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Comparators and Consequences**

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Hong Kong's 2007 Chief Executive Election: Comparators and Consequences *

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'As long as we are clear in explaining to [Beijing] that
our desire for universal suffrage is because
we want our chief executive to have political legitimacy,
they will support us'
(Alan Leong Kah-kit, opposition candidate for chief executive in 2007).

'With those words, I wish him good luck'
(Donald Tsang Yam-kuen, incumbent chief executive)¹.

How are we to understand Hong Kong's political regime? To what other cases can it usefully be compared? And do the elections it holds sooner contribute to political continuity or democratic change? These questions gained new urgency when, in March 2007, Hong Kong held its first election for its topmost executive position since the territory's return to China a decade ago. What is more, the incumbent, strongly endorsed by Beijing, was confronted by a challenger who called explicitly for greater democratization. Both candidates turned to political parties in order to energize popular support, injecting new coherence and vitality into the party system. The media avidly recorded

¹ Public forum; See, *SCMP*, 'Verbal Jousting'.

campaign platforms and appeals. A televised debate was held that sparked with unanticipated vigor. Ballots were fairly counted and results were promptly reported. And these activities presaged elections for Hong Kong's legislature a year later, a body that has often checked the chief executive's initiatives while holding some top civil servants accountable.

This paper tries to gauge the extent to which democracy's seeming progress in Hong Kong may have been advanced by the election for chief executive in 2007. It begins by enumerating briefly some underlying pressures for greater democratization. Next, it classifies Hong Kong's existing regime type, while identifying some comparable cases that may shed light on democracy's prospects in the territory. Finally, against this analytical backdrop, the dynamics of this chief executive election are traced in order to assess whether they have advanced democracy, re-equilibrated the existing regime, or increased Hong Kong's vulnerability to authoritarian reversal.

Pressures for democratic change in Hong Kong

When negotiations between the British and mainland China government were held in preparation for the re-nationalization of Hong Kong, the two sides agreed that politics should be ordered in ways that would leave the territory's economic engines undisturbed. To this end, the British pushed for civil liberties, an independent judiciary, and a partly elected legislature, styled as the Legislative Council (LegCo), by which to perpetuate procedural safeguards against rent-seeking behaviours and patronage flows (Overholt 2001). But they also insulated the new chief executive from voters, interposing an electoral college, known as the Election Committee, in order to discourage broad populist distributions. Thus, in the Basic Law that they produced, an inclusive franchise for the election of the chief executive was left as an 'ultimate goal' (The Basic Law: Article 45). This synthesis of democratic procedures and authoritarian controls was accepted by the Chinese because, however mysterious, it appeared reliably to generate large volumes of investment capital. It might serve also to reassure Hong Kong's citizens in the wake of the Tiananmen massacre, locally denominated as the 'June 4th incident'.

But despite these innovations, elite-level patronage and trans-class populism, having germinated earlier under British rule, now multiplied in the post-colonial period. Thus, in ways that are reminiscent of, indeed, take to new heights, the political economies of some leading ASEAN countries during their rapid expansion in the 1990s, competitive globalized business sectors came to co-exist in Hong Kong with deeply cartelized domestic markets. Non-tradable services, then, especially property development, construction, telecommunications, and retail, have been regulated in ways that seem to favor selected commercial entities with state contracts and licenses.

The consequences of these dealings have grown especially conspicuous in housing. With high-end and middle-class housing stock limited, prices in Hong Kong have been among the world's highest. But this serves the interests of leading stakeholders: the state bureaucracy gains revenues by leasing land and selling development rights; property developers command high prices, yet avoid proportionate taxation; and persons able to purchase property lock in asset values and middle class statuses (Overholt 2001:13). However, to mitigate the wrenching disparities in social fortunes that have resulted, the government has balanced patronage flows by perpetuating populist programs in public housing and health care.

In these circumstances, apart from an amorphous desire for the greater political participation that usually correlates with economic prosperity and new class formations, more specific pressures for democratic change have emerged in Hong Kong. Notwithstanding its foothold in property, much of the territory's middle class, in reacting against the bureaucracy's growing politicization, calls for more competitive elections as a way to check elite-level dealings between government and business. Even if the base payments and kickbacks that inflame popular resentments elsewhere might be eschewed in Hong Kong, the middle class looks askance upon interactions that give rise to high salaries and perquisites for top civil servants while contracts and licenses accrue to favored business elites.

Some business elites have acknowledged these middle class-grievances. Richard Li Tazar-kai, chairman of PCCW, a major property

and technology group, and son of Li Ka-shing, celebrated as Hong Kong's wealthiest tycoon, stated frankly during the campaigning for the chief executive election in 2007:

In Hong Kong, people question whether our government only speaks for a small group of people. You'll never be able to come clean so long as our election system is not a real democracy. If the government has legitimacy, you won't hear people keep saying there's government-business collusion (*SCMP*, 'A tough call').

The middle class also calls for greater policy responsiveness in a variety of issue areas, most notably, educational reforms and environmental protections. Meanwhile, much of Hong Kong's distended lower class favors democracy too, though probably less as a way of checking patronage flows than enhancing populist distributions. Pleas for a minimum wage, on top of still greater housing and health care benefits, have intensified alongside the disparities caused by the relentless globalization of Hong Kong's labor markets. Accordingly, since 2003, hundreds of thousands of demonstrators have on three occasions gathered to demand the 'advancement of democracy in Hong Kong' (Axworthy and Leonard 2006: 5).

Thus, Hong Kong's economic prosperity and social changes, the ways in which this prosperity has been shared out at the elite level, and a variety of more focused issue areas ensure that vast majorities in the territory seek greater democratization. Though Hong Kong's existing regime was meant to impede patronage and populism, elite-level exchanges and trans-class dynamics have produced them still. The middle class views electoral competitiveness as a way of limiting patronage. The lower class, its appetite whetted, sees elections as a way of accelerating populism. Let us turn now to the type of regime by which Hong Kong's politics are currently ordered, giving especial attention to ways in which elections for the chief executive remain limited.

