

**THE PROMISE OF
DEMOCRATIZATION IN HONG KONG**

**THE 2007 DISTRICT COUNCIL ELECTIONS,
LEGISLATIVE COUNCIL BY-ELECTION,
AND PROSPECTS FOR CONSTITUTIONAL REFORM**

NDI Hong Kong Report #12

December 27, 2007



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NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS

The National Democratic Institute for International Affairs (NDI) is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. NDI works with democrats in every region of the world to build political and civic organizations, safeguard elections, and promote citizen participation, openness and accountability in government.

Democracy depends on legislatures that represent citizens and oversee the executive, independent judiciaries that safeguard the rule of law, political parties that are open and accountable, and elections in which voters freely choose their representatives in government. Acting as a catalyst for democratic development, NDI bolsters the institutions and processes that allow democracy to flourish.

Build Political and Civic Organizations: NDI helps build the stable, broad-based and well-organized institutions that form the foundation of a strong civic culture. Democracy depends on these mediating institutions – the voice of an informed citizenry, which link citizens to their government and to one another by providing avenues for participation in public policy.

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The Promise of Democratization in Hong Kong:

The 2007 District Council Elections, Legislative Council By-election, and Prospects for Constitutional Reform

From November 12 – 21, the National Democratic Institute (NDI) held meetings in Hong Kong to assess the environment leading up to and around the November 18 District Council Elections and the December 2 Legislative Council by-election, and to gauge the prospects for constitutional reform to determine a timetable for implementing universal suffrage. NDI's team included: Thomas Barry, NDI Deputy Regional Director for Asia programs; Gordon Davis, NDI Resident Country Director for China programs; Anne Tsai Bennett, NDI Senior Program Officer for Asia; Belinda Winterbourne, NDI Program Officer for Hong Kong; Tyler Stilley, NDI Senior Program Assistant for Asia; and Stephen Tong, NDI Senior Program Assistant for Hong Kong. The team met with: current and former government officials; political party leaders and legislators; District Councilors; nongovernmental organization representatives; academics; journalists; diplomats; and others. Belinda Winterbourne and Anne Tsai Bennett are the principal authors of this report, to which each of the other team members also contributed; NDI's Regional Director of Asia Programs, Peter Manikas, made editorial contributions.

This report is the twelfth in a series prepared by NDI addressing the promise of democratization in the Hong Kong Special Administrative Region (HKSAR). Since early 1997, NDI has monitored the HKSAR's autonomy and its prospects for further democratization in light of international standards and benchmarks outlined in Hong Kong's Basic Law. NDI has also organized study missions and issued periodic reports on political developments in the region. These reports have assessed: the development of Hong Kong's post reversion election framework; the political environment on the eve of reversion to Chinese sovereignty; the status of autonomy, rule of law and civil liberties under Chinese sovereignty; the various elections in the HKSAR under Chinese sovereignty; the Principal Officials Accountability Systems; and the prospects for democratization beyond the 10 year period set forth in the Basic Law. The Institute hopes that its efforts will contribute to a better understanding of the ongoing transition process.

Kenneth Wollack
President

Peter M. Manikas
Director of Asia Programs

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I. EXECUTIVE SUMMARY

Since Hong Kong's return to China in 1997, the greatest challenge facing the HKSAR has been the evolution toward full democracy of its political system under the "One country, Two systems" framework. Ten years on, neither the Chief Executive (CE) nor half of the Legislative Council (LegCo) are elected through direct elections.¹ A timetable for implementing direct elections for choosing the CE and the entire LegCo remains unsettled, despite stipulations in the Basic Law—the HKSAR's mini-constitution—that "the ultimate aim" is to elect the CE and all LegCo members by universal suffrage.² Despite events in 2003 and 2007 which indicated Hong Kong citizens' desire for fuller democracy, CE Donald Tsang submitted a report to Beijing on December 12, 2007 signaling that it may be at least another decade before universal suffrage is realized in the HKSAR.³

A catalyst for democratization was the July 1, 2003 public demonstration which brought over half a million people onto the streets (out of a population of 6.8 million) to support democracy and to oppose the passage of Article 23, a piece of unpopular national security legislation. The protest was compelling evidence of Hong Kong citizens' desire for democracy. The HKSAR government's missteps in handling the Severe Acute Respiratory Syndrome (SARS) epidemic, the weak economy, and the growing dissatisfaction with the Tung administration also contributed to the protest's overwhelming turnout, but the tripwire for the event was the Article 23 controversy. This was the largest demonstration of its kind since 1989, when one million Hong Kong citizens came out in solidarity with the protesters in Beijing's Tiananmen Square.⁴ In response to the protest, several ministers and then-CE Tung Chee Hwa eventually resigned.

The public outcry over Article 23 and support for democracy was also reflected in the outcome of the November 2003 District Council elections. In the 2003 District Council elections, the pro-democracy camp fielded over 200 candidates on a united platform supporting: electing the CE and entire LegCo by universal suffrage in 2007 and 2008 respectively; initiating public consultations on political reform before the end of 2003; and abolishing all appointed seats in the District Councils.⁵ Voter turnout hit a record 44.1 percent. The elections were interpreted as an expression of disapproval of then-CE Tung Chee Hwa's administration. The pro-government and pro-Beijing Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) lost 21 seats, dealing a blow to the HKSAR's largest party. The DAB's party chairman, Tsang Yok Sing,

¹ The CE is elected by an 800 member Election Committee representing various interest groups. The Election Committee itself is not elected through public direct elections. Thirty of the 60 seats in the LegCo are directly elected geographical constituency seats, but the remaining 30 seats are elected through functional constituencies which represent various sectoral interests in Hong Kong. Voting members of functional constituencies in reality get multiple votes for the LegCo, as they also vote for the directly elected geographical constituency legislators.

² The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, Articles 45 and 68.

³ Chief Executive, Hong Kong Special Administrative Region, "Report on the Public Consultation on Constitutional Development," English translation, submitted to The Standing Committee of the National People's Congress, December 12, 2007.

⁴ National Democratic Institute, *The Promise of Democratization in Hong Kong: The Impact of July's Protest Demonstrations on the November 23 District Council Elections, A Pre-Election Report*, NDI Hong Kong Report No. 8 (November 11, 2003)

⁵ Joseph Y.S. Cheng, ed., *The July 1 Protest Rally: Interpreting a Historic Event* (City University Press, 2005) p.18.

resigned and was replaced by the party's former Secretary General, Ma Lik.⁶ Following the election, the pro-democracy camp urged CE Tung not to undermine the 400 directly elected District Council members by exercising his authority to appoint up to 102 additional Councilors. Tung ignored the appeal and made full use of his power of appointment.

The circumstances in Hong Kong leading up to the November 18, 2007 District Council elections were much different. CE Donald Tsang's approval ratings were at an all time high.⁷ The DAB invested considerable resources in grooming its second-tier members.⁸ And in the November 18 elections, the DAB more than reversed its 2003 setbacks. While these elections turned on local issues and could not in any sense be deemed a referendum on democracy, universal suffrage, or the current government, they conclusively showed the superiority of the DAB's organizational and grass roots capabilities over those of the pro-democracy camp. However, much of the DAB's organizational strength can be attributed to its substantial financial resources, which many observers believe are largely due to the party's close ties to Beijing. This affords the DAB a distinct advantage over the financially weaker pro-democracy parties and groups.

