

Bridging goodwill in Shanghai

The Shanghai meeting could reboot a dialogue between the central government and the opposition camp to mend the cracks that developed from the last divergence in the opposition ranks in 2010 that have worked against reaching a consensus for political reform.

Kahon Chan writes.

For a while, the two-day trip to Shanghai appeared as if it was going to be a difficult choice for members of the opposition. They made three requests about arrangements, then took considerable time to ponder the early replies and only gradually made the decision to go a day after the deadline had passed.

Fourteen opposition lawmakers eventually signed up. Moderates from the Democratic Party are on board, but the manifest also covers less-than-moderate members of the Civic Party and even hardcore radical Leung Kwok-hung of the League of Social Democrats.

The outcome as it unfolded could hardly be considered a surprise. Any opportunity for a half-day session to talk directly with Wang Guangya, director of the State Council's Hong Kong and Macao Affairs Office, alongside other Beijing officials would be an opportunity too rare for any politician to miss.

The 57-member Legislative Council (LegCo) delegation will also meet Li Fei, deputy secretary-general of the National People's Congress Standing Committee and chairman of the HKSAR Basic Law Committee.

It will not be the first close encounter between Li and opposition members. Li shared the table with the Civic Party's Ronny Tong Kawah at a luncheon in Hong Kong during his visit last November.

During this weekend's visit, Tong and his allies are expected to have extensive discussions with Li. The pro-establishment camp even offered to stay quiet in the room if the opposition did not get a separate meeting with officials it had been demanding.

Yet the Beijing officials might need extra time to hear the many different ideas to be presented by the opposition lawmakers who have failed to agree on a unified stand.

The common objective of the diverging points of view, as described by Tong, is to ensure that voters are offered a "genuine" choice of candidates to become the city's chief. He hopes to establish regular contacts with Beijing after the Shanghai meeting. At the



same time, he says the Shanghai meeting should not be seen as "an occasion to get problems solved".

James Sung Lap-kung, a political scientist at City University, saw a flip side of the opposition's lack of a common cause. Having all cards laid on the table early on, he pointed out, would allow both sides to identify ideas in common, leaving ample time for compromise.

Common front

The opposition did try to create a common front with the Alliance for True Democracy. However, the alliance could not even reach an agreement on the proposal to permit nominations from the public at large, political parties and the nominating committee.

The Democratic Party refused to commit itself to the ill-conceived civil nomination plan, which has been dismissed by all government authorities as outside the terms of the Basic Law. Tong even put forth a proposal just to redesign the nominating committee.

The relevancy of the "three-track" formula has diminished even further in recent weeks. A number of scholars and think-tanks holding common views with the opposition outlined new plans that ditched the concept of civil or party nomination entirely.

Despite a recent push for consensus, National People's Congress deputy Wong Kwok-kin of the Hong Kong Federation of Trade Unions (HKFTU) expressed concern that none of the opposition parties appears to be making an effort to reach a compromise.

Opposition members of the elected office, he noted, have shown little willingness to bend since the open debate on political reform began last year. "It appears they are still bundled up together on the radicals' moral high ground, unable to get down," Wong said.

But the unionist was more

sympathetic than critical as he looked at the opposition's dilemma: "Anybody who readily steps out with a compromise reform proposal will suffer a full range of attacks by the radical faction of the opposition."

That was already made clear in a live program aired on April 2, when a plainly irritated Emily Lau Wai-hing, chairwoman of the Democratic Party, declared that not every self-proclaimed "democrat" is an ally. Her comment was in response to a remark by the Neo Democrats' Gary Fan Kwok-wai, who compared Lau's earlier comments to the views of the pro-establishment camp.

The very existence of the Neo Democrats is a painful reminder of the Democratic Party's uneasy choice in 2010 that cleared the electoral reform deadlock that year. The Democratic Party's pro-

Opposition legislators going to Shanghai

Civic Party:

Alan Leong Ka-kit, Ronny Tong Ka-wah, Dennis Kwok Wing-hang, Kwok Ka-ki

Labour Party:

Cyd Ho Sau-lan, Peter Cheung Kwok-che

The Professional Commons:

Charles Mok Nai-kwong, Kenneth Leung Kai-cheong

Association for Democracy and People's Livelihood:

Frederick Fung Kin-kee

League of Social Democrats:

Leung Kwok-hung

Democratic Party:

Sin Chung-kai, Helen Wong Pik-wan

Independents:

Ip Kin-yuen (Education), Joseph Lee Kok-long (Health Services)

posals to add 10 directly elected seats to the chamber won the support of only three of the Democratic Party's allies.

Scores of Democratic Party members quit the party in the wake of the decision, including Fan. The exodus was followed by a major setback at the polls in the 2012 election, which saw a sweeping victory by the more radical parties.

The radicals still thrive. In a small but iconic district council by-election held in March, Democratic Party veteran Sin Chung-kai was defeated by a People Power candidate. Shih Wing-ching, founder of AM730 and Centaline and a current affairs commentator, has since penned a series of commentaries.

Shih first urged the Democratic Party to quit the "radical" route entirely in an article published last Thursday (April 3), saying

the extreme-left of the political spectrum is getting overcrowded. On Monday (April 7), he went on to call the pursuit of ultimate perfection "totalitarian" in nature.

Perfect model

Shih explained to China Daily the premise of a perfect model is that no other avenue is good enough, which is a common mentality of dictators intent on eliminating opponents. He said it would be "unwise" for him, however, to identify anyone in the opposition who might have that "totalitarian" mindset.

