

Prospects for Democracy in Hong Kong: Assessing China's International Commitments  
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Remarks by Ellen Bork  
Director of Democracy and Human Rights  
The Foreign Policy Initiative

Hong Kong's recent changes to its system of constituting the legislature and picking the chief executive are a net negative. While the Hong Kong governments, and others, have attempted to claim a victory for "progress" with the passage of the legislation, in fact, the minor tweaks to the system reinforce the undemocratic characteristics of the system without a commitment to full democracy or even agreement on what that really means.

The changes are being presented as a modest expansion of the democratic basis for the government. However, the change in the people's control over their governance is practically zero. There will be ten new seats, including five democratically elected ones. "Split voting" persists – a clever procedure instituted by Beijing which raises the bar for pro-democracy proposals in the legislature by forcing the chamber to vote in two halves, one of which is dominated by pro-Beijing "functional constituencies" representing mainly business and professional associations. (In other words, undemocratically selected representatives.) The so-called expansion of the franchise for choosing the chief executive is laughable. Now there will be 1200 electors up from 800, even though Hong Kong has over 3 million registered voters. The compromise over the seats that enabled legislators of the Democratic Party to sign on does not indicate a change of heart by the central government. Instead, it represents a further erosion of the barrier to Beijing's involvement in the territory's affairs.<sup>1</sup>

A poll showed that opposition to the package among the Hong Kong people grew after the televised debate between Chief Executive Donald Tsang and Civic Party legislator Audrey Eu. The public was not reassured by Mr. Tsang's performance in which he called opponents of the package irrational and was vague about how full democracy would be reached. He addressed criticisms of the legislation by saying "there are things to be ironed out but we can do so after we pass the package." In fact, virtually every indicator of the public's opinion indicates a strong majority would like to move to full democracy immediately.

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<sup>1</sup> A more positive interpretation of one aspect of the package is that the small change in the way the functional constituencies are constituted could lead to the seating of more pro-democracy representatives in the Legco, that is, in the half of the chamber that usually obstructs democracy legislation. While that is theoretically possible, it is not likely. It is simply impossible to imagine that this maneuver – billed as a compromise on the part of Beijing – represents a sincere effort to expand democracy in Hong Kong.

The pro-democracy members of the Legco who accepted this argument fell into a trap. In future, it won't matter what tiny changes were made to the functional constituencies or the selection process for the chief executive. Democrats will have voted for the continuation of functional constituencies and for a system of a chief executive appointed by Beijing and rubber stamped by 1200 people. It will be exceedingly difficult from here on to move to full democracy. Beijing's role is confirmed, the democratic camp is split and the undemocratic features of the system are being entrenched.

While the effects of the legislation for expanded democracy are virtually nil, there are other important, and negative, effects. One is that now those who to move to real democracy and to have a firm commitment for doing so are being depicted as "hardliners" and "extremists." This is the brilliant achievement of Beijing. The system, which is Beijing's creation, is engineered to deny the possibility of real, institutional changes. The democracy camp was criticized for the "referendum movement" in which five pro-democracy members of the legislature resigned their seats and ran again, in by-elections, in order to get a mandate for democracy. In fact, they got the mandate. True, the turn-out was low in percentage terms, but 500,000 voters chose the pro-democracy position by returning the pro-democracy candidates in those elections. If the government had not boycotted the elections, the turn-out would have been more and the tally for the pro-democracy candidates, and their position, would have been even higher.

The second bad outcome is that the maneuvering over the legislative package and in particular confidential dealings between the Democratic Party and Beijing representatives has normalized Beijing's role in controlling Hong Kong's democratic development. Margaret Ng, a Legislative Councilor, said it very well in her speech to the legislature on June 23.

"[T]he final deal is closed behind closed doors, and ostensibly between the Democratic Party and the representatives of the Central Authorities. No one who is not already in the know is allowed time to digest these developments. By his lack of action, the Chief Executive [Donald Tsang] has made clear that he no longer represents [the] people of Hong Kong, and 'one country, two systems' is no longer a sustainable illusion."

There was always a high degree of fiction involved in the "one country, two systems" arrangement. We know that the Chinese communist government, for its part, never took it seriously. As Steve Tsang wrote

"the idea of Hong Kong people administering Hong Kong within the framework of 'one country, two systems' may imply that after 1997 Hong Kong will be free to run its own domestic affairs with no interference from Beijing as long as PRC sovereignty is acknowledged. Such an interpretation is totally unacceptable to Beijing."

And on the matter of elections within Hong Kong, it was clear that Beijing never contemplated real democracy. Before the handover, Deng Xiaoping asked rhetorically, "those who can be

entrusted to administer Hong Kong must be local residents who love mother China and Hong Kong. Can popular elections ensure the selection of such people?" For him, and other communist leaders, the answer was no, and Beijing set about to control the levers of power in Hong Kong.

However, Hong Kong's people took this promise seriously, and the United Kingdom and the United States purported to do so as well. Washington made autonomy and the ability of Hong Kong people to develop full democracy there the cornerstone of U.S. policy.

The "one country, two systems" fiction gave the U.S. and other democracies something to hide behind. The curtain has now been drawn, and reality can be dealt with. That is the only good thing to come from this episode. It would have been better, which is to say, principled, for the U.S., to show that it knows the difference between real and phony democratic reform and to tell the truth about the defects in the reform package. By approving of last month's developments in the Legco, as Ambassador Jon Huntsman did, Washington acquiesced to Beijing's direct involvement in Hong Kong affairs and its ultimate control, which is to say, obstruction, of democracy there. It will only become harder to change course, but it is possible and essential not only for U.S. policy toward Hong Kong, but also the People's Republic of China.