

A FEASIBLE ROAD TO DEMOCRACY

By Anson Chan

Next year marks the 10th anniversary of the establishment of the Hong Kong Special Administrative Region of China, under the concept of “one country, two systems”. Hong Kong has been through a great deal in the past decade. We have weathered the storm of the Asian financial turmoil which resulted in a sustained period of recession and deflation, with record high unemployment; we have survived the bird flu scare and the trauma of SARS. In the last two years, our economy has staged a firm recovery, largely on the back of strong and sustained growth in the mainland and a favorable international climate.

Measures taken by Central Government to allow Hong Kong products to enter the mainland free of tariff and to relax travel restrictions between Hong Kong and the mainland, as well as sustained efforts on both sides to improve co-ordination, joint infrastructural planning and to facilitate trade and investments, have strengthened Hong Kong’s position as the pre-eminent gateway to and from China, and as an increasingly important financial and services centre and a logistics hub.. Our two economies are now inextricably intertwined.

On the whole, the transition has gone well. However, little progress has been made on constitutional reforms, despite the fact that the Basic Law (the mini-constitution) stipulates that Hong Kong should progress on a gradual and orderly basis toward the ultimate goal of universal suffrage.

It is fashionable to draw attention to the relative lack of progress made toward establishing a democratically-based Government under the former British administration. It is true that, in the decades immediately following the Second World War, constitutional development was not high on the agenda of successive governors. Successive governors were pre-occupied with satisfying the demands being placed on our physical and social infrastructure by the waves of immigrants escaping the civil turmoil in the mainland.

The first step toward a more representative government was taken with the establishment of the District Boards in 1982, followed by the first group of elected members to the Legislative Council in 1985, albeit elected via functional constituencies (representing different interest groups in society) with a relatively limited number of votes, rather than by means of direct elections on the basis of one-man-one-vote. In 1991, a major milestone was achieved when for the first time, 10 members of the Legislative Council were elected on the basis of universal suffrage.

In the years immediately prior to the hand-over, a further package of constitutional reforms was promulgated to expand the scope of functional constituencies and broaden their electorate, thereby extending significantly the franchise for Legislative Council elections.

Unfortunately, these proposals were unacceptable to the Central People's Government and, as a result, did not survive the transition.

The measures taken by Britain to develop representative government in Hong Kong were arguably too little, too late and the steps too tentative. Given the United Kingdom's long tradition of government by parliamentary democracy, Hong Kong people should have been able to expect a more proactive and far-sighted approach, both in promoting greater civic awareness and in introducing more democratically-based constitutional arrangements. By the time the first steps were taken, the political stakes were already too high and, as the handover drew closer, the room for British administration to exercise any autonomy in this area had become increasingly constrained.

In this context, full credit must be given to the drafters and the promulgators of the Basic Law who ensured that the constitution of the Hong Kong SAR not only laid down the methodology for selection of the first Chief Executive and initial formation of the Legislative Council, but also provided a blue-print for further evolution of the system after 1997, together with an indicative timetable for the next steps along the road to full democracy.

Why then have we made so little progress in the nine years since Hong Kong's handover? The reasons may be summarized as follows:

- A failure on the part of the SAR Government to provide firm leadership and a strong steer towards assembling a package of proposals that was in the best long term interest of the community. Instead the Government has chosen to hide behind the excuse that there is not yet a consensus on the way forward;
- A false claim that Hong Kong people cared only about the economy and not about democracy, despite the increasingly clear calls for a quicker pace of democratization; Resistance by some, particularly in the business sector, who fear that a democratically elected government will inevitably espouse an anti-business agenda and jeopardize Hong Kong's prosperity and fiscal stability by lavishing public money on "free lunches" and excessive social welfare;
- An allegation that Hong Kong's political parties are still immature, hence the time is not yet ripe for party members to take the lead in formulating public policy or grooming the next generation of civic leaders. Behind this allegation is the fear that political parties will create social conflict, weaken public harmony and threaten stability;
- A growing tendency in certain quarters to arbitrarily expand on the terms of the Basic Law by establishing new sets of pre-conditions which the Hong Kong community must meet before we are deemed "ready" for universal suffrage. For example, the pre-condition that we must ensure that whoever is elected is a "patriot";
- Fear that a democratically elected government will be more likely to challenge the authority of the Central Government and may even become a Trojan Horse for the extension of universal suffrage on the Mainland.

These fears and concerns are, in my view, misplaced. Not even record unemployment, cuts in social security and increases in hospital charges have led to public agitation for a welfare state. Hong Kong people are law abiding and pragmatic. They have traditionally been well disposed to the concept of government by consensus and highly suspicious of confrontational tactics. Public demonstrations of the past few years have all

been characterized by peaceful, orderly behavior. What the community wants is to find legitimate and effective means of making their voice heard.