Hong Kong's regime and its comparators

In Hong Kong, the topmost position in the government apparatus is the chief executive. In what is characterized, then, as an 'executive-led system' (Overholt *ibid*: 5), the chief executive is separate from, and intended to prevail over, the Legislative Council. A year before the transfer of authority from Britain to China, Hong Kong held an election for the chief minister. Tung Chee-hwa, a shipping magnate backed by Beijing, handily defeated two other candidates. In 2002, he renewed his tenure, though this time without an election, because the parties that opposed him, regarding the procedures as unfair, chose to boycott. Three years later, after incessant clashes with LegCo, resistance from the civil service, and declining popularity, Tung was evidently pressed by Beijing to step down (Axworthy and Leonard *ibid*: 4). The chief secretary, Donald Tsang Yam-kuen, became acting chief executive, in accordance with the Basic Law's order of succession. Soon afterward, though, Tsang sought to legitimate his ascendancy by commencing the electoral process. But because his challengers failed to gain enough nominations, he was returned unopposed. After serving the remaining two years of Tung Chee-hwa's term, Tsang sought a full term in 2007. Doubtless his supporters hoped that this could be achieved by perpetuating Hong Kong's record of extending of the chief minister's tenure without election.

A challenger, however, Alan Leong Kah-kit, emerged with the support of the newly formed Civic Party and the longer established Democratic Party. Once the president of the Hong Kong Bar Council and now in his first term as a LegCo member, Leong was relatively unknown outside the legal community. He thus only gained the support of pro-democracy forces after 'better-known politicians decided that it was hopeless to run against Mr. Tsang' (Bradsher, 'Hong Kong'). Given his relative obscurity, then, and the contours of Hong Kong's political institutions, few observers anticipated that Leong would win the 100 nominations necessary for an election to be held². But in December 2006, through a 'sub-sectoral' election process described below, the parties that

² Less than 20 percent of public survey group believed that Leong could obtain the 100 nominations required. See, Chan, 'Leong wins'.

backed Leong were able to win enough seats in the Election Committee that they were able to award him 134 nominations, an outcome 'that took the parties' leaders as well as Beijing and the office of Donald Tsang Yam-kuen by surprise' (*SCMP*, '114 for Leong—').

However, despite the surge in public excitement that resulted, the weeks of campaigning that followed soon cooled. Leong tried to address key middle-class grievances, declaring,

[i]f I were elected there would be a totally new culture in governing Hong Kong. Instead of making policy all by ourselves in air-conditioned offices in Central District and seeking rubber-stamping from consultative bodies, I would strengthen the institutions that have made Hong Kong what it is today: rule of law, the totally apolitical civil service and a strong education system. There would be no monopolies, no price-rigging (Liu, 'The Last Word:').

On this count, he promised a 'competition law to put an end to cheating and price-rigging at the consumer's expense, starting with the property sector' (Wong, 'Liberals voice'). And he took up other policy issues too, including, education, the environment, and a minimum wage.

But Leong's delivery was tepid, with question-and-answer sessions and neighborhood 'walk-about' falling flat. Thus, in changing tack, he stepped up his criticisms of Tsang, denigrating his adversary as the 'product of an exclusive class' (Leung, 'Leong back'). Further, in demanding greater democratization, he went beyond mere calls for an inclusive voter franchise, locally articulated as 'universal suffrage'. In his platform announcement, he proposed also that the chief executive appoint the government's 'principal officials' as heads of departments and key agencies, hence functioning somewhat like ministers, without first seeking the central government's approval. However, because this departed from the Sino-British Joint Declaration, thus requiring that the Basic Law be amended, it was regarded as 'radical' by many citizens, causing Leong's standing to dip further (Wong and Lee, 'Tsang gains'). Indeed, in polls taken throughout this period, even many

respondents who favored greater democratization stated that if they could vote, they would not cast their ballots for Leong³.

But Donald Tsang, steeped in bureaucratic mores, remained nearly in seclusion, preferring closed door sessions with business elites to mass-level audiences. Indeed, his campaign chairman, David Li Kwok-po, was chairman also of Bank of East Asia. And as 'one of Hong Kong's best-connected tycoons' (Bradsher, 'Democracy's small), Li seemed to embody the interpenetration between government and business about which the middle class has grown so resentful. Thus, in taking stock of this campaign and Hong Kong's recent political record, it remains clear that a professional political class and a framework of aggregative structures has yet to consolidate in Hong Kong. An unelected former bureaucrat occupied the chief executive position; opposition candidates appeared only sporadically, then campaigned ineffectively; business elites doubled as campaign managers; part-time legislative councilors, denied real career tracks in political life, resorted habitually in the sessions that they attended to obstruction; and party vehicles remained but loosely associated with programmatic agendas.

Even so, the campaign slowly regained momentum, with Tsang finally yielding to Leong's prodding on several fronts. First, he promised that a government task force would be set up, producing a green paper by the middle of the year through which to 'achieve full democracy'. The document would be subjected to three months of public consultation, then forwarded to the central government for consideration. Leong remained unplacated, however, charging that 'these are simply delaying tactics and the ball was passed to Beijing' (Chong, 'Donald Tsang'). Secondly, Tsang agreed to participate in a televised debate that would be organized by members of the Election Committee. He insisted, however, that while the committee members might then attend, the public could not. Leong responded with taunts: 'Although Mr Tsang has obtained nominations from 641 Election Committee members, he still dares

³ In 'hypothetical voting' conducted by analysts at the University of Hong Kong, only 25.2 percent of respondents characterizing themselves as 'pro-democracy' favored Alan Leong. Overall, 73.5 percent of respondents said that they would vote for Tsang, while 13.8 percent favored Leong. See, Wong and Lee, 'Tsang gains'.

not face even a single Hong Kong person'. Tsang's campaign office, maintaining its aloof and archly legalist tone, responded by accusing Leong of 'leaking details' and 'breaching the confidentiality of their agreements' (Ng and Chan, 'Debate venue'). Tsang refused also to participate in a similar forum to be held a week later, organized mostly by 'Pan-Democrat members' of the Election Committee (*SCMP*, 'Give public').

