

CHINA AND THE 2004 HONG KONG ELECTIONS

by Vicki Chan

This past March, a prominent Hong Kong businessman with known triad, or organized crime, connections telephoned Raymond “Mad Dog” Wong Yuk-man, host of the talk show “Close Encounters of a Political Kind.” He told Wong that he was passing on a message from a senior Beijing official who wanted Wong to stop broadcasting and leave Hong Kong until after the September elections. On 16 March, Wong was assaulted by triad members, and on 13 May, he abruptly announced that he was taking leave from his show.

A Human Rights Watch report released in September states, “2004 is shaping up to be the worst year for civil and political rights in Hong Kong since the 1997 transfer of sovereignty.”¹ On 6 April 2004, Beijing ruled out direct elections in 2007 for Hong Kong Chief Executive Tung Chee-hwa’s successor, as well as the 2008 elections for the entire Legislative Council, originally planned for 2008. Those were promises granted in the Basic Law, Hong Kong’s constitution which came into effect at the 1997 turnover. Beijing’s attempts to extend control over Hong Kong threatens the promised formula of “one country, two systems.”

Kong Quan, spokesman of the Commissioner's Office of the Ministry of Foreign Affairs in Hong Kong, denounced Human Rights Watch's 40-page report, saying, "One country, two systems and Hong Kong people ruling Hong Kong with a high degree of autonomy are the principles that the central government determined to implement after the handover."²

However, Beijing's actions during the recent Hong Kong election do not demonstrate this. Instead, the central government's goal seems to be to install a "rubber-stamp legislature" that will allow Chief Executive Tung Chee-hwa to push through Chinese laws in Hong Kong.³ "It's a completely rigged system," says Minky Worden of Human Rights Watch, who was in Hong Kong for an unofficial observation of the election that took place 12 September 2004.⁴

Out of 60 seats in the Legislative Council (LegCo), only half are filled through universal suffrage. The other 30 are elected through functional constituencies, with tiny electorates based on professional, commercial, or industrial affiliations. Their dependence on Beijing's support leads them to be swayed easily, and these seats are basically appointed. When pro-democracy forces appeared ready to win at least 30 seats, Beijing went on the offensive.

This was particularly obvious in three areas. The first area was in freedom of association, a result of the so-called "patriotism campaign" which targeted leading pro-democracy figures. According to Worden, the Chinese government took a more direct hand in the election, including running the patriotism campaign. The attacks on pro-democracy candidates came primarily from leaders in Beijing.⁵

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Some say this election was a choice between patriotism and reform. Worden disagrees, saying, "I think it's a question of should Hong Kong people let Beijing dictate the pace of democratic reform in Hong Kong or not."⁶

Worden interviewed several dozen voters on election day on whether or not they thought the election was about democratic reform. With about five exceptions, everyone said yes. Business people said that they saw no conflict between the promised ability to run their own affairs and being patriotic to China. In fact, all of the pro-democracy leaders were in favor of the return of Hong Kong to China. They asserted that they are the patriots because they want China to advance, and the people who want to keep the old repressive Communist ways are the ones who are the enemies of progress.

The second area was in threats to press freedom. Major broadcasters faced pressure to resign. Besides Wong, radio talk show hosts Albert Cheng and Allen Lee both left the airwaves after reported intimidation. All three were openly critical of both the Hong Kong and central Chinese governments. Worden likened this to Don Imus,

Larry King, and Howard Stern all leaving their positions within a month of each other. This is harmful to free expression.

Finally, voters and candidates were intimidated. Messages like “all traitors must die” were written on legislators’ doors. In some cases, criminal triads backed up the violent threats. Legislator Margaret Ng told Human Rights Watch that voter intimidation is hardly new, but “what is new is that they have learned a way to monitor compliance.”⁷

Prior to the elections, numerous reports surfaced of voters being instructed to prove that they voted for pro-Beijing candidates by taking a picture of their ballot in the ballot booth with a camera phone. Worden reports that less than half a dozen polling places told voters to turn off their cell phones, or asked them not to take pictures.

Worden attributes some of the responsibility to the Hong Kong government as well, whom she claims “loused up the elections” in two significant ways. First, they radically underestimated voter turnout and had to close some polling stations early due to insufficient ballot boxes. Second, they neglected to address voter intimidation. Electoral Affairs Commission Chief Justice Woo Kwok-hing failed to ban cell phones in the polling stations, and he barred international election observers from the poll.

“I was on an election monitoring mission that was not authorized by Justice Woo, but we found terrible irregularities such as opening ballot boxes, which is a big international no-no,” Worden said. “Hong Kong is an international city. They’ve conducted elections for many years, and they really should let international observers in.”

So do the elections really matter? Yes, because the legislature is “the battleground for protecting human rights.” “Any change to the law has to go through the legislature,” Worden pointed out, “so the thing to watch for in the future would be more bad laws that may impinge on human rights.” Beijing’s treatment of Hong Kong also has implications for its relationship with Taiwan. A tainted election damages hope that Taiwan will accept the “one country, two systems” concept. Beijing needs to demonstrate a genuine respect for Hong Kong’s sovereignty in order to show that such a formula for re-unification is possible.

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1 “A Question of Patriotism: Human Rights and Democratization in Hong Kong,” A Human Rights Watch briefing paper, 9 September 2004: 3.
2 “Beijing raps ‘wicked’ rights group for report on HK,” *The Standard*, 10 September 2004.
3 “China’s Broken Promise,” *The Asian Wall Street Journal*, 10-12 September 2004.
4 Interview with Minky Worden, 21 September 2004.
5 Ibid.
6 Ibid.
7 Human Rights Watch report: 34.