Another significant change in the HKSAR's political landscape since the 2003 District Council elections was the establishment of The Civic Party in 2006. The Civic Party attracts professionals, academics, non-governmental activists, and others to fight for the cause of democracy and universal suffrage in a "disciplined, reasoned way." The Civic Party founders sought to create a professionals-based pro-democracy party that would be an alternative to the well-established Democratic Party (DP).

Capping off the flurry of election activities in 2007 was the December 2 LegCo by-election to fill the Hong Kong Island seat of deceased DAB chairman Ma Lik. The unexpected contest for his LegCo seat became a high-profile race between Former Chief Secretary Anson Chan and Former Secretary for Security Regina Ip.⁹ The by-election was held two weeks after the District Council elections. The contest between Chan, who was supported by the pro-democracy camp, and Ip, who was supported by the pro-Beijing and pro-government camp, highlighted the issue of a timetable for universal suffrage. Many people both in and outside of the HKSAR thought Chan's decisive victory sent a powerful message to the Hong Kong government and to Beijing in support of implementing universal suffrage for electing the CE and LegCo in 2012.

The District Council elections and the LegCo by-election are more portentous when viewed in the context of a campaign promise made by CE Donald Tsang during his CE election

⁶ See National Democratic Institute, *The Promise of Democratization in Hong Kong: The September 2004 Legislative Council Elections, A Pre-Election Report*, NDI Hong Kong Report No. 9 (August 31, 2004).

⁷ Donald Tsang, a career civil servant and former Chief Secretary, was elected to the CE post following Tung Chee Hwa's 2005 resignation. Tsang was then re-elected CE in Hong Kong's first contested CE election in March 2007. See National Democratic Institute, *The Promise of Democratization in Hong Kong: The 2007 Chief Executive Election*, NDI Hong Kong Report No. 11 (April 20, 2007)

⁸ Gary Cheung, "DAB hopes high for young recruits", *South China Morning Post*, January 31, 2006

⁹ The other candidates were Lau Yuk Shing, Lee Wing Kin, Siu See Kong, Stanley Tandon Lal Chaing, Cecilia Ling, and Ho Loy. For more information on the other candidates, see their full platforms as published by the Registration and Electoral Office, November 2007, Appendix II.

campaign earlier this year. To fulfill that promise, he initiated the Green Paper Consultation on Constitutional Development in July 2007, intended to solicit public comment on the way forward to universal suffrage. The Green Paper was criticized for failing to narrow the many options for achieving universal suffrage. Yet the government received approximately 18,200 comments, in response to the paper, on how to achieve “the ultimate aim.” Pro-democracy advocates had hoped that the outpour of responses to the Green Paper indicated a strong push for universal suffrage by Hong Kong citizens, and that reviewed together with the results of the District Council elections and LegCo by-election, the CE’s recommendations to Beijing would lean towards a 2012 timetable for universal suffrage.

However, CE Donald Tsang’s December 12 report to Beijing with recommendations on a timetable for universal suffrage advocates 2017 for electing the CE by universal suffrage, and asserts that only after direct elections are in place for the CE should universal suffrage be implemented for the entire LegCo. Hong Kong citizens now await Beijing’s decision on the CE’s proposal, expected to be issued within the next few months. Despite the pro-democracy camp’s continued push for dual universal suffrage in 2012, analysts anticipate that Beijing will approve the CE’s recommendations, thus making 2017 the earliest possible date for universal suffrage to be realized in the HKSAR. Beijing’s decision will no doubt become a focal point in the lead up to the 2008 LegCo elections, and generate continued debate on the progress of democratization in Hong Kong.

II. INTRODUCTION

NDI has observed Hong Kong’s political developments since before the handover, and has produced a series of reports assessing the political situation since that time. This report is the twelfth in the series. NDI’s prognosis at the time of the July 1, 1997 handover had been cautiously optimistic. The Institute was impressed by the popular desire for full democracy, but was concerned that: Hong Kong had very little democratic experience; the form of government contemplated under the Basic Law fell short of full democracy; there was no clear roadmap forward to full democracy; and Beijing might be tempted to interfere with Hong Kong’s autonomy. Later in 1997, NDI expressed concern about new undemocratic voting rules for LegCo functional constituencies, but also reported that Beijing was honoring its pledge of noninterference.

In 1999, NDI charged that several actions of the HKSAR government—such as dissolving the popularly elected Municipal Councils and adding appointed members to the District Councils—reversed progress towards democratization. The Institute viewed the 2003 demonstrations that ended the dispute over proposed legislation to implement Article 23 of the Basic Law as proof of vibrant democratic instincts among the Hong Kong populace. The Article 23 controversy resulted in over half a million people pouring out onto the streets (out of a population of 6.8 million) in opposition to proposed legislation they viewed as interfering with their freedom of expression. When, in 2004, the Standing Committee of the National People’s Congress (NPC) ruled out universal suffrage for electing the CE and entire LegCo in 2007 and 2008, respectively, NDI acknowledged that the Basic Law has no timetable for achieving universal suffrage, but in view of growing impatience among Hong Kong citizens, urged the setting of specific timetables.

This year brought a series of elections, with the first contested CE election in March, the District Council elections in November, and the by-election in December for the LegCo seat vacated by the death of Ma Lik, former Chairman of the DAB. This report focuses on the November 18 District Council elections, the December 2 LegCo by-election, and the Green Paper Consultation on Constitutional Development.

III. THE DISTRICT COUNCIL ELECTIONS

The HKSAR's 18 District Councils were established in 1982. They govern the 18 administrative areas, or districts, by which Hong Kong is geographically divided. The size of each district varies widely, ranging from 137,122 people on 175.12 square kilometers in the Islands district to 587,423 people on 11.27 square kilometers in Kwun Tong.¹⁰ The District Councils perform a mainly advisory role on district matters and territory issues.¹¹ They have few powers and limited budgets; they oversee some expenditures for environmental improvements and recreational, cultural, and community activities.¹² In 2005, the Chief Executive launched an initiative to give select District Councils more authority, allowing them to participate in the management of some district facilities, such as libraries, community halls, leisure grounds, sports venues, and swimming pools.¹³ Additionally, the government set aside new funds to give these District Councils additional budgetary powers. These expanded powers were conferred on four districts—Wanchai, Wong Tai Sin, Tuen Mun, and Sai Kung—as a pilot program. There is speculation that the government will extend these powers to the remaining districts in 2008.¹⁴

On November 18, 2007, the DAB made a sweeping comeback in the District Council elections after its dramatic losses in 2003. The party won 115 seats out of the 405 directly elected District Council seats. For the other major political parties and groups, the results were as follows: 59 seats went to the Democratic Party; 14 seats for the pro-government Liberal Party (LP); 17 seats for the pro-democracy Association for Democracy and People's Livelihood (ADPL); eight seats went to the recently-formed Civic Party; and six seats were won by the radical pro-democracy League of Social Democrats (LSD).¹⁵

In the days immediately following the November 18 elections, local media headlines read “DAB swings back from 2003 defeat,”¹⁶ “HK local election results bode ill for Democrats,”¹⁷ etc. For many, the DAB comeback was no surprise. The economy had improved considerably, and there was not a pressing issue such as the Article 23 Controversy to fuel support for the pro-democracy camp. The DAB also effectively mobilized its supporters at the grassroots level.