NPC deputy Wong Yau-kar agreed with Shih. He told a seminar in late March that the opposition's "endless pursuit" of the moral high ground is unrealistic. Politics, he went on, is all about compromises -- and the high ground is simply too tight for everyone in the opposition camp to stand on.

Between the "high ground" and the reality of Basic Law boundaries, scholars have proposed "civil recommendation" which Chief Secretary for Administration Carrie Lam Cheng Yuet-ngor agreed would be legal. But, Tong and Wong Kwok-kin said it will unlikely be endorsed by either side if it's put to the vote in LegCo.

The Alliance for True Democracy appeared to have demonstrated majority support for the discredited "civil nomination" in its own series of opinion polls. Tong, however, dismissed the polls as unscientific, saying the noticeably short questionnaires appeared deliberately manipulative.

"You surely say 'yes' if someone offers you something (which sounds intrinsically good)," Tong said. "That kind of public opinion naturally builds up once the

same question is articulated for several months. That is the exact purpose of the Alliance in running these polls."

Tong voiced disappointment that moderate opposition parties have yet to drop "civil" advocacy, even though the proposal is clearly at an impasse. The fear of losing at the polls should not outweigh genuine aspirations, he added, and such a superficial and reluctant union is pointless if it fails to deliver universal suffrage.

Tong, a senior counsel who had spent years in the same chamber with Justice Secretary Rimsky Yuen Kwok-keung, stressed that implementing universal suffrage is not only the delivery of a promise, but an opportunity to tackle certain problems faced by the government.

And once advocacy for "democracy" is no longer a political distinction, both Tong and Sung expect the opposition camp to experience another breakdown and shakeup. The moderates, added Sung, might shift towards the establishment.

For the time being, Sung believes the growing influence of the radicals and the potential threat they pose would leave moderates with no choice, but to forge a consensus with other stakeholders. Even though the lesson of 2010 still stings, he remains optimistic about the outcome.

But Wong Kwok-kin maintained that he sees no light at the end of the tunnel, even though the Shanghai dialogue could be a good start. "Any person who can now think of a proposal acceptable to both sides could be a genius," he said.

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Why the opposition matters

The opposition camp remains important in Hong Kong's current electoral reform process as it still clings to a "critical minority" in the Legislative Council (LegCo) chamber.

LegCo's role in the process was set out in the Basic Law and in a 2004 interpretation by the National People's Congress Standing Committee (NPCSC), which gave rise to a "five-step" roadmap for Hong Kong along the path to political reform.

Conclusions from the five-month public consultation, ending on May 3, will form the backbone of the Chief Executive's report that explains to the NPCSC the need to revise the electoral methods. That would be the first step.

Upon a determination of the NPCSC, the city government will then table resolutions on the reforms before the LegCo. Following the completion of a public consultation process expected in the fall of 2014, legislators would vote on the final official proposal early in 2015.



The package will require the approval of a two-thirds majority of LegCo members to pass. As the pro-establishment camp controls only 42 out of 70 seats in the chamber (excluding the president), the bill would need a handful of opposition lawmakers to secure passage.

Endorsement by the radicals -- or, in theory, most members of the opposition -- is thus not that critical for passage.

The last reform bill cleared the chamber in 2010 with the support of just 12 opposition legislators, including nine from the Democratic Party. The party instigated the proposal which led to the creation of the five "super seats" in the functional portion of the chamber.

The approved motion, with the consent of the CE, will be reported to the NPCSC for approval or for the record. Local legislation will follow.

Tam said.

"It is my worry that Hong Kong people and the voters could turn wild and choose radical candidates in the 2016 LegCo election as they had found that the mild, rational, middle-of-the-road approach through dialogue could no longer work," he warned.

The number of opposition lawmakers could, therefore, increase while that of pro-establishment lawmakers might decline.

Alternatively, the more radical elements of both the opposition and

pro-establishment camps could rise to power, and further aggravate polarization of the political environment. If that happened, Tam predicted, it would then be more difficult for the chief executive to secure a two-thirds majority of the Legislative Council to carry electoral reforms as required by the Basic Law.

Looking further ahead, if the chief executive to be elected in 2022 is not chosen by universal suffrage, he would lack the political mandate to push forward constitutional reform in 2027, leaving the pursuit of univer-

sal suffrage an endless wait.

"That's why this time it is very crucial that all stakeholders should try their best to achieve universal suffrage in 2017. It is true that the situation is not optimistic as the chief secretary has said. But with concerned parties willing to communicate and the proposal by the moderate academics, I have become a little more optimistic than in recent months," he said.

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"There is no reason why the SAR government won't do its best to execute such a constitutional duty," he said.

There are about 3.6 million registered voters out of 5 million eligible to vote. Tam predicted that if universal suffrage is realized in 2017, the number of voters will increase sharply.

"It would be a very significant leap as it could be the first time in history when potentially more than 5 million people could choose the chief execu-

tive," he said.

Hong Kong people have great expectation of universal suffrage, he said.

During the past four months, the constitutional development task force (comprising also Chief Secretary for Administration Carrie Lam Cheng Yuet-ngor and Secretary for Justice Rimsky Yuen Kwok-keung) has attended over 110 meetings/forums with people from different sectors.

"If universal suffrage didn't happen in 2017, it would be a big political setback that would be a let down to the

central government and the people of Hong Kong," he said.

"Although the next chief executive could, theoretically, restart the mechanism for constitutional reform, it would be doubtful if he had a strong political mandate to start the mechanism again within a short time because he was not chosen by universal suffrage... unless we have a very strong leader with great support of the people," he analyzed.

It follows that the expected Legislative Council election by universal suffrage in 2020 could not happen,