On 1 March, the debate was held in the Convention and Exhibition Centre in Wanchai. But as the event unfolded and exchanges intensified, Leong began to show unexpected charisma. Ignoring the condition imposed by Tsang that there be 'no direct verbal sparring between candidates' (Lee K, 'Divided they'), a 'combative Leong' berated the chief executive for having failed to secure universal suffrage. He roundly criticized the chief executive too over collusion between government and business, as well as failings in education policy. In turn, a 'guarded Tsang', though famed for his fiery temperament in civil service arenas, yet appearing untrained for impromptu public encounters, grimaced repeatedly, then grew sullen before the television cameras and an energized audience (*SCMP*, 'Guarded Tsang').

Amid the media acclaim that followed, Leong and the Civic Party that supported him were revitalized. Moreover, in having gained the support of the venerable, if fractious Democratic Party, Leong extended his reach among middle class professionals. And he was joined also by a host of civil society organizations, thus firming the pro-democracy forces. On the other side, Tsang was drawn from his bureaucratic redoubt to engage his rival by campaigning more openly. And though barred by the Basic Law's administrative strictures from affiliating formally with any party vehicle, he accepted an offer of campaign support from the DAB (Democratic Alliance for the Betterment and Progress of Hong Kong), a grouping which, in its close alignment with Beijing, yet associated also with constituency services, had cultivated 'a grassroots organization second to none' (Vines, 'Style pitfalls'). Further, the Liberal Party, though having reservations over the government's finally pledging to canvass a competition law, a minimum wage law, and various 'social enterprise initiatives', also drew closer to Tsang—especially after considering that

Leong's 'stance was even further away from the Liberal Party views' (Wong, 'Liberals voice'). In this way, informal party coalitions began to take shape.

Hence, in gaining more institutionalized form and competitiveness, this chief executive election might seem to have been nearing a pitch whereby the minimal requirements of electoral democracy were met (On electoral democracy, see, Diamond and Kim 2000). However, the impediments to Leong's finally winning the election remained so steep that the territory's politics were still better plotted at the low end of electoral authoritarianism. As Andreas Schedler has observed, under contemporary electoral authoritarian regimes, 'multiparty elections for the chief executive take place'. But in amounting to mere institutional 'facades', these elections typically 'conceal (and reproduce) harsh realities of authoritarian governance' (Schedler 2006: 1). And indeed, in Hong Kong during this period, 'strenuous efforts [were] made to convince the public that [the chief executive] election represent[ed] a real democratic choice' (Vines, 'Style pitfalls'). Of course, few citizens were fooled (See, e.g., Civic Exchange, 'Hong Kong'). As Richard Li stated plainly, '[w]e all know that Beijing ultimately calls the shots' (*SCMP*, 'A tough call')—even if so far avoiding any harsh impositions.

In searching for comparative cases by which to illuminate Hong Kong's politics, analysts look typically to Singapore. Indeed, William Overholt contends that as British and Chinese officials negotiated Hong Kong's re-nationalization, Singapore became 'the leading example of what the transition's architects hope to build' (Overholt *ibid*: 6). On first blush, the analytical similarities seem beguiling. Hong Kong and Singapore are both small, densely urbanized city-states that have grown prosperous with foreign investment and sophisticated services. And their British colonial experience, fusing democratic 'tutelage' with 'viceregal traditions (Weiner 1987: 18; Diamond 1989: 13), has helped to synthesize procedures and controls in ways that amount to the electoral authoritarian regimes identified by Schedler. However, within this category, we encounter profound differences between our two cases.

First, in ordering democracy's twin dimensions of civil liberties and competitive elections, Singapore's government clamps down sharply on the first, but then more loosely modulates the second. Thus, while opposition parties have much difficulty in organizing and communicating effectively, the widespread resentments that are triggered by these limits on freedom prompt a third of the electorate reflexively to cast ballots for the opposition. To be sure, elections in Singapore sooner constitute yet another 'feedback loop' through which the government gains deeper insight into the intensity and location of popular grievances than any mechanism for accountability and turnover. But with the voting franchise inclusive, citizens at least have the chance to register their discontents. Thus, with civil liberties tightly constrained, while a measure of electoral competitiveness is permitted, Singapore's practice of electoral authoritarianism matches what O'Donnell and Schmitter once conceptualized as *democradura* (O'Donnell and Schmitter 1986:10).

Though also residing within the electoral authoritarian category, Hong Kong's politics yield a reverse pattern. As we have seen, civil liberties are formally respected, hence enlivening civil society and a few media outlets. But the competitiveness of elections is diminished by severe restrictions on the voting franchise. Many of Hong Kong's institutions and procedures remain sketchy under the Basic Law, leaving their terms to be shaped over time by local adjustments within the limits set by the central government. But at present, what most stands out about the contest for chief executive is the pivotal role of the Election Committee cited above. To be sure, Article 45 of the Basic Law specifies 'universal suffrage' as an 'ultimate goal'. But in keeping with the document's Annex I, current electoral laws mandate an unwieldy system whereby the Election Committee, through a 'sub-sectoral' contest, is selected every five years by some 200,000 members of designated companies, occupational associations, and various political and social groupings. Further, of the committee's 800 members, 200 are selected from industrial, commercial, and financial sectors, 200 from the professions, and 200 from various political arenas, including members of LegCo, local deputies to the National People's Congress, and local representatives of the National Committee of the Chinese People's Political Consultative Conference. A final cohort of 200 is drawn from

a bottom-most stratum of trade unions, religious groups, and social services.

Thus, in its indirect election and overall composition, the Election Committee has been depicted as a 'political caucus representing the privileged few' (Chen, 'Hong Kong:'). The committee next conducts a complex and uneven process in which some votes are cast collectively along corporatist lines and others individually. What is more, extraordinary levels of malapportionment prevail. For example, there are 112 voters in the Employer's Federation of Hong Kong who select 11 members of the Election Committee. There are 78,840 voters in the Education sub-sector who select 20 members of the Election Committee (HKSAR Government, 'Voter Registration'). Accordingly, this electoral edifice tilts heavily to meet the preferences of the central government and its local political and business allies. Indifference to this process is thus rife among other sectors, with barely a quarter of eligible voters bothering to participate in 2007.

