

Hong Kong Elections: Limits of One Country, Two Systems Model

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Recent political and social developments in Hong Kong seem to indicate that China's *one country, two systems* model is facing its most substantive challenge so far. Whether or not this issue is settled quickly and amicably would have long term implications for the mainland China-Hong Kong relations. It will also have implications for the future of China's relations with Taiwan, in particular if the People's Republic of China (PRC) is seen to be going back on the promises it made to the people of Hong Kong in 1997. At its core, it is a tussle between Beijing's desire for control in the name of stability and Hong Kong's wish for greater democratic space and less interference.

The political process in Hong Kong is guided as per the province's Basic Law that was adopted in 1990 by the seventh National People's Congress (NPC) and it came into effect on July 1, 1997 when Hong Kong became a part of the PRC. It is under this law that the PRC fulfills its promise of 'one country, two systems' model under which Hong Kong became part of China. The most important article on the Hong Kong political structure is Article 5 which states: "The socialist system and policies shall not be practised in the Hong Kong Special Administrative Region, and the previous capitalist system and way of life shall remain unchanged for 50 years". The Chief Executive (CE) is the highest representative leader in Hong Kong and Article 45 stipulates the terms for selection of the CE. It says; "The Chief Executive of the Hong Kong Special Administrative Region shall be selected by election or through consultations held locally and be appointed by the Central People's Government. The method for selecting the Chief Executive shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly progress. The ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures."

The crux of the debate presently unfolding is about the right to universal suffrage in selecting the highest governing personnel in Hong Kong in the year 2017. At present, the Hong Kong residents have the right to universal suffrage only in the District Council elections and partly in selection of the provincial legislative council. It is envisaged that the island residents would have right to elect their provincial CE by the year 2017, as initially suggested in the Article 45. While all the stakeholders agree to this notion, Beijing wants its control on the nominations process whereas the prodemocracy activists prefer a more direct election process.¹ Thus, Beijing wants to have its say in who is allowed to contest while the pro-democracy activists see this as interference in the democratic rights of the Hong Kong residents as promised in the Basic Law.

At its core is Beijing's fear of having a CE in Hong Kong who is locally popular and vocally critical about Beijing's policies. Beijing's fear perhaps also emanate from its concerns of spillover effects on the mainland if a full-fledged democracy in Hong Kong were to succeed since at home the CCP continues to grapple with the problems of corruption, inequality and inflation. Thus, Beijing's screening criteria would eliminate those who fit this criterion. Ultimately, the CE candidates will be nominated before elections can take place, but who has the final say in nominations is the bone of contention. Whereas Hong Kong residents see their rights in people's nomination, Beijing has shown the willingness to draw the red-line in favouring a select committee nomination.

On the other hand, Hong Kong residents want to correct the present electorate system that at present is heavily tilted in favour of the social, economic and other elites. They see full universal enfranchisement in form of 'one person, one vote' system as more democratic and as more representative of the people's aspirations. Hong Kong, in the recent past, has struggled with issues of stagnation in social mobility, higher levels of unemployment and rising costs of education and living in general. The other major recent challenge in front of Hong Kong democracy is the number of violent attacks senior media persons have faced. Recently, Kevin Liu, former editor of *Ming Pao* was attacked and wounded seriously and remains in hospital. Others such as *Hong Kong Morning News* vice president Lei Lun-han and news controller Lam Kin-ming also faced attacks. These publications have been known for their critical and investigative reportage. Incidents like these are collectively being seen as attempts to reign in the media by sending out message to others to behave.

¹ For more see Joshua Fellman (2014), "Hong Kong China Advisor rejects Chan's Vote Plan: SCMP", *Bloomberg*, 26 March 2014 URL: <http://www.bloomberg.com/news/2014-03-25/hong-kong-china-adviser-rejects-chan-s-vote-plan-scmp.html>

Relations between Hong Kong and Beijing are not the most cordial and there seems to be little by way of agreement in the interpretation of the Basic Law of Hong Kong. Some fear that Hong Kong would lose the opportunity to establish 'one person, one vote' system in 2017 if the impasse continues. Beijing's desire to control can be blamed to be responsible for the present state of affairs. It would help if Beijing stops believing for the moment that direct elections would necessarily amount to referendum and instability.

Views expressed are of the author and do not necessarily reflect the views of the IDSA or of the Government of India.