history of the colonial government's dismantling the sovereignties of CU's three founding colleges, that were legitimately structured under a "federal system" binding by the original CUHK Ordinance, in 1977. Moreover, it tends to be a prejudice that CU, under the current V-C's administration, seldom recruited overseas Hong Kong scholars, who are either CU alumni or sons/daughters of Hong Kong with bilingual skills, to participate in major consultation teams for CU.

2) The over-emphasize of Oxford/Stanford experiences may not be directly relevant for CU's long term development because Stanford is privately owned/operated with an independent Board of Directors (No "ordinance" matter!!), while Oxford has enriched Royal resources with a history of several hundred years. However both institutions do have a specially high student/faculty ratio and voluminous library/archival collections that the CU community could even feel "jealous". Anyhow, state universities of the US and public institutions of Canada should be more relevant for CU in absorbing their advanced managerial experiences, e.g. UCLA, University of Toronto, etc. All state/public universities, binding by law, have a legitimate relationship with the public and the government.

Last but not the least, I turn to be sympathetic to V-C Lawrence Lau that he, even by now, does not perform, as a V-C, in a way showing he has been assisted by a cabinet with sufficient understanding on the legitimacy of the CUHK Ordinance and the four constituent colleges' post-Re-unification subtleties.

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