

Hong Kong's Democratic Party, the last major opposition group standing, faces existential dilemma

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As Albert Ho and others prepare for jail, the city's oldest opposition party must choose whether to take part in elections most of its supporters now see as meaningless following Beijing's clampdown. Boycott the vote and it will please supporters but the camp may not survive; engage and the party may survive, but its support may not.

Veteran Hong Kong democrat Albert Ho Chun-yan, 69, is struggling to get used to his new pair of plastic black-framed spectacles that lend him an oddly bookish air. Gone are his signature metal-framed glasses. Hong Kong prisons ban personal items with metallic parts and Ho's wife of more than three decades, Tang Suk-yee, told him to get used to wearing the new pair early. It was a scorching Sunday afternoon last weekend when Ho met *"This Week in Asia"* at his flat in Tin Hau, near Causeway Bay.

The next day, he and nine other prominent opposition figures were due in court on charges related to their roles in an unauthorised protest at the height of the 2019 social unrest. He intended to plead guilty, he said, and there was a chance he would be denied bail while awaiting sentencing. Stacked on the dining table in his home were a pile of books he planned to read in prison. From the floor-to-ceiling bookshelves in his study, holding his vast collection, he has picked a biography of German philosopher Immanuel Kant, Jeffrey C. Isaac's *Arendt*, Camus and *Modern Rebellion*, Wayne Morrison's *Jurisprudence: From the Greeks to Post-Modernity*, Nelson Mandela's *Conversations with Myself* and the Chinese classic, *Dream of the Red Chamber*. Ho was preparing to spend time behind bars at a critical time in Hong Kong politics, following Beijing's imposition of a national security law last June, the mass arrest of opposition activists, and an overhaul of the rules governing the city's electoral system ahead of Legislative Council elections in December.

As we talked that afternoon, a cage with a pair of hamsters taking turns to race on a wheel proved a distraction, running but also staying still, as if amplifying the fate of the party he once led. As we both watched the pets, Ho let on: *"My grandchildren want to keep them, but I'm the one taking care of them."*

Beijing's clampdown following the 2019 anti-government protests has decimated the opposition ranks, leaving the Democratic Party, the city's oldest and biggest, virtually the last major one standing.

It faces an existential dilemma in deciding whether to participate in elections held under a revamped system which effectively leaves the fate of the opposition candidates at the mercy of an all-powerful committee dominated by pro-establishment figures.

Fielding candidates will allow it to test the new structure and impose a modicum of accountability on the government, but the party will also risk incurring the wrath of supporters who have sent strong signals they prefer boycotting "unfree elections".

To Ho, going against the public consensus could be political suicide. Every resident who bought fundraising raffle tickets at the party's street booths in recent months urged it to boycott the elections, he recalled. *"If the whole society is against the party running and it still goes for it, the party will be betraying everybody who places trust and confidence in it,"* he said. He revealed that the establishment had made entreaties to persuade the party to contest the elections and ensure its survival. *"But what does survival mean?"* Ho asked. *"Is the party surviving if it manages to secure two seats in the legislature? No, when the party gives up its basic principles, it is dead already."*

2010, ALL OVER AGAIN?

But is there room for some form of compromise? Ho and the Democratic Party are not unfamiliar with the art and risks of such a path. He was its leader in 2010 when the party took part in closed-door negotiations with Beijing officials and struck a compromise deal on the path for political reform in Hong Kong.

Shocked allies and supporters slammed the secret talks as a betrayal, and Ho bore the brunt of their criticism. Some expressed the aim of unseating Democratic Party candidates in the following year's district council elections.

The party survived and thrived, even as younger opposition figures and new parties pushed hard for greater democracy with protests in 2014 and again in 2019.

Now, 11 years after Beijing officials sat down with Hong Kong's moderate Democrats, the central government has made clear it is taking a completely different approach to the opposition camp. Opposition activists realised the situation was dire after the national security law was imposed last June (2020), banning acts of secession, subversion, terrorism and collusion with foreign forces. But few were prepared for the crackdown that followed.

Earlier this year, five key Democrats – including four former lawmakers (Andrew Wan Siu-kin, Lam Cheuk-ting, Helena Wong Pik-wan and Wu Chi-wai) – were among the 47 opposition activists charged with subversion for taking part in unofficial primary polls to shortlist candidates for the Legco elections.

Prosecutors described the unofficial polls held last July as a *"massive and well-organised scheme"* aimed at paralysing the government by winning a controlling majority in the legislature. Only 11 of those charged were granted bail pending trial.

Seven of the 18 Democratic Party incumbent and former chairmen and deputies are currently in remand over a raft of charges related to the 2019 social unrest, and two are serving suspended sentences.

The mass arrests dealt a heavy blow to the opposition, especially smaller parties which lost most of their core members and rising stars overnight. But Beijing was not done yet.