¹⁰ Population data based on 2006 Population By-census, HKSAR Census and Statistics Department. http://www.bycensus2006.gov.hk/FileManager/EN/Content_962/06bc_dcd.pdf

¹¹ The Municipal Councils, regarded by the political parties as a good training ground for budding politicians, were scrapped in 1999. For more information, see Carine Lai and Christine Loh, *From Nowhere to Nowhere: A Review of Constitutional Development Hong Kong 1997-2007* (Civic Exchange 2007) p. 155.

¹² National Democratic Institute, *The Promise of Democratization in Hong Kong: The Impact of July's Protest Demonstrations on the November 23 District Council Elections*, NDI Hong Kong Report No. 8 (November 11, 2003)

¹³ Review on the Role, Functions and Composition of District Councils Consultation Document April 2006

¹⁴ <http://www.dc-review.gov.hk/press/pr28092006.htm>

¹⁵ Joseph Li, “DAB wins majority seats in DC poll,” *China Daily (Hong Kong Edition)*, November 20, 2007.

¹⁶ Carrie Chan, “DAB swings back from 2003 defeat,” *The Standard*, November 20, 2007.

¹⁷ Vince Chong, “HK local election results bode ill for Democrats,” *The Straits Times* (Singapore), November 20, 2007.

Observers' predictions before the elections that the DAB would win were borne out in the vote tallies—the pro-democracy camp lost ground to the DAB as compared with the 2003 elections.¹⁸

Approximately 878 candidates competed for 365 popularly elected seats (there are in total 405 directly elected seats, but 40 seats were elected unopposed). In addition, rural committee chairmen in the New Territories occupy 27 seats *ex officio*, and 102 members were appointed by the CE, the maximum appointees allowed by law.¹⁹ The appointed members all represent pro-government forces, heavily skewing all district councils in favor of government interests. Although the appointed seats system has been criticized, it is unlikely to be reviewed until the pilot scheme mentioned above has been rolled out in the rest of the districts. This was the most hotly contested election since the handover.²⁰

The November 18 District Council elections' voter turnout rate of 38 percent was lower than the 44.1 percent turnout in 2003; however, the overall number of voters increased from 1.06 million to 1.15 million voters this year.²¹ Unlike 2003, the 2007 elections focused on local district issues. Only a few candidates raised concerns about universal suffrage in their campaigns. This should be of no surprise given the limited powers of District Councilors; presumably, the 2003 elections were the anomaly.

Grooming New Talent

For several parties, the work in the run-up to the elections began years before the actual vote. In 2005, former DAB chairman Tsang Yok Sing had signaled that young party members would be promoted as candidates in the 2008 LegCo elections. In his words, it was crucial that a political party make way for the new “to maintain the party’s dynamic.”²² The portent of this was clear—the DAB would work energetically to elect second tier candidates to the District Council in 2007, as the District Councils provide the only training ground for aspiring politicians before they enter into the more high-profile race for LegCo.

In contrast to the DAB’s concerted plan to groom new talent, the Democratic Party has done little to train a new generation of members. The NDI assessment team met with some observers who speculated that this is not only due to a lack of resources, as often pointed out by DP leaders, but also a lack of coordination and sophistication. The DP’s Gary Fan had long urged the party to do more to groom second tier members to contest Legislative Council elections.²³ The DP made some effort in advance of the November 18 elections to prepare their District Council candidates through a few training workshops. But even the DP’s legislator Lee

¹⁸ Ambrose Leung and Fanny W.Y. Fung, “Record candidates for district polls, repeat of landslide unlikely,” *South China Morning Post*, October 16, 2007.

¹⁹ Fanny W.Y. Fung and Denise Hung, “Appointees to boost government allies’ dominance of councils,” *South China Morning Post*, December 14, 2007.

²⁰ *Ibid.*

²¹ Carrie Chan and Nishika Patel, “Polls apart – Big names and key clashes fail to bring out apathetic voters,” *The Standard*, November 19, 2007.

²² Eddie Luk, “DAB set to nurture younger generation,” *China Daily HK Edition*, June 11, 2005.

²³ Chris Yeung, “Voice in the Wilderness still optimistic,” *South China Morning Post*, January 13, 2006.

Wing Tat, who had helped coordinate the party's electoral lineup for the District Council elections, predicted that only about 10 of its 40 new faces would win.²⁴

The DAB fielded 177 District Council candidates, including 68 incumbent and 60 first-time participants.²⁵ Candidates were given a special handbook on the "do's and don'ts" of the election.²⁶ The pro-government Liberal Party fielded 60 candidates, with 40 taking part for the first time.²⁷ The LP apparently invited government officials to explain public policies to the new hopefuls, and organized workshops on the role of District Councils, public relations, election rules, and the party's stance on issues.²⁸

Leading the pro-democracy camp, the DP fielded 108 candidates. The ADPL had 38 members taking part in the elections, 25 of whom were incumbents.²⁹ The LSD had 30 candidates contesting the elections. And the new Civic Party fielded 42 candidates (the party did not exist in 2003). The Civic Party organized retreats to brief candidates on campaign strategies.³⁰

Among all parties, the DAB is the most aggressive in grooming and recruiting young talent. It educates young members about political systems and diplomacy, and produces a cable TV talk show hosted by young DAB members.³¹ The NDI assessment team was told that DAB interns or exchange students sent to the Mainland have had the opportunity to meet with President Hu Jintao; not many parties in Hong Kong have the connections to make this possible.

No single unifying issue emerged in the District Council elections. As a consequence, the elections turned on specific district-level issues and the relative organizational strengths of the respective parties at the local level. Party members know that these local elections play an important role in the LegCo elections, since having seats in the District Councils allows a party to strengthen its local networks and develop grassroots support. Additionally, the District Councils provide the only training ground for aspiring politicians. Given the proportional representation voting system in LegCo, a party can win a LegCo seat with just 10 or 15 percent of the vote.³² All of the parties saw the election as a test of their local organizations and an

²⁴ Jimmy Cheung and Ambrose Leung, "Grooming of new blood 'no guarantee of poll win,'" *South China Morning Post*, August 8, 2007.

²⁵ Joseph Li, "DC election off to a vigorous start," *China Daily HK Edition*, October 3, 2007.

²⁶ Jimmy Cheung and Ambrose Leung, "Grooming of new blood 'no guarantee of poll win,'" *South China Morning Post*, August 8, 2007.

²⁷ Carol Chung, "Liberal Party to field 60 in district polls," *The Standard*, October 8, 2007.