The tasks of the Election Committee that emerges are two-fold. First, the various sectors of which it is composed nominate candidates for the chief executive position, with 100 nominations needed for a contest to be held. Then, from among the successful nominees, the committee chooses the chief executive by a majority vote, conducting what is derided by critics as a 'small circle election'. But as noted above, as exclusionary as these processes might be, 2007 marked the first time since Hong Kong's re-nationalization by China that even this level of contestation became necessary.

Hence, in Hong Kong's practice of electoral authoritarianism, respect for civil liberties alongside severe restrictions on electoral competitiveness have yielded what O'Donnell and Schmitter once called *dictablanda* (O'Donnell and Schmitter 1986). They argued also that this produced a much less stable sub-variant of authoritarian rule than *democradura*. In the latter configuration, social forces are able to communicate and organize freely over shared causes and grievances, giving rise to new movements and civil society organizations that can gain political potency. But upon their finding no electoral release, their pent-up demands may surge in effective anti-system behaviors, even militant ones.

However, though O'Donnell and Schmitter have warned that *dictablanda* is less stable than *democradura*, this has historically seemed counter-intuitive to many authoritarian governments under pressure. Sooner fearing the broad dimensions that opposition parties and coalitions can assume than any broken terrain of NGOs, they fail to discern that by suppressing civil liberties, they not only weaken civil society, but opposition parties too. And in this approach, they are then able to hold elections which, in their one-day competitiveness, gild uninterrupted incumbency with far greater legitimacy than *dictablanda* can ever confer. Thus, governments that wish to cling to power interminably have in recent years shifted within the electoral authoritarian category to *democradura* (Ottaway 2003). They have learned to wage, yet manage multiparty elections for top executive positions in ways that enable them usually to win.

In Hong Kong, however, though *dictablanda* is still practiced, many of the intrinsic frailties are avoided by a second way in which the territory's politics depart from those of Singapore. Put simply, the Special Administrative Region of Hong Kong is a sub-national unit within the post-totalitarian framework of mainland China, sharply delimiting the autonomy of its dynamics. Thus, one notes, for example, that the territory's courts have sometimes been overshadowed by the Standing Committee of the National People's Congress as the final interpreter of the Basic Law. Many of Hong Kong's top politicians and bureaucrats, as well as most of its business elites, accept this steep power differential in hopes of perpetuating the territory's prosperity, the engines of which are increasingly aligned with China's production and capital markets. Indeed, in recent years, the tables have begun to turn, with Hong Kong needing China's markets and tourists as much as China needs Hong Kong's capital formation and transshipment nodes. Thus, well short of outright military intervention or the crude suspension of water supplies, Hong Kong's citizens remain keenly aware that their economy could swiftly be brought to its knees by the central government's switching to mainland bourses for its initial public offerings, or by its relocating its container port dealings northward on the Pearl River delta.

Thus, for the case of Hong Kong, better comparators than Singapore might be found among other sub-national units whose state-level governments, seeking greater electoral competitiveness, chafe under authoritarian controls imposed by super-ordinate central governments. One example in the region involves the state of Sabah in Malaysia, a territory that was also handed over by imperial Britain to a pre-existing national entity. In brief, the United Sabah Party (PBS), embodying the indigenous resentments that have resulted, has historically when holding state-level power demanded greater democratization and autonomy (Chin 1997). A fair predictor, then, of what Hong Kong might expect by resisting Beijing can be found in Kuala Lumpur's responses in Sabah, with the central government's patience for electoral competitiveness quickly exhausted by the PBS's behaviors. Malaysia's central government, then, has as at various junctures withheld the PBS government's budgetary allocations, induced PBS state assemblymen to 'party hop', conspired with the appointed state governor to overturn election results, or simply used its own local party vehicle to sweep the PBS from office through rigged elections. These fearsome pressures hint at the reprisals that any equivalent party in Hong Kong could expect from Beijing.

Hong Kong's politics are thus best understood in terms of *dictablanda*. But the intrinsic frailties of this sub-variant of electoral authoritarianism are largely offset by Hong Kong's sub-national positioning in a post-totalitarian milieu. Even so, it might seem that Hong Kong's politics would be found by the central government to be more manageable still were they anchored in a firmer category—whether shunted into a hard authoritarianism that would better coordinate with the mainland's own politics or eased more subtly into a *democradura* which, with its capacity to obscure, might effectively placate some local activists. But these alternative strategies would also bear costs. Hard authoritarianism would seriously erode Hong Kong's economic prowess and Beijing's international standing. *Democradura* would test Beijing's capacity for fine calibrations in electoral competitiveness. Indeed, the central government has liberalized the mainland's economy precisely in order to avoid any democratization of politics, leaving it with little experience in electoral manipulations beyond the village level.

Hong Kong, then, while perennially fiddling with its executive and legislative hierarchies in response to administrative exigencies and local pressures, will be confined by the central government to a trajectory of *dictablanda*. But this is precisely why some of Hong Kong's citizens perked up at least briefly when the chief executive election became necessary, particularly after the challenger's performance in the televised debate.

The 2007 Chief Executive election

The surest way in which to understand Hong Kong's election for chief executive in 2007 is as a contest involving local elements which, with a variety of motivations, demanded greater democratization, and the central government that sought to limit this progress. The standard bearer for the pro-democracy forces, Alan Leong, had little chance of winning. He thus took his campaign outside the Election Committee to the public, hoping to spotlight the discrepancies between his faint electoral prospects and surges in popular support. As we have seen, in focusing on social issues, his campaign platform was mostly workaday and mundane, nearly mirroring the government's own appeals. At this level, then, with few digressions over global visions and foreign policy, the contest was in many respects reminiscent of a mayoralty race.