In March 2021, Hong Kong's electoral systems were shaken up to ensure only *"patriots"* would govern the city. It slashed directly-elected seats in Legco and gave new power to an enlarged, Beijing-controlled Election Committee to nominate lawmakers and send some of its own members to the Legco. Previously, the committee's main task was to choose the city's leader.

A vetting committee has also been created to screen out candidates with help from the national security police.

Against that backdrop, Ho believed another round of dialogue with Beijing was necessary now. Some sort of reconciliation was needed, he said, without stating what he had in mind.

'DEGRADING AND HUMILIATING'

For Hong Kong's opposition, the upheavals were nothing short of a political earthquake. It was only in November 2019, after their candidates swept district council elections held amid the unrest, that the opposition appeared on track to score their first majority in the Legco, with polls originally due last year.

The elections were postponed because of the Covid-19 pandemic and are now scheduled for December.

But after the electoral system overhaul, opposition candidates can expect to secure, at most, only around 16 of the 90 seats in the expanded legislature, according to estimates by political scholars.

Former Democratic Party chairwoman **Emily Lau Wai-hing** was quick to tell colleagues not to run in "*meaningless*" elections with new rules that were "*too degrading and humiliating*" to the opposition.

She was referring to a new requirement for every Legco hopeful to secure at least two nominations from each of the five sectors in the Election Committee.

With a new fifth sector packed with ultra-loyalists, it would prove a Herculean task for an opposition candidate to secure an entry ticket.

Lau's remarks prompted Hong Kong leader

Carrie Lam Cheng Yuet-ngor to say that anyone making such a comment "*did not understand the spirit of elections and democracy at all*".

Beijing-friendly politician **Anthony Wu Ting-yuk**, a delegate to the Chinese People's Political Consultative Conference Standing Committee, also indicated his willingness to nominate Democrats, praising them for being able to see "*the bigger picture*".

Some saw that as a signal from Beijing through its middleman.

But **Albert Ho** said it was not only the nomination process that was humiliating to the opposition.

"What's truly humiliating is that you have to seek support from Beijing loyalists for the sake of survival, when the authorities have already thrown many of your allies behind bars," he said.

"It is only natural if people think we are selling out our friends for gains."

Ho said the current situation was nothing like it was when the Democratic Party was attacked for holding secret talks with Beijing 11 years ago.

"Although the pro-democracy camp was split in 2010, we still had a lot of supporters. We were convinced that what we did was right and confident that we had indeed taken away something from Beijing," he said.

"But this time, one can hardly convince even oneself that contesting in elections is the right choice."

BOYCOTT OR BACKLASH

In an online survey conducted by Hong Kong Public Opinion Research Institute last month, 68 per cent of the 7,119 respondents said they believed the electoral system overhaul had moved the city further from democracy.

Closer analysis showed that almost all respondents who identified as pro-democracy supporters agreed with that statement and also opposed the new vetting mechanism.

According to the Democratic Party, based on their feedback from the ground and online sentiments, a significant proportion of supporters believed opposition parties should not take part in the coming Legco elections as that would only boost the legitimacy of the polls.

On the other hand, they said, a record low turnout of voters would send a strong signal to the international community that Hongkongers disapproved of the overhaul.

Aware of the growing sentiment to shun the polls, the Hong Kong government has put a bill before

Legco, proposing to make it a crime to urge others to cast blank or spoiled ballots, or not vote at all, with up to three years' jail for those who break the law.

Not all Democrats are comfortable with boycotting the polls, even if the rules are stacked against them and they will likely achieve little in Legco.

"What bothers me most is that I cannot think of any alternative to sustaining the movement if we shun the polls," said a core party member who preferred to stay anonymous.

He felt the party should field candidates, even at the risk of a backlash from supporters.

Formed in 1994, the Democratic Party has maintained a relatively moderate approach with a stated goal of taking democracy to mainland China instead of advocating independence for Hong Kong. For a long time it enjoyed a good working relationship with the central and city administrations and some founding members, such as Anthony Cheung Bing-leung and Law Chi-kwong, even joined the government, although they had to give up their party membership.

Its ties with the authorities suffered only over the past decade, notably after the combative Leung Chun-ying became city leader in 2012.

To some Democrats, the party's unique position and relatively ample resources placed a heavier burden on it not to cede the political space so readily.

"Beijing of course wants to see us run, but it's not the end of the [world] for them if we don't," another party source said. *"If we shun the polls, they will just back the 'pseudo-democrats' and no longer need our participation next time."*

The source said these alternatives included the middle-of-the-road groups Third Side, co-founded by ex-Democrat Tik Chi-yuen, and Path of Democracy, the think-tank formed by Ronny Tong Ka-wah, a former Civic Party lawmaker and member of city leader Carrie Lam's Executive Council.

The source felt it would set a strong precedent if someone such as the current Democratic Party leader, Lo Kin-hei, was able to clear the new vetting procedures and contest the election.

"Would we be able to open the door wider to our allies, so more can enter the race four years later?" the source asked.