²⁸ Jimmy Cheung and Ambrose Leung, "Grooming of new blood 'no guarantee of poll win,'" *South China Morning Post*, August 8, 2007.

²⁹ Joseph Li, "DC election off to a vigorous start," *China Daily HK Edition*, October 3, 2007.

³⁰ Jimmy Cheung and Ambrose Leung, "Grooming of new blood 'no guarantee of poll win,'" *South China Morning Post*, August 8, 2007.

³¹ Carrie Chan, "Select Set," *South China Morning Post*, April 13, 2006.

³² *Ibid.*

opportunity to strengthen them. The election results were decidedly mixed for the respective parties.³³

However, the parties' abilities to develop the organizational infrastructure necessary to mobilize local support are undeniably linked to their financial positions. Furthermore, parties with greater financial resources are able to more effectively generate local support outside of the official campaign periods, when party spending is not regulated by the government.

Ultimately, the DAB won 115 of the 405 District Council seats, in contrast to the 62 it had won in 2003. The DP secured 59 seats, with 23 of its incumbents ousted, a devastating blow compared to the 92 seats the party won in 2003. The LP won 14 seats out of its field of 60 candidates—an increase of two seats over the previous number of seats held. The Civic Party had eight of its 42 candidates elected and the LSD only won six seats out of its pool of 30 candidates. The ADPL saw its number of seats drop to 18 from 25.³⁴ The heavy losses by the pro-democracy camp triggered the resignation of Lee Wing Tat, the DP's chief electoral strategist. DP Chairman Albert Ho, who initially resigned, was persuaded to stay on. The Chairman of ADPL, Frederick Fung, stepped down after his party's loss.

The Campaign – Getting Out the Vote

NDI conducted a study with the assistance of the Hong Kong Transition Project, in which a number of students observed the campaigns of five District Councilor candidates (four incumbents and one challenger).³⁵ The study afforded the opportunity to verify, on the ground, several hypotheses concerning grass-roots party organization, the use of resources, and other factors.

District-level campaigning in Hong Kong has become district-specific. Whereas door-knocking works in a district of public housing estates, it may not be feasible in a middle class area with buildings closed off by security. Greeting voters on the street with campaign literature and a handshake is common to most districts, however, and election returns support the conclusion that votes for a candidate are strongly influenced by this age-old technique. The use of “mailers” is also commonplace.

Campaign literature reflects disparities of approach. DAB campaign literature generally employs uniform color schemes and focuses on one's record of work in the district. Endorsements by “political celebrities,” such as senior party leaders and high-profile LegCo members, are used by several parties to introduce new candidates. Although some observers believed the pro-democracy camp wanted to use the District Council elections as a referendum on the 2012 universal suffrage issue, this did not materialize. Only a handful of candidates ran the 2012 theme prominently in their campaign literature.

³³ There have also been complaints that only 169 of the 913 candidates for the District Council elections are women and that female participation has more or less remained static. Thirty-three representatives of the Women's Political Participation Network have complained that the political parties are not doing enough to train female talent.

³⁴ Joseph Li, “DAB wins majority seats in DC poll,” *China Daily HK Edition*, November 20, 2007.

³⁵ See Appendix I for students' reports.

Many have argued that more resources are available to the pro-government parties, the DAB and Liberal Party, as compared to the pro-democracy camp, leading to an unfair advantage in campaigning. The NDI assessment team met with various individuals who asserted that, in particular, the DAB owes its financial strength in large part to its close ties to Beijing. Additionally, parties with greater financial resources have a significant advantage over other parties during the time outside of official election campaign periods, when the Electoral Affairs Commission (EAC) does not regulate party spending. For example, some sources with whom the NDI assessment team met claimed that, between elections, the DAB subsidizes meals and tours for potential voters to cement their support. To help level the political playing field on a more consistent basis, the EAC could regulate party spending between the official election campaign periods.

However, where pro-democracy candidates engaged in grassroots work, they saw impressive results. For example, Democratic Party member Wu Chi Wai secured 4,370 votes as opposed to his opponent who received 1,344 votes. He attributed his win to dedicated district work.³⁶ Ultimately, the District Council election voters were swayed by candidates' energetic and persistent grass-roots activity.

Despite the perceived imbalance in resources, pro-democracy advocates contend that a higher voter turnout favors their candidates. But the 2007 District Council elections, with a higher overall number of voters than ever before, nevertheless disappointed the pro-democracy camp. The pro-Beijing, pro-government parties did a better job on election day of mobilizing their supporters. The election results point to a major disparity between the pro-government and pro-democracy camps in grass-roots organizational capacity, which is dependent on not only financial resources, but also local-level activity and coordination.

The EAC lays out the rules for campaigning.³⁷ For any election campaign, the key to success is being able to *reach* the voter. According to the EAC, each candidate is given a disk containing voter details, including the registered voter's name and address but not his/her telephone number. In addition, each candidate can only use the information for electoral purposes and may not share the information with another person. This impedes consolidation of supporter information amongst members of the same party.

The EAC's election rules are complicated, though in comparison to the rules in other countries, not unique or extreme. Candidates' attitudes about the rules appear to depend on the relative availability of campaign resources. Those short of money applaud the spending cap, donor disclosure requirements, and limits on individual contributions. For the most part, the rules and their implementation effectively promote a "level playing field" during official campaign periods. One problem area, however, is exit polling, subject to registration requirements and constraints on the use of exit polling data prior to the close of the polls. But according to some in the pro-democracy camp and academics, these constraints are ineffective,

³⁶ Fanny W. Y. Fung, "District work is crucial for the three time top woman vote getter," *South China Morning Post*, November 20, 2007.

³⁷ For more details, see "Guidelines on Election-related Activities in respect of the District Council election," http://www.eac.gov.hk/en/distco/dc_guide.htm

and those with the resources to commission exit polls and the will to disregard the rules enjoy an election day advantage.

The EAC sees its role as promoting fairness and honesty in the electoral process while protecting the privacy of voters.³⁸ However, the rules represent a potent de facto barrier to the building of party organizations. The impediments can be overcome with persistence. Parties should invest in enhancing data flow between all candidates at all district levels, and ensure that these are transferred to a party's centralized voter files, benefiting not only the candidate who collects it but also overlapping candidates. Voter files should be consistently augmented through a variety of modern techniques.³⁹

ADPL Chairman Frederick Fung made several telling observations in his resignation statement. He said that some ADPL supporters had deserted the party, and district demographics had changed. The party had simply failed to adapt, while the opposition had adapted to the changes.⁴⁰ The Hong Kong parties are not immune to the ever-present reality in electoral politics: to remain on top, it is vital to stay in touch with the voters and continually adapt to changing circumstances. It would appear that the DAB has done a better job of staying in touch, and adapting, than the other parties. Its grassroots organization gave pro-government candidates a major edge in this election.