As for political parties, given the Government's ambivalent attitude and its reluctance to provide a sound structural and legal framework, it is little wonder that political parties have failed to grow. Local law does not at present recognize political parties as such. Membership on the whole is small and there is no public funding for political parties. Private funding is also limited because of a marked reluctance to be seen to be supporting parties which are perceived to be challenging government. Lack of resources makes it difficult for parties to attract members (many of whom cannot afford to be full time politicians) and, more importantly, to fund policy research initiatives.

That said, political parties can do a great deal to help themselves. To earn the trust and respect of the community, they must demonstrate commitment and leadership. Above all, they must come up with clear and distinctive policy platforms which address the concerns of the community and which different sectors can understand and relate to. Policies founded simply on a platform of pressure for democracy are not sustainable. Nor is a platform which is perceived to be one of pretty much permanent opposition to government policies.

As regards the implications for the mainland of a democratically elected SAR government, Hong Kong people are well aware that the principle of "one country, two systems" places firm obligations on both the Hong Kong SAR Government and on the Central People's Government. They recognize that the economy and livelihood of Hong Kong people are now inextricably intermeshed with that of the mainland; they recognize also that Hong Kong and the mainland have developed at a different pace and hence we are at different stages of the journey towards democratization. There is no wish on our part to "subvert" the Mainland.

Given the increasing hurdles being placed on the track, it is not surprising that Hong Kong people are beginning to lose hope that the goal of universal suffrage will ever be attained. Late last year, the Government put forward a package of constitutional proposals but this failed to secure the legislature's approval because the proposals did no more than tinker with the arrangements for the election of the Chief Executive in 2007 and members of the legislature in 2008. More importantly, there was no clear roadmap and timetable for reaching the ultimate goal of universal suffrage.

It has become increasingly clear to me that more within the community need to speak up about their democratic convictions. In December last year and again in July this year I participated in the peaceful public march to press for democracy. In August, 2006, I decided to establish a core group of six highly-respected members of the community, all with proven records of public service, to assist me in formulating more concrete, practical constitutional proposals and to map out a strategy on the way forward. I hope in this way to mobilize the different forces within the community, to stimulate rational debate, build confidence and to hammer out workable solutions to achieve sustainable good governance.

One encouraging development is the outcome of the December 10 election of members of the 800-strong Election Committee that will be responsible for electing the next Chief Executive on March 25, 2007. The surprising success of the democratic candidates in the Election Committee poll gives us, for the first time since the handover, a real prospect of a

contested Chief Executive election in 2007. Alan Leong, a founding member of the Civic Party, who came to prominence because of his stance over the draft legislation on national security (the so-called Article 23 legislation) and who subsequently won election through geographical constituencies (one man one vote) to the Legislative Council, has already declared his candidacy for the Chief Executive election. However, to get his name on the ballot, he must secure at least 100 nominations from Election Committee members when they meet in February. Donald Tsang, the present Chief Executive, is expected to declare his candidacy in early 2007.

The results of the Election Committee poll indicate clearly that the community wants democracy. It also wants a contested Chief Executive election so that public policies can be debated properly. There is no doubt that the results took both the SAR Government and the Central Government by surprise. It remains to be seen how both governments will react to this clear call for a faster pace of democratization.

The Chief Executive made his duty visit to Beijing during the Christmas holidays. We hope that he accurately reflected the aspirations of the Hong Kong community and persuades Central Government to take a significant step forward on constitutional reforms in the near future. What the community wishes to see is a clear road map and a timetable for achieving universal suffrage.

Hong Kong's journey to democracy has taken 25 years but the end is still nowhere in sight. As a community, we must believe in our ability to shape the future direction of democratic change and to provide, through credible and pragmatic constitutional arrangements, the capable and committed leaders of the future that we deserve. If enough of us stand up and be counted, we can make a difference. We have but one objective—to establish a durable long-term framework for good governance, based on universal suffrage. In the longer run, this is the best way of ensuring Hong Kong's stability and prosperity. Beijing has nothing to fear by agreeing to a faster pace of democratization for Hong Kong. After all, this is what the Basic Law promises Hong Kong. On the contrary, with the rapid growth of the mainland economy and a welcome degree of political liberalization (albeit limited), Central Government should use Hong Kong as a testing ground for experimenting with the evolution of representative government on the Mainland.

There is much to celebrate on our 10th anniversary. There will be even greater cause for celebration if we can see the road ahead toward universal suffrage. ■

Anson Chan was Chief Secretary for Administration, the second-highest Hong Kong government position, from 1993 until 2002, and served under both Chris Patten, the last British governor, and Tung Chee Hwa, the first chief executive after sovereignty passed to China. Born in Shanghai and educated at the University of Hong Kong, Ms. Chan joined the civil service in 1962 and held a variety of senior posts, including Secretary for Economic Services from 1987 to 1993.