But at another level, Leong's platform broke new ground in its calls for an inclusive voting franchise for the chief executive election, as well as other procedural refinements. Thus, in what Schedler, borrowing from Tsebelis, has designated as a process of 'nested games' (Schedler 2006: 2, 12-13), Leong gave less attention to changing the incumbent government and its policies than to using the grievances aroused by his sure defeat to build mass-level pressure for a more fundamental change of regime. As he noted,

Political reality being what it is, the chance of me winning is very, very, very slim. But people will still be thinking, 'Well, what Alan Leong said has some substance...' Then you have started the process of change. I would hope this CE election is the time to start this process (Yeung, 'Against the odds').

Similarly, when asked what for him would constitute a successful campaign, he replied,

If I could again ignite Hong Kong citizens' interest in politics, help citizens realize the ridiculous and unfair nature of this small-circle election...such an experience would become the most successful achievement of my campaign (Ng, 'Leong enrolls').

Leong thus calculated that his loss in an election in which few could vote would raise the pressures for change. 'The best way to expose the unfairness of the current system is to really participate in it' (Quoted in Liu, 'The Last Word:'), he advised. And in perhaps a less guarded moment, he added, '[w]e want the people in Hong Kong to really feel the unfairness' (Bradsher, 'Democracy's small').

On the other side of the campaign divide stood the incumbent chief executive, Donald Tsang. But though regarded as an able civil servant, his holding favor with the central government was variously interpreted, with his detractors dismissing him as no more than proxy, while his supporters emphasized the importance of his having the confidence of Beijing. Amid these ambiguities, the central government sought to help shore up Hong Kong's *dictablanda*, a regime wherein the façade of electoral competitiveness might add a measure of legitimacy to that already garnered through respect for civil liberties, but without risking any greater uncertainty. Apart from the erosion of control over Hong Kong's political economy that Beijing might suffer from even a respectable showing by an 'unapproved' candidate, demonstration effects could strain its grip too over dispersed authorities and decentralized apparatuses across the mainland (See, Lam 2000: Chapter 8).

Thus, in seeking to bolster Tsang's tenure and the electoral processes that refreshed it, Beijing asserted that Hong Kong's politics were already quite democratic enough. Li Gang, deputy director of the central government's liaison office, argued, '[n]o matter what the election result is, it is an embodiment of democracy because the 800-member Election Committee is a product of democracy' (BBC, 'Hong Kong'). And Chen Zuoer, deputy director of

the central government's Hong Kong and Macau Affairs Office, contended, '[s]ince the handover, the people of Hong Kong have enjoyed unprecedented democratic rights, its democratic political system has always been advancing forward' ((Lee and Cheung, 'We got')).

But the central government's discomfort over rising contestation was revealed by the mounting shrillness of its statements. After the televised debate had been held, Anson Chan Fang On-sang, a popular former chief secretary who has been locally christened the 'conscience of Hong Kong', outlined a 'roadmap' to democracy whereby the role of functional groups in elections would be gradually dismantled. Chen Zu'er thus weighed in again, arguing that it had been Beijing which, in negotiating over the Sino-British Joint Declaration, had first broached the notion of universal suffrage. 'The few people who now pretend to be democratic heroes by advocating democracy ... what were they doing when so many Hong Kong and mainland drafters proposed the ultimate goal of dual-universal suffrage?' (*ibid*), he asked. A vice-chairman of the Standing Committee of the National People's Congress, Cheng Si-wei, adopted a still more menacing tone, warning Hong Kong's citizens to stop 'messing around' with politics and focus on economic development, lest they be 'marginalized...You are very successful now, but you should think of a possible crisis when you are living in comfort' (Huang, Leung and Wong, 'Warning to'). Indeed, by Beijing's reckoning, opposition sentiments should have been spent through the exercise of civil liberties, while simultaneously fuelling economic growth. And any residual discontents should have been ameliorated by populist distributions. Thus, the emergence of a challenger for the chief executive position, making an election necessary, should never have happened.

In these circumstances, the central government resorted to more vigorous manipulations. For example, when Anson Chan had earlier considered contesting the chief executive position herself, Beijing intervened, putting pressure on 'politicians and tycoons alike not to support her'. She thus withdrew, asking '[w]hen the cards are stacked against you right from the start, you have to ask yourself what purpose is served [by contesting]?' (Bradsher,

'Democracy's small'). The central government had also shaped the composition of the Election Committee, with many of its members chosen because they 'belong to Beijing-controlled groups or hold other posts, like belonging to the National People's Congress in Beijing' (*ibid*). Committee members were also made vulnerable during the nominations process, with procedures requiring that their preferences be registered publicly, rather than through a secret ballot. And they were likely pressured again as final round of voting drew near, with Leong alleging that 'powerful people call you up and ask you to support what we might call the preferred candidate, people who can make or break your business or your career' (Chan, 'Leong wins'). Of course, the central government denied this, with Li Gang countering, 'the central government's liaison office is concerned with and cares about this election, but we haven't interfered with this election of Hong Kong' (*BBC*, 'Hong Kong').

Two weeks after the first televised debate, a second one was held. Rules were further relaxed, with members of the public this time permitted to join journalists in the audience and to pose questions. The tempo of the exchanges between candidates was swift. Leong performed again with assurance, contending that gains could only be made on various policy fronts after greater democratization had taken place. And he returned to his core themes of collusion between government and business and failings in education and environmental policies. But Donald Tsang was adjudged by the media as resurgent, conveying the need to respect Beijing's wishes, yet promising also to seek universal suffrage. His command of other issue areas and data was also much improved over his earlier performance, enabling him to cast doubts upon the accuracy of some of his challenger's claims.

Polls taken after the debate suggested that it had been a draw, with Tsang judged as sounder on policy substance, Leong scoring higher for debating flair. But with Tsang having reasserted enough personal presence, it became easier for citizens to accede to his return to office. Thus, irrespective of the extent to which this outcome had been predetermined by Beijing, greater democratization became less pressing as many citizens grew reassured that Hong Kong remained in good hands. In polls conducted after the debate, when

respondents were asked 'If you had a vote, who would you vote for?', Tsang drew the support of 68.4 percent, Leong only 23.1 percent (Hung, 'Tsang's change').