IV. LEGISLATIVE COUNCIL BY-ELECTION

From Finish to Start

Two weeks after the District Council elections, Anson Chan and Regina Ip faced off in the December 2 LegCo by-election, With Chan representing the pro-democracy camp and Ip representing the pro-Beijing, pro-government camp, this was a particularly heated race. Furthermore, the contest's intensity was raised by the fact that these candidates are two of the HKSAR's most high-profile former government officials, who come from similar backgrounds and experience in the Hong Kong civil service. Anson Chan served in Hong Kong's civil service for 39 years, reaching the pinnacle of her career when she was Chief Secretary from 1993 to 2001. As Chief Secretary, the government's second-highest ranking position, she was the highest-ranking ethnic Chinese official during British rule and the first—and thus far only—woman to reach that position. During Tung Chee-hwa's administration, Chan was dubbed the "Conscience of Hong Kong."⁴¹ Regina Ip had a 28 year-tenure in Hong Kong's civil service, capping off her government career as Secretary for Security from 1998 to 2003. As Secretary for Security, she had been vilified for trying to push through the controversial Article 23 national security legislation in 2003.

³⁸ Approximately 2000 election complaints had been filed, mainly with regard to canvassing in "no canvassing" zones or "no staying" zones, as well as regarding advertisements used to promote candidates. See Denise Hung, "2000 election complaints filed," *South China Morning Post*, November 19, 2007.

³⁹ Ibid.

⁴⁰ Peter Olaes, "Street Fighter bowed out but unbroken," *The Standard*, November 21, 2007.

⁴¹ Chan was dubbed the "Conscience of Hong Kong" because she did not always agree with then-CE Tung and for her stance on pursuing democratization in the HKSAR.

After more than two months of intensive campaigning, Anson Chan won the hotly contested by-election with 175,874 votes (55 percent of the vote), approximately 38,324 votes ahead of Regina Ip's 137,550 (43 percent of the vote).⁴² The other six candidates lagged far behind.⁴³ The 52 percent voter turnout rate was higher than that of the LegCo elections in 2000.⁴⁴

Election day campaigning was intense with reports of minor scuffles breaking out between Chan and Ip's supporters throughout the day. It was clear that Ip's camp, with the help of the DAB, was very well organized, with campaign volunteers and staffers handing out flyers within 20 to 30 meters of every polling station.

Fresh from the defeat in the District Councils elections, the pro-democracy camp was careful not to be too optimistic, and sent out volunteers in full force to campaign for Chan. The *Apple Daily* newspaper published a supplement with the headline, "Anson's in danger." Meanwhile, the other six candidates were never hopeful that they could win, and were never taken seriously as contenders.

At the start of the campaign period, many observers asserted that the by-election would be a referendum on democracy, with Anson Chan representing a loud call for universal suffrage in 2012. However, other commentators noted that since the result was not a landslide victory for Chan, it was therefore not a clear referendum. Despite her loss, the substantial support for Regina Ip—who fled Hong Kong in 2003 following the July 1 protest over the Article 23 controversy—was a vindication of sorts, particularly given that she ran for a seat in the pro-democracy camp's stronghold. There is no doubt she will run for office again in the LegCo 2008 elections.

Election Kickoff and Debates

Just a few hours following DAB Chairman Ma Lik's death in August, former Legislative Councilor Cyd Ho announced her interest in standing in the LegCo by election.⁴⁵ The Democratic Party's Kam Nai Wai, who had been waiting in the wings for a long time, also decided to throw his hat into the ring, as did Lo Wing Lok of the LSD. The pro-democracy parties later agreed to field one candidate, to be selected through a "primary" process managed collectively by the parties.⁴⁶

In a surprise turn, Cyd Ho pulled out of the race in response to rumors that Former Chief Secretary Anson Chan would consider running on behalf of the pro-democracy camp.⁴⁷ Many commentators were surprised when Chan ultimately announced her interest in running in the by-election and that she agreed to participate in the primaries held by the pro-democrats⁴⁸. Many speculated that if she had declined to stand in this election, her influence on the pro-democracy movement would wane. Some observers believed her decision to stand was based on a

⁴² Jimmy Cheung, "Chan assured of victory over Ip," *South China Morning Post*, December 3, 2007.

⁴³ Lau Yuk Shing, 344 votes; Lee Wing Kin, 401 votes; Siu See Kong, 613 votes; Stanley Tandon Lal Chaing, 3518 votes; Cecilia Ling, 822 votes; and Ho Loy, 1593 votes.

⁴⁴ However, it was not as high as the voter turnout in 2004.

⁴⁵ Klaudia Lee, Denise Hung and Minnie Chan, "Ma's death to spark battle for his Legco seat," *South China Morning Post*, August 9, 2007.

⁴⁶ Fanny Fung, "Democrats unite on one ticket for Ma seat," *The Standard*, August 22, 2007.

⁴⁷ Ambrose Leung, "Cyd Ho pulls out of HK island by-election," *South China Morning Post*, September 4, 2007.

⁴⁸ *Ibid.*

conviction that she could influence a governmental decision to hold direct elections for both CE and LegCo in 2012.⁴⁹ Chan competed in the “primary” and won the pro-democracy camp’s endorsement. In the “primary” debate with LSD Vice Chair Lo Wing Lok, Former Chief Secretary Anson Chan was repeatedly challenged on her stance on issues dating back to her days as a civil servant. She explained that in the “past 39 years of public service, I have come out at defining moments. The by-election has come during a critical stage for democracy.”⁵⁰

Meanwhile, flanked by former Chief Secretary David Akers-Jones, DAB Chairman Tam Yiu Chung, and Liberal Party James Tien, former Secretary for Security Regina Ip announced her bid to stand in the by-election.⁵¹ The main difference in her campaign was the presence of representatives from different sectors of the community, such as businessmen and former government officials, in order to appeal to middle-of-the-road voters. This tactic appeared to be recognition of the need to broaden Ip’s appeal, and represented a more sophisticated level of thinking in Hong Kong politics. As part of that tactic, Ip was quick to apologize early in her campaign for how she handled the Article 23 Controversy over national security legislation in 2003 during her tenure as Secretary for Security.⁵²

Anson Chan’s election platform focused on universal suffrage for the CE and entire LegCo in 2012, good governance, as well as targeted issues such as: the elderly; the working poor; low income single parent families and the disabled; women at the grassroots; education; sustainable, quality development with public engagement; and other issues. Regina Ip’s platform focused on five key policy areas: economic development; livelihood; education; constitutional development; and environmental protection. She also promoted dual universal suffrage in 2012, though the pro-democracy camp and many analysts questioned her commitment to democratization.⁵³

The key difference in their candidacies laid in their respective sources of support and in their position on one major issue—how to nominate candidates for Chief Executive. Anson Chan proposed that:

- the current Election Committee be turned into the Nominating Committee specified by Article 45 of the Basic Law. The nomination process should be inclusive, simple and transparent. It should not be a means for excluding potential candidates;
- to be truly representative of the Hong Kong community, the franchise of the future Nominating Committee should be broadened;
- prospective candidates for the post of the Chief Executive be required to receive nominations from a minimum of no more than 10 percent of Nominating Committee members.

⁴⁹ “Anson Chan moves to centre stage,” *South China Morning Post*, September 12, 2007.

