

Hong Kong Needs Accountability Not Consensus

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Make no mistake. Beijing will deliver a “consultation” on democracy, but it will consult with itself, not Hong Kong’s citizens.

Wu Bangguo, head of the National People’s Congress, has given the game away. The seemingly interminable “consultations” that the Hong Kong government purports to be having with the people on constitutional progress and the road map to universal suffrage are a charade. Wu was impolitic enough last week to tell Hong Kong that Beijing alone decides the degree of Hong Kong’s autonomy and thus its electoral process. The notion that Hong Kong has autonomy in issues other than national security and foreign relations is an illusion, he implied.

It has always been understood that Beijing had veto power, but Wu was essentially saying that Beijing provides not only the main design but even a few of the details. As if to rub it in, Chief Executive Donald Tsang announced the appointment of new senior officials with the accompanying news that Beijing had not merely approved them but had significant input into their choice.

All this leaves the government’s “consultation” with Hong Kong’s citizens on constitutional development looking more threadbare than ever. And it comes shortly before the Commission on Strategic Development, created in late 2005, is due to summarize its findings on the roadmap to full suffrage which is due to be followed up by a Green Paper outlining the steps to be taken in that direction. The Commission’s Committee on Governance and Political Development is so stuffed with officials and trustees that it will rubber stamp whatever is handed down by Beijing via Donald Tsang.

All of which is a grim reminder of the 1987 Green Paper Review of Development in Representative Government when the colonial government engaged in fraud on a grand scale when it concluded, against all reasonable evidence, that Hong Kong’s people did not want directly elected seats on the Legislative Council. That British disgrace was the result of spineless diplomats, not least Governor David Wilson, kowtowing to China, which demanded “convergence” with a yet-to-be-written Basic Law.

The tradition has been continued by Tsang but the process has been much longer drawn out and conducted in such a typically bureaucratic way that even well-informed people get lost in the mountains of paper and supposed consultations produced by the Constitutional Affairs Bureau. The last major such report, the fifth in a numbing series, was published in October 2005. Since then Tsang has been repeating the mantra that Hong Kong has to have a “consensus” on the issue.

Consensus, of course, is a by-word for doing as little as possible to advance popular representation. In an open, plural society there can never be complete consensus. The organizations to which the devoutly Roman Catholic Tsang owes fealty, the Vatican and Beijing, never bother with such concepts. They know what they want to do and they do it. But in Hong Kong, with an educated and skeptical public and a minder across the border a more elaborate system is need to give the

impression that even if the system is not democratic it does reflect a diversity of views.

Thus the lengthy “consultation” documents do contain a wide variety of views on the various issues at stake. These range from crucial ones such as the method of election for the legislative council and chief executive to the relatively minor ones such as the rights of foreign-passport holders.

But rather than engage in any substantive debate about the relative merits of different proposals, the documents are largely lists which summarize views on the various issues. They follow a repetitive formula.

The use of imprecise words like “very many” and “most” as opposed to “many” or “some” provides ample opportunity for the government to determine that the consensus lies within its pre-ordained plan. In other cases “many” wanted X but “many” others wanted Y and “some” wanted Z. Again the so-called consensus can be made to fit the plan.

For example: “There are many views that the number of seats for the Legislative Council in 2008 should be increased...on the other hand there are many views that the number should remain at 60. There are many views that it could be increased to 70 ... there are also quite a number of views that the number should even be increased to 80”.

It goes on “There are many views that the number of seats returned by functional constituencies should be increased. On the other hand there are also views that (they) should not be increased or even decreased”

These pages of opaque, meaningless verbiage were then suitably interpreted to form the basis of so-called reforms put to the Legislative Council at the end of 2005 which failed to get the necessary two-thirds majority because democratic legislators believed they were a far from sufficient advance.

The consultation exercises which gave rise to these expressions of opinion were certainly numerous and disparate. But they also appear to have been ephemeral. The composition and weighting of the groups consulted was not subject to independent scrutiny. It was 1987 all over again.

No one was explicitly deprived of the right to be heard, but the notion that the result reflects anything more than the government’s own preference is a grand illusion.

The consultation papers also made it abundantly clear that the National Peoples Congress can short-circuit the whole thing at any time. Under the Basic Law, Hong Kong’s little sort-of constitution, domestic political arrangements are to be left to Hong Kong’s own devices with fully representative government as the ultimate goal. But in practice the NPC has short-circuited the system. In 1999, at the Hong Kong government’s request, it “re-interpreted” the basic law on right of abode, overturning the Hong Kong Court of Final Appeal ruling which was inconvenient to the bureaucracy. This made the Basic Law look like a document which could be made to mean anything the government wanted.

Then in 2004 the NPC intervened in the issue of constitutional development to rule that there could be no direct elections for chief executive in 2007, the earliest possible date mentioned in the Basic Law, or universal suffrage in 2008. Although these were never realistic goals, the ruling enabled the task force to disregard any view on this subject contrary to the NPC ruling. The gods had delivered their tablets of stone to the chief executive.

Whatever comes out of the next green paper will have no basis in genuine consultation. Hong Kong citizens’ majority views on the need for direct election of chief executive and legislature have been made clear by innumerable independent, professional surveys. The outcome will not even represent

the maximum advance that Tsang could persuade Beijing to accept. After all, he is there just to “get the job done”, as his own manifesto proclaimed. In reality the small advances that will take place will be what Beijing thinks are the minimum needed to keep Hong Kong quiet and its tycoons happy.

For the time being it could well be right. Tsang enjoys the fruits of a strong China-driven economy and remarks such as Wu’s will dampen Hong Kong’s expectations. But come the next recession, the gross inadequacies and inequities of the city’s system of government may again be cause for public anger and mass protest, as it was in 2003 and 2004.

It is now more obvious than ever that Hong Kong people need to keep up the clamor for government accountability, to vote for democratic candidates despite the impossibility of their gaining power and to protest against government actions driven by the greed of a few businessmen or bureaucrats.

Beware of sham “consultations” and the pronouncements of sycophants and insider appointees to committees purporting to deal with everything from pollution to power to property and ports.

P.S.

* From Asia sentinel:

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