Acknowledging that it would be an unpopular move and low voter turnout could hurt its candidates, the source said: *"If we lose the race, so be it - at least we tried. I also hope the public will understand that we are not doing this for ourselves."*

OPENING A DOOR?

Professor of politics William Case, previously from City University of Hong Kong, said election boycotts were rare in the region despite the state of unfree politics in many countries in Southeast Asia.

Candidates who won typically in places such as Malaysia, Thailand and Cambodia also gave a big chunk of their salaries to the parties and used the platform to *"voice the grievances of their constituent base; to impose at least minimal accountability on the executive; and despite an utter futility, to advance democracy's cause"*.

He said while it was easy to understand public sentiments for a boycott, there were also good reasons for the opposition to consider contesting the Legco polls despite the risks of alienating supporters or clashing with the authorities.

"The prospects for any reopening of politics are nil," said William Case, now head of the school of politics, history and international relations at the University of Nottingham Malaysia.

"But in at least testing the new structure, its precise nature would grow clearer. Any differences between the systems in Hong Kong and the mainland would also gain sharper focus. And the pluralism, even rivalries, that are already mounting among pro-establishment candidates and parties would be drawn out."

Dr Yeung Sum, who was Democratic Party chairman from 2002 to 2004, could see no benefit in testing the new rules when public sentiment for a boycott was plain to see. Reminding his colleagues to stay true to their values, the 73-year-old social administration scholar said: *"Why should we care whether we have Beijing's blessings in running in elections and if we can still enter the race next time?"*

"The ones we serve are Hongkongers. Why don't we just ask what Hongkongers care about and what they expect us to do?"

'Democrats should not contest for the sake of contesting', he said, adding that elections were only one of many ways to advance the cause of democracy.

'Even if boycotting the polls meant the Democratic Party might be reduced to a pressure group', he said, *"it would not be worse than during colonial times when there was a complete absence of any political culture even in the 1970s."*

What was most important', Yeung said, *'was to bring together pro-democracy supporters through community organisation'*.

Albert Ho agreed that elections were not everything, but argued that the party's participation could be a basis for initiating dialogue with Beijing.

"If Beijing wants us to run, it has to convince us with some changes over human rights issues. And we need a sit-down talk on that," he said, adding any dialogue for reconciliation should include others in the opposition camp.

"The worst time is the best time," he said. *"It is also for Beijing's own good. Hong Kong is in a deadlock, and dialogue will perhaps help ease the sanctions other countries have imposed on it."*

Ho was not worried that his proposal for a dialogue might result in criticism from the camp, like his party faced back in 2010.

"It is easy to go for purist or conviction politics where you just disregard the outcome," he said. *"But the Democratic Party over the past years has been very consistent in adopting the politics of responsibility, in which we care about the consequences of our actions and have to carry out risk assessments."*

"We never make extreme comments, never claim moral high ground and some people might never admire us. But the mainstream, which eventually will benefit, will understand."

A SENSE OF HISTORY

Social worker **Lo Kin-hei**, 36, took over as chairman of the Democratic Party last December, just before the mass arrests of opposition activists and the overhaul of the electoral system.

A protégé of Yeung, he called the changes *"retrogressive"*, but has refrained from slamming the door shut on taking part in elections.

But he said recent events – such as prison authorities disallowing former chairman Wu Chi-wai from attending his father's funeral – had made it harder for party members to accept participation in elections.

Wu, one of the 47 activists facing subversion charges and currently held in remand, was eventually granted temporary bail by the court.

Lo is aware that pro-democracy allies and even candidates eyeing trade-based functional constituency Legco seats were waiting to find out the party's stance.

"It will be very tough if a party goes it alone. It's very difficult for the Democratic Party too," he said. The party had been holding focus group discussions internally and would decide at a general meeting in September, he said.

On May 18, two days after Albert Ho spoke to *"This Week In Asia"* at his home, he was in court and with nine of his allies, pleaded guilty to charges related to an unauthorised assembly in 2019.

The others included Yeung Sum, also wearing black plastic-framed spectacles, and Sin Chung-kai, former vice-chairman of the party.

All of them were ordered to be held in remand pending sentencing.

At his home earlier, **Albert Ho** remained hopeful and said those who gave up the fight because of cruel political realities lacked a sense of history.

"We should carry on our persistent struggle notwithstanding persistent defeat. That's the minimum we can do," he said.

Drawing on the Greek myth of Sisyphus, forced to roll a boulder up a hill only for it to roll down each time he neared the top, Ho added: *"We should also believe that one day we will no longer need to roll the huge boulder up a steep hill like Sisyphus."*

"History will not stop in a dark age. I do not believe dictatorships will prevail forever. I have faith in humanity and human action. We are on the right side of history and justice is on our side."

As I took my leave, Ho's hamsters were still at it, staying still while running on the wheel. Sisyphus would have been able to relate.

P.S.

<https://www.scmp.com/week-asia/politics/article/3134410/hong-kongs-democratic-party-last-major-opposition-group-standing>