This weakening in support for Leong's candidacy became more glaring when a protest march against the narrow voting franchise was organized on 18 March by the Civil Human Rights Front. Traversing major boulevards on Hong Kong island, the demonstrators completed their progress in front of Government Offices. But whereas a similar protest in July the previous year had drawn nearly 60,000 people and another in December 2005 an estimated quarter of a million, barely 1800 participated this time. Thus, in having called on citizens to join the protest, Leong was portrayed in the media as having been dealt a setback by 'lukewarm public support [on] the final stretch' of his campaign. Even Anson Chan refused his entreaties to join, though underscored her support for his aims (*SCMP*, 'Setback for'). And Civil Human Rights Front, having organized protests since 2003, announced that with its funding having dwindled, it was unlikely to survive the year (*SCMP*, 'Donations pour').

Though smaller events were held over the next week, the campaign mounted by Alan Leong and the parties that supported him continued to lose steam. On Sunday, 25 March, the Election Committee voted at a faraway hall by the airport. The Project Civil Referendum group organized mock balloting around the territory. Boats bearing protest banners circled Victoria harbor. The Election Committee completed its task in a few hours. Donald Tsang received 649 votes to Leong's 123, thus refreshing his tenure as chief executive for another five years. In the press conference that followed, though Tsang had pledged during the campaign to seek universal suffrage, he grew evasive when asked whether he thought that it would be in place for the next chief executive election in 2012. Reverting to his pre-campaign demeanor, he replied instead that 'the people's wishes are very clear. They want stability, a better economy and better living conditions' (Quoted in Robin Kwong, 'Election landslide').

Challenging dictablanda in a sub-national setting

Did Alan Leong's candidacy in the 2007 chief executive election commence the transformation of Hong Kong's *dictablanda*? Typically, this sub-variant of electoral authoritarianism must be changed through anti-system strategies that social forces, strengthened by their exercise of civil liberties, have learned to deploy. Civil society organizations and social movements, sometimes militant in their behaviors, mount street-level confrontations, sustained disruptions of administrative and commercial activity, and sundry other forms of resistance. What is more, these social forces are emboldened, rather than placated, by each concession that the government offers. Finally, through the government's acquiescence or ouster, electoral competitiveness is increased to match the level of civil liberties, thereby producing a new electoral democracy.

In Hong Kong, however, notwithstanding the respect for civil liberties and large majorities of citizens that seek greater democratization, anti-system strategies have been only lightly embraced. In part, this can be attributed to the inability of social forces to cement broad and enduring formations. Though they have erupted episodically in vast protests in reaction to the central government's most callous affirmations of dominance, they have been unable to perpetuate their cohesion beyond momentary outrage. Once their pique has subsided, lingering grievances over collusion between the government and business elites have not been enough dissuade middle-class elements and workers from lapsing back into attitudes of resignation. Civil society organizations and parties return to their fractiousness.

But these weaknesses cannot fully, or even primarily, be attributed to Hong Kong's local dynamics. Rather, because the territory is a sub-national unit within a post-totalitarian milieu, it faces irresistible veto-power posed from outside. Thus, in pressing for greater democratization during the chief executive election in 2007, Leong naturally avoided any calls for street-level confrontation. Even were social forces to respond, one can speculate they would quickly incur stern warnings from the central government, followed by economic penalties, then more overt forms of repression, whatever the

implications for Hong Kong's role in capital formation, reactions in Taiwan, and Beijing's international standing.

Leong's campaign appeals thus remained moderate in tone. He underscored his support for the 'handover' of Hong Kong to China (*Ming Pao Monthly*, 'I understand'). He endorsed free markets. On this score, he criticized the government's mimicry of industrial policies: while perhaps beneficial in the distinctive setting of Singapore, mercantilist interventions only deepened the collusion between the government and business elites in Hong Kong. Indeed, during the second televised debate, Leong averred that Donald Tsang's deviations from the colonial-era shibboleth of 'positive non-interventionism' had 'angered [Milton] Friedman so much that he died of heartbreak'⁴.

Nonetheless, this paper has argued that Leong's candidacy in the chief executive election is best understood as anti-system behavior, with his undoubted defeat meant sharply to spotlight procedural unfairness, hence exacerbating social resentments and pressures for change. But in this strategy's moderation, was it any more effective than greater militancy would have been? Because Leong was able to gain enough nominations in the Election Committee that an election became necessary, then performed charismatically in televised debate, he was credited by analysts with having made 'major progress' in the territory's 'election culture' (See, Sung Lap-kung, in Yung, 'New political'). Although his campaign lost rhythm in its last weeks and turnout for the 18 March protest was low, Leong asserted that

the number of people [taking part] will not affect the people's desire for universal suffrage. Imagine in 2012, [candidates] cannot dream of becoming chief executive without going through what Alan Leong and Donald Tsang have gone through this time. Hong Kong will never be the same Hong Kong (Wong and Ng, 'Hundreds on').

Polling conducted during the campaigning of some 400 'opinion leaders' by the *South China Morning Post* lent this assessment some support.

⁴ Quoted in *SCMP*, 'Leong regrets'. Milton Friedman, the famed monetarist and onetime admirer of Hong Kong, had in recent years criticized Hong Kong's government over its mounting interventionism. Friedman died in November 2006.

Four-fifths of respondents agreed that Leong's candidacy had 'enhanced the general public sense of involvement in the election'. It had also 'added pressure on Mr Tsang to come up with an election platform for the people [and] to draw up a timetable for universal suffrage' (Denise Hung, 'Alan Leong').

But the same polling also revealed that if Leong's having brought about an election was welcomed, his personal bid for office was not. Amid the current prosperity of Hong Kong, though most citizens favored his call for an inclusive franchise, they were unwilling to overlook his scant political experience to call also for his replacing the incumbent, particularly when this might put economic recovery and relations with Beijing at risk. Indeed, we recall that Leong's popularity plunged when his judgment was called into question over his 'radical' proposal that the chief executive appoint principal officials without Beijing's approval. In an editorial, the *South China Morning Post*, the territory's leading English-language daily, declared its concern that owing to Hong Kong's status as a sub-national unit,

Leong's proposal will not help bring universal suffrage to Hong Kong. It will more likely to make Beijing more suspicious of his motives. Such a proposal will almost certainly fail to secure the support required on both sides of the border (Kwong and Wong, 'Critics attack') ...