⁵⁰ Jimmy Cheung, “Anson Chan’s political debut a baptism of fire,” *South China Morning Post*, September 25, 2007.

⁵¹ Joseph Li, “Regina Ip: Yes I’m Running,” *China Daily HK Edition*, September 28, 2007.

⁵² Ambrose Leung and Fanny W.Y. Fung, “Apology not a cynical ploy, says Ip adviser,” *South China Morning Post*, September 29, 2007.

⁵³ For more information on candidates’ platforms, see their respective websites:

<http://www.yourchoiceyourvoice.org/en/index.html> (Anson Chan); http://www.reginaip.hk/en_index.php (Regina Ip)

Regina Ip's proposal would have had the Chief Executive elected from among candidates "nominated by a Nominating Committee that would involve a very considerable expansion in the size (and electoral base) of the current Election Committee for Chief Executive (from 800 to 1800 members), and a modest threshold of support needed from the Nomination Committee in order for a candidate to contest for election (ten percent overall and in each of the four sectors of the Election Committee)."⁵⁴ Chan argued that this requirement would effectively bar candidates such as the Civic Party's Alan Leong (who ran against Donald Tsang in the first contested CE election in March 2007) from taking part in the Chief Executive election race, since he would not be able to receive any votes from the Commerce and Industry sector. Ip's proposal for nominating CE candidates had a much higher barrier to entry compared to Chan's.

Throughout the campaign, Anson Chan sought to play down her chances of winning the election, in spite of polls showing she had a clear lead; she constantly reiterated the message that she needed people to come out to vote.⁵⁵

Apart from the two former civil servants, six other candidates participated in two televised by-election debates.⁵⁶ The debates, one organized by the University of Hong Kong's student union and the other by eight local media organizations, provided candidates with the opportunity to explain their policy platforms and to introduce themselves to the voters.⁵⁷ Despite the participation of the other six candidates, the debates remained focused on Anson Chan and Regina Ip. It was evident that Ip's handling of Article 23 would be raised repeatedly in the debates and throughout the campaign period.

According to a survey by Lingnan University's Public Governance Programme, Anson Chan was leading Regina Ip by 17.3 percent days before the by-election.⁵⁸ Meanwhile a poll conducted on November 13 showed support for Chan at 14.1 percentage points ahead of Ip.⁵⁹ Despite Chan's comfortable lead in the run-up to the elections, the pro-democracy camp sent emails reminding people to vote on election day and not to trust polls that Chan would easily win.⁶⁰

The pro-democracy camp was also concerned that government officials were being unfairly influenced to vote in favor of Ip. This concern was fueled by accusations that Chief Secretary for Administration Henry Tang sent an email asking other principal officials to support Regina Ip.⁶¹ Ip met with three ministers over a two day period, including Secretary for Constitutional Affairs Stephen Lam, Secretary for Education Michael Suen, and Secretary for Commerce and Economics Frederick Ma. However, CE Donald Tsang clarified that, during a

⁵⁴ <http://www.reginaip.hk/file/file/articles/20071015/0710-HKDemoc-Prospects-Diamond.pdf>

⁵⁵ Chris Yeung, "Legco by election is Anson Chan's to lose," *South China Morning Post*, November 7, 2007.

⁵⁶ Lau Yuk Shing, Lee Wing Kin, Siu See Kong, Stanley Tandon Lal Chaing, Cecilia Ling, and Ho Loy

⁵⁷ "TV debate a vital forum for candidates," *South China Morning Post*, November 9, 2007.

⁵⁸ Fanny W.Y. Fung and Albert Wong, "Anson Chan's support at record high in survey," *South China Morning Post*, November 29, 2007.

⁵⁹ Ambrose Leung, "Democrats fret over Chan turnout," *South China Morning Post*, November 24, 2007.

⁶⁰ There are theories that on Hong Kong Island there is a 60/40 split between the democrats and pro-government voters. However, others argue it is more of a 30/30/40 split, with 40% of the population undecided and disinterested. See Anthony Cheung, "The political climate," *South China Morning Post*, November 26, 2007.

⁶¹ Diana Lee, "Ip denies being favored after meeting three top officials," *The Standard*, October 10, 2007.

cabinet meeting which he chaired, it was decided that cabinet members should meet with all by-election candidates, if possible.⁶²

Post-Election

The by-election broke new ground in party cooperation. The pro-democracy parties were able to set aside their differences long enough to conduct a “primary” process to select one candidate.⁶³ This open, televised process could set a precedent and signify closer future cooperation among the pro-democracy parties. In a similar vein, Regina Ip gained strong, if tacit, support from the DAB, Liberal Party, and New Century Forum, as well as the Federation of Trade Unions. This alliance will no doubt continue into the 2008 LegCo elections. With just six seats on Hong Kong island up for election in the 2008 LegCo elections, it may be harder to coordinate campaigns, since there will not be enough seats to go around for all the parties to win a seat.⁶⁴

Additionally, the by-election may have revealed a modest voter shift away from the pro-democracy base towards pro-government forces. Ip’s 43 percent vote tally exceeded expectations based on a widely presumed traditional Hong Kong Island 60/40 split between the pro-democracy and pro-government voters on the island. If the alternate theory is true—that the pro-democracy and pro-government camps each have approximately 30 percent of voter support, with the remaining 40 percent undecided—then Ip drew a significant share of swing votes. Either way, Regina Ip demonstrated significant appeal beyond what has, to date, been considered the pro-government base.

Cooperation between the major parties and a possible shift in the voter base will be key elements to watch in the upcoming 2008 Legislative Council elections. Only nine months remain until the next LegCo elections, affording Anson Chan limited time to deliver on her campaign promises. Observers in Hong Kong and internationally heralded her win as representing Hong Kong citizens’ desire for full democracy.⁶⁵ However, time will tell whether her presence in LegCo can prove effective in achieving democratic reforms.

V. LOOKING AHEAD: CONSTITUTIONAL REFORM

Green Paper Consultation

In July 2007, CE Donald Tsang followed up on his March 2007 campaign promise to elicit public comment on the way forward to universal suffrage by initiating the Green Paper Consultation on Constitutional Development. On July 11, the HKSAR government released the Green Paper, which offered a variety of options set forth by the government for models, methods, and timetables for electing the CE and for forming the LegCo by universal suffrage. Many commentators criticized the Green Paper for failing to narrow the many options for achieving universal suffrage to a few clear alternatives. Other critics argued that it confused the public with

⁶² Chris Yeung, “Moves that muddy political waters,” *South China Morning Post*, October 14, 2007.

⁶³ Michael De Golyer, “Serious business in party planning,” *The Standard*, September 27, 2007.

⁶⁴ Ambrose Leung, “Everyone for themselves next year,” *South China Morning Post*, December 4, 2007.