And indeed, the chair of the National People's Congress, Wu Bangguo, asserted once more that 'the authority in appointing principal officials does not belong to Hong Kong. If any changes are to be made to Hong Kong's political system, Beijing should have the final say' (Chan, 'Wu rejects'). It was at this point that Leong was evaluated by analysts as having 'lost all hope of turning round public sentiment' (Wong and Lee, 'Tsang gains').

Thus, despite the acclamation he earned for his perseverance and debating performance, Leong was unable to register through polling and surveys the high levels of personal support which, in contrasting starkly with the preferences of the Election Committee, would inflame societal grievances and raise pressures for change. Hence, this disjuncture between the desirability of Leong's demands for greater democratization and the

evaluations of his personal suitability for office diminished the impact of his anti-system strategy.

In this situation, other elements that favored anti-system strategies castigated Leong's approach as helping to perpetuate the existing regime's unjustness, rather than promoting change. Emily Lau Wai-hing, LegCo member for The Frontier party, opined that 'in the current farce that is called an election, the game plan is to give credibility and legitimacy to an undemocratic and unfair process' (Emily Lau, 'Lending legitimacy'). Her vehicle was thus joined by the newly formed League of Social Democrats in demanding a boycott. Enmity among pan-democrats boiled over at a rally held at the end of the 18 March protest, with militants shouting down speakers, forcing their way onto the platform, and seizing microphones from the hands of their rivals⁵. A League of Social Democrats member of LegCo, 'Long Hair' Leung Kwok-hung, declared the low turnout at the protest 'proved Mr Leong's campaign had been a failure' (Wong and Ng, 'Hundred on'). Disunity became even plainer when Leong and other Civic Party leaders avoided the rally. But then, on the other side, Donald Tsang was unable to savor these divisions among those who opposed him: with the rally held on a Sunday, Government Offices was closed.

Conclusions

Dictablanda has been revealed by O'Donnell and Schmitter as intrinsically unstable. Using freedoms of communication and assembly, citizens are able to press for greater democratization, usually by adopting militant anti-system strategies. In the case of Hong Kong's *dictablanda*, however, the territory's sub-national standing has ensured that citizens have been restrained by the central government's looming veto. Thus, in the chief executive election in 2007, the challenger, Alan Leong, deployed strategies that while anti-system in tone, remained moderate in practice. But though he may have contributed in this way to Hong Kong's 'election culture', his transformative impact remained slight. But what if Leong—or another challenger in 2012—were able to demonstrate through opinion polling and

⁵ Personal attendance by the authors.

referenda that he or she was the more popular candidate for chief executive? Would this succeed in so discrediting *dictablanda* that citizens would clamor for change? Although avoiding militancy, were this anti-system strategy to mobilize citizens effectively, perhaps after resentments had been primed by economic recession and still more boorish statements from central government officials, this progress too would doubtless be cut short by Beijing.

In this scenario, the central government would respond first by trying to re-equilibrate the existing *dictablanda*. More specifically, in countering any challenger, it would seek to recruit a new figure possessing greater popularity. As we have seen, a precedent was set for this in 2005 by Beijing's replacing Tung Chee-hwa with Donald Tsang. Thus, what stands out is that while leadership turnover may take place, it is driven by the calculations of the central government, rather than the preferences of local voters. Accordingly, Beijing may display some responsiveness to mass-level sentiments, but will cede no additional electoral competitiveness.

If a challenger were to persist in demonstrating greater popularity, however, perhaps enabling him or her to make significant headway in the Election Committee, even small circle elections would finally be adjudged as too troublesome by the central government. In this scenario, then, Beijing would react not by recalibrating Hong Kong's practice of electoral authoritarianism into a posture of *democradura*, but instead by closing down even existing levels of electoral competitiveness, then snuffing out civil liberties too. Electoral authoritarianism would thus be replaced by 'hard' authoritarianism. On this score, we are reminded that after pro-democracy forces grew so 'emboldened' by the heady gains that they had made in Hong Kong's District Council election in 2003, they sought to secure a majority in LegCo the year after. The central government responded, however, by abandoning its conciliatory approach for one that was more 'hardline' (Cheng 2005:151). Thus, if ever a candidate supported by these forces drew close to the chief executive position, the central government would give even fuller expression to its sovereignty, perhaps finally abrogating the 'one country, two

systems' framework in order to impose synchronicity across local and national regimes.

To be sure, in this final scenario, with Hong Kong's citizens duly alienated and its markets disrupted, the costs of ruling would be vastly increased for the central government. Hence, this scenario remains less imaginable than Beijing's striving to perpetuate *dictablanda*. But even less imaginable than hard authoritarianism is Beijing's permitting anti-system strategies, whether militantly or moderately parsed, to produce electoral democracy. Rather, the intrinsic instability of *dictablanda* will likely remain offset in Hong Kong by externally posed constraints, preventing this regime from evolving along the transitional contours to which it would otherwise be disposed. Put more simply, Hong Kong cannot become a democracy until China does.

Reference

Axworthy T S and Leonard H B, (2006) 'The Long March in Hong Kong: Continuing Steps in the Transition from Colony to Democracy', Centre for the Study of Democracy, Queen's University, June 2006, p. 5.

BBC Monitoring International Report, 'Hong Kong polls embody democracy,' 11 December, 2006.

Bradsher K, 'Democracy's small step in Hong Kong', *IHT [International Herald Tribune]*, 1 February 2007, p. 1.

Bradsher K, 'Hong Kong leader is re-elected by wide margin', *New York Times*, 25 March 2007, <http://www.nytimes.com>.

The Basic Law of Hong Kong Special Administrative Region of The People's Republic of China, www.info.gov.hk/basiclaw/fulltext.