⁶⁵ See e.g. “Hong Kong’s Victorious Voters,” *The Wall Street Journal*, December 4, 2007.

complicated details.⁶⁶ Yet the government received approximately 18,200 comments and more than 150,000 signatures from the public.⁶⁷

In October 2007, Tsang shocked the Hong Kong community when, during a radio call-in show, he warned that democratic development could affect social stability and governance.⁶⁸ On the show, he said, “People go to the extreme and you have a cultural revolution, for instance, in China. When people take everything into their hands, then you cannot govern the place.”⁶⁹ He was quick to issue a statement retracting the remark and reiterating his determination to resolve the question of universal suffrage in Hong Kong during his term.⁷⁰ His initial comment, however, fueled concerns that Tsang is not committed to further democratization in the HKSAR.

The Chief Executive’s Report to the National People’s Congress

On December 12, 2007, Tsang released his recommendations on constitutional development in a report to the Standing Committee of the National People’s Congress (NPC). In his report, he recommends 2017 as the year to implement universal suffrage for electing the CE, despite acknowledging that more than half of the Hong Kong public support direct elections for the CE in 2012.⁷¹ Tsang asserts that 2017 stands “a better chance of being accepted by the majority” in Hong Kong; namely, it is more likely that the two-thirds of the LegCo that is needed to pass the proposal would do so for 2017. By making this assertion, Tsang is affording the NPC Standing Committee the space to formally reject universal suffrage in 2012, while maintaining that it is still in accordance with the desires of the majority of the Hong Kong people.

Some observers had hoped that 2012 would be taken into greater consideration in the CE’s recommendations to the NPC; many people thought the government could not ignore Anson Chan’s election to the LegCo on December 2—an election widely viewed as a demonstration of the public’s strong support for implementing universal suffrage to elect the CE and entire LegCo in 2012. While Tsang’s report recognizes that Hong Kong people want universal suffrage as soon as possible, it only seeks to amend the methods for electing the CE and entire LegCo in 2012 as transitional steps toward achieving the ultimate goal. Unfortunately, the CE’s report does not provide guidance on how the electoral process in 2012 could be amended, nor does it provide a timetable for electing the entire LegCo by universal suffrage. Regarding implementation of direct elections for all LegCo members, Tsang only offers that it should come sometime after universal suffrage is in place for the CE.

⁶⁶ Margaret Ng, “Loaded questions,” *South China Morning Post*, July 27, 2007.

⁶⁷ Chief Executive, Hong Kong Special Administrative Region, “Report on the Public Consultation on Constitutional Development,” English translation, submitted to The Standing Committee of the National People’s Congress, December 12, 2007

⁶⁸ Albert Wong and Fanny W.Y. Fung, “Tsang sorry for Cultural Revolution gaffe,” *South China Morning Post*, October 14, 2007.

⁶⁹ *Ibid.*

⁷⁰ CE’s statement ISD HKSAR Govt released October 13, 2007

⁷¹ Chief Executive, Hong Kong Special Administrative Region, “Report on the Public Consultation on Constitutional Development,” English translation, submitted to The Standing Committee of the National People’s Congress, December 12, 2007.

Tsang's recommendations to the Standing Committee of the NPC immediately generated a barrage of reports and commentary in the media, with strong reactions from the pro-democracy camp and support from the pro-Beijing, pro-government camp. Leaders of the pro-democracy camp criticized the recommendations as manipulating and misrepresenting public opinion, and also lacking any real proposals for further democratization in the HKSAR.⁷² Pro-Beijing and pro-government camp leaders defended the CE's report as realistic, and called for the pro-democracy camp to compromise and accept the recommendations.⁷³ However, pro-democracy figures, including Anson Chan, continue to urge the public to support dual universal suffrage for 2012. Pro-democracy camp leaders are seeking to meet with the Chief Executive and members of the NPC Standing Committee to discuss their concerns that, despite the desire of the majority of Hong Kong citizens, universal suffrage might not be implemented by 2012.⁷⁴

It is not yet known when the NPC Standing Committee will decide on the CE's report, though it is anticipated to be within the next few months as the committee will meet at the end of December 2007 and again at the end of January 2008. It is widely expected that the Standing Committee will accept Tsang's recommendations, pushing the prospect of universal suffrage until 2017 at the earliest.⁷⁵ The next test will be whether the Hong Kong public and then the LegCo will accept the CE's proposal. Two-thirds of the LegCo would have to vote in favor of the proposal for it to pass, although it is anticipated that achieving a two-thirds vote would not be difficult.

VI. CONCLUSION

The results of the District Council election and LegCo by-election highlight several factors that currently shape Hong Kong politics. In the absence of an over-arching issue, local issues tend to dominate the District Council elections. These elections showed that well organized groups and a history of district case work win votes. The pro-democracy camp can no longer rely on slogans calling for democracy to gain votes. As evidenced by the DAB's success in the District Council elections and Regina Ip's strong showing in the by-election, mobilizing voters is the key to winning elections. Neither slogans nor "political stars" mobilized in full force to campaign for newer candidates can reliably influence election results. Slogans eventually lose their cachet and stars eventually lose their luster; it is vital for parties to continually renew themselves. As demonstrated in these elections, the parties need to be well-organized and coordinated in their efforts to garner support.

The political coalitions and alliances formed during these two elections will remain in place, and are likely to have permanently changed the HKSAR's political landscape. There has been speculation about a possible merger between the Civic Party and the Democratic Party as a means to strengthen and broaden the appeal of the pro-democracy camp in time for the 2008

⁷² Eva Wu, Albert Wong, Fanny W.Y. Fung, and Ambrose Leung, "Pan-democrats want talks with Beijing," *South China Morning Post*, December 13, 2007.

⁷³ See e.g. Jimmy Cheung, Denise Hung, and Gary Cheung, "2017 acceptable, Tsang tells Beijing," *South China Morning Post*, December 13, 2007.

⁷⁴ See e.g. Lina Lim, "Democrats call for meeting with NPC," *South China Morning Post*, December 14, 2007; Eva Wu, Albert Wong, Fanny W.Y. Fung, and Ambrose Leung, "Pan-democrats want talks with Beijing," *South China Morning Post*, December 13, 2007.

⁷⁵ Chris Yeung, "Stage set for NPC to rule out suffrage in 2012," *South China Morning Post*, December 13, 2007.

LegCo elections. But with possible objections from the second tier of the Democratic Party and perhaps from members of the Civic Party, the possibility of an early merger seems remote. Various commentators have discussed the potential for Anson Chan to serve as the binding force for the two parties. However, Chan's long-term role in relation to the political parties, the LegCo, and the government itself, are at present undefined and uncertain.

With the 2007 elections over, the parties are gearing up for the 2008 LegCo polls. One might assume that in their preparations, the pro-democracy camp would interpret the recently fought elections as compelling closer cooperation, stronger grass roots organization, and a platform broader than the single issue of universal suffrage, with fine tuning based on the needs and interests of individual constituencies. The pro-government forces will likely build on the strengths they exhibited as an alliance backing Regina Ip in their search for additional voter support. However, the issue of imbalances in the parties' financial resources will not disappear, and will only be further compounded as parties try to gain traction with voters and train their candidates as they enter election campaign mode once again. Additionally, Beijing's response to CE Tsang's December 12 report on a timetable for universal suffrage will undoubtedly become a major focus of debate over the next nine months leading up to the 2008 LegCo elections.