Chan C, 'Leong wins acclaim for losing battle', *The Standard*, 22 November 2006, web version.

Chan C, 'Wu rejects Leong suggestion on principal officials', *The Standard*, 8 March 2007, p.M4.

Chen J, 'Hong Kong: Chief Executive Election in 2002', Hong Kong Baptist University, unpublished manuscript.

Cheng, Y S (2005) 'Hong Kong's Democrats Stumble', *Journal of Democracy* 16(1), p. 151.

Chin J (1997) 'Politics of Federal Intervention in Malaysia, with Reference to Sarawak, Sabah and Kelantan', *Journal of Comparative and Commonwealth Politics* 35(2).

Civic Exchange/The Hong Kong Transition Project, December 2005, 'Hong Kong Constitutional Reform: What do the People Want?' http://www.hkbu.edu.hk/~hktpr/CR/CR_Dec05.pdf.

Chong V, 'Donald Tsang launches re-election bid: Hong Kong Leader vows to work for universal suffrage, to cut taxes and pollution, and raise government spending', *Straits Times*, 2 February 2007, web version.

Diamond L and Kim B K (ed.) (2000) *Consolidating Democracy in South Korea*, Boulder: Lynne Rienner Publishers

Diamond L (1989) 'Introduction: Persistence, Erosion, Breakdown, and Renewal', in L Diamond, J Linz, and S M Lipset, eds., *Democracy in Developing Countries: Asia*, Boulder: Lynne Rienner, p. 13.

HKSAR Government [The Government of the Hong Kong Special Administrative Region], 'Voter Registration Statistics: Election Committee Subsector', <http://www.voterregistration.gov.hk/eng/statistic20064.html>, accessed 9 March 2007.

Huang C, Leung A and Wong A, 'Warning to stop messing with politics', *SCMP*, 14 March 2007, p. 1.

Hung D, 'Alan Leong a positive for election culture, poll finds', *SCMP*, 12 March 2007, p. A2.

Hung D, 'Tsang's change of tactics puts Leong on the spot in TV election debate', *SCMP*, 16 March 2007, pp. A2-A3.

Kwong R, 'Election landslide hands Tsang second HK term', *Financial Times*, 26 March 2007, p. 6.

Kwong R and Wong A, 'Critics attack Leong's platform: challenger for the top job defends his vision for Hong Kong's political future', *SCMP*, 13 February 2007, p.2;

Kwong R and Wong A, 'Focus political reform debate on the achievable', *SCMP*, 21 February 2007, p.10.

Lam, J T M (2000) *The Political Dynamics of Hong Kong Under Chinese Sovereignty*, NY: Nova Science Publishers, Chapter 8.

Lau E, 'Lending legitimacy to an election farce', *SCMP*, 14 March 2007, p. A15.

Lee K, 'Divided they stand', *SCMP*, 1 March 2007, p. A18.

Lee K and Cheung J, 'We got in first on HK democracy, says Beijing', *SCMP*, 7 March 2007, p. A2.

Leung A, 'Leong back on old but all-too-familiar ground', *SCMP*, 28 February 2007, p.2

Liu M 'The Last Word: Alex [sic] Leong; Hong Kong's Quixote', *Newsweek*, International Edition, 19 February 2007.

Ming Pao Monthly 'I understand China much better than Tsang Yam-kuen': Interview with Alan Leong Kah Kit, *Ming Pao Monthly*, 42(3), March 2007, p. 24.

Ng M, 'Leong enrolls for election in historical first', *The Standard*, 15 February 2007, web version.

Ng M and Chan C, 'Debate venue off-limits to public', *The Standard*, 17 February 2007, web version.

O'Donnell G and Schmitter P (1986) 'Defining Some Concepts (and Exposing Some Assumptions)', in G O'Donnell, P Schmitter, and L Whitehead, eds., *Transitions from Authoritarian Rule: Prospects for Democracy*, Baltimore: Johns Hopkins University Press, vol. 4, p. 10. .

Ottaway M (2003) *Democracy Challenged: The Rise of Semi-Authoritarianism*, Washington DC: Carnegie Endowment for International Peace.

Overholt W (2001) 'Hong Kong: The Perils of Semidemocracy', *Journal of Democracy*, 12(4), pp. 5-18.

Schedler A (2006) 'The Logic of Electoral Authoritarianism', in Andreas Schedler, ed., *Electoral Authoritarianism: The Dynamics of Unfree Competition*, Boulder: Lynne Rienner, p. 1.

SCMP, '114 for Leong—race for chief is on', 12 December 2006, p. A1.

SCMP, 'A tough call, but I back Tsang, says Richard Li', 16 February 2007, p. 2.

SCMP, 'Donations pour in but hard times looming', 19 March 2007, p. A3.

SCMP, 'Give public meaningful role in election debates', 26 February 2007, p. 12.

SCMP, 'Guarded Tsang vs combative Leong', 2 March 2007, p. A1.

SCMP, 'Leong regrets his slip of the tongue', 21 March 2007, p. A2.

SCMP, 'Setback for Leong on final stretch', 19 March 2007, p. A3.

SCMP [*South China Morning Post*], 'Verbal Jousting over Key Issues', 2 March 2007, p. A3.

Vines S, 'Style pitfalls of the confident winner', *SCMP*, 10 February 2007, p. 13

Weiner M (1987) 'Empirical Democratic Theory', in Myron Weiner and Ergun Obzudun, eds., *Competitive Elections in Developing Countries*, Durham: Duke University Press, p. 18;

Wong A, 'Liberals voice Tsang doubts: three of chief executive's proposals suggest interference with market, says party', *SCMP*, 27 February 2007, p. A2.

Wong A and Lee K, 'Tsang gains ground, poll finds', *SCMP*, 1 March 2007, p. A6.

Wong A and Ng K C, 'Hundreds on march in poll protest', *SCMP*, 19 March 2007, p. A3.

Yeung C, 'Against the odds,' *SCMP*, 21 November 2006, p.18.

Yung C, 'New political culture demands "more open polls"', *The Standard*, 5 February 2007, web version.