Many had hoped that CE Donald Tsang would take into consideration Anson Chan's win in the LegCo by-election—which some analysts felt was a strong signal of Hong Kong citizen's desire for universal suffrage in 2012—when making his recommendations to Beijing on a timetable for universal suffrage. Instead, Tsang's recommendation that the HKSAR would more readily accept 2017 as the earliest date for directly electing the CE, with direct elections for the entire LegCo sometime thereafter, continues the trend of delaying the realization of universal suffrage in Hong Kong. While 2012 has not officially been removed as an option, and pro-democracy figures are still pushing for the earlier date, many analysts believe that Beijing—as well as the needed two-thirds of LegCo—is likely to accept 2017 as the earliest year for implementing universal suffrage. As such, after Beijing issues its decision on the CE's proposal within the next few months, the focus will have to turn to the practical matter of taking steps towards achieving this goal for 2017. The 2012 CE election process will likely be amended to pave the way for universal suffrage in 2017.

Meanwhile, a timetable for implementing universal suffrage for electing all LegCo members still remains in question. Tsang's December 12 report only recommends universal suffrage for the LegCo to be implemented sometime after it is accomplished for the CE, effectively recommending that it be taken off the table for 2012 and 2017. The issue of setting the LegCo universal suffrage timetable will likely become a major theme for the pro-democracy camp in the upcoming 2008 LegCo elections, with the pro-democrats certain to push for an earlier rather than later timeframe. While the implementation of universal suffrage in the HKSAR seems to be a continually delayed process, and it looks likely to be at least another decade before it is a reality in the territory, 2008 is certain to be a year of reaching some milestones in determining the long-awaited timetable for achieving “the ultimate aim.”

APPENDIX I

2007 District Council Election Case Studies: Student Observations

NDI would like to thank the Hong Kong Transition Project and the six student volunteers for their assistance on this project. The students included: Anita Yee Wai Yin; Timothy Lap Tsun Wan; Winnie Lai Yuen Hung; Jacky Chiu Sung Kit; Billy Ma Siu Tung; and Viola Li Pui Shan.

NDI, in collaboration with the Hong Kong Transition Project and with the assistance of six student volunteers, conducted an observation of the campaigns of six District Council candidates, focused on qualitative aspects of their campaigns. The study was conducted to help better understand the role of Hong Kong's political parties in supporting candidates during election time, including campaign strategies as well as general campaigning techniques. Prior to observations, the students were briefed on their role as observers and the need to refrain from participating in any electioneering activities to ensure their neutrality.

The observations took place between October 1, 2007 and November 18, 2007. Students were asked to observe activities of the candidate and their aides, including types of campaign literature distributed, the reaction of passers-by, what other campaigning techniques are employed, the tactics employed by the opponents.

The student volunteers observed the following six candidates:

<u>Name</u>	<u>Party</u>	<u>New/Incumbent</u>	<u>District</u>
Tony Chan	Independent	Incumbent	Eastern
Ken Chow	Liberal Party	Incumbent	Yuen Long
Gary Fan	Democratic Party	Incumbent	Sai Kung
Patrick Leung	Civic Party	Incumbent	Eastern
Jimmy Wong	Democratic Party	Incumbent	Tai Po
Wendy Wong	Civic Party	New Candidate	Tuen Mun

Only one candidate out of the six was a new candidate, the rest were defending their seats.

The following is a synopsis of the observations by the students. The full reports are being analyzed and will provide qualitative input to a report being prepared by the Hong Kong Transition Project.

Tony Chan (Independent) – Incumbent, Eastern District

Tony Chan was an independent candidate who is a member of the Hong Kong Democratic Foundation. He ran in his own district, the Eastern District, Healthy Village constituency. He had been servicing the district for four terms (nearly 16 years). His competitor, Cheng Chi Sing of the DAB, contested the election for the second time.

Chan is not backed by any political party and had to rely on his own resources. He primarily delivered leaflets to get his message out to voters. He declared to his voters that he supported

universal suffrage for both the CE and LegCo elections in 2012, and he sought to abolish the system of appointed members in the District Councils. He was also observed to react quickly to emerging issues, such as organizing a signature campaign in response to a Housing Authority issue.

Chan's opponent's posters were seen to be prominently posted in the neighborhood's markets. Chan usually has no fixed location for handing out leaflets, preferring a more spontaneous approach to allow more interaction with different residents. He also had bi-lingual pamphlets to ensure that South Asians constituents could learn more about him. Chan generally worked alone, but on election day he had approximately 16 to 18 people assisting him. On the other hand, his opponent received DAB support and was able to mobilize more helpers. It was observed that the overall turnout rate in the area was not high. The student felt that Chan may have been too comfortable after defeating his opponent twice previously. He lost by 106 votes.

Tony Chan Tak Wai	1485 votes
<i>Cheng Chi Sing*</i>	<i>1591 votes</i>

Ken Chow (Liberal Party) - Incumbent, Yuen Long District

Ken Chow has been the District Councilor in Yuen Long, Tin Shui Wai constituency since 1994. The constituency is comprised of two estates, the Tin Wah and Tin Shui estates. An interesting point to note in this campaign is that there is a significant distance between the Tin Wah and Tin Shui estates in the constituency area. Residents have to walk approximately 15 minutes from Tin Wah to Tin Shui, and may not be willing to walk to the polling station. Thus, mobilizing voters and getting out the vote was a priority for this candidate.

As a member of the Liberal Party, Chow had party support. He mobilized a large group of supporters to assist in door canvassing as well as distributing leaflets at roadblocks in the area. Chow's personal network within the residents' association was well organized. Over the years, he had developed and maintained relationships with these associations. During each door canvassing activity, the chairperson or representatives of the association would accompany Chow and introduce him to the voters. He also selectively chose the apartments of constituents he had previously assisted to canvass for votes. The role played by associations is important in mobilizing people to vote on election day. Chow also adopted modern campaign strategies, including sending short text messages over mobile phones to voters. On election day, he called over 1,600 voters as well as emailed voters from a list supplied by the Electoral Affairs Office.

The other candidate ran as an independent, but was a Democratic Party member. According to the student observer, he did not do much in terms of campaigning.

<i>Ken Chow*</i>	<i>2096 votes</i>
Lin Quan Zhao	490 votes

Gary Fan (Democratic Party) – Incumbent, Sai Kung District

In addition to campaigning for his own election, Gary Fan also assisted new candidates in his party in canvassing for votes. Fan’s constituency, the Wan Hang constituency, is predominantly a middle class area. He relied heavily on mailing flyers and campaign literature. However, the design of his campaign literature stood out compared to other leaflets, with one highlighting 100 accomplishments in service of his constituents. He also adopted a unique method of canvassing for votes. He had nine masks made with his picture, and had nine supporters stand with him while wearing the masks to campaign on the street, so it gave the impression that people were surrounded by Gary Fan.

<i>Gary Fan Kwok Wai*</i>	2567 votes
Lin Chor Keung Calvin	988 votes

Patrick Leung (Civic Party) – Incumbent, Eastern District

Patrick Leung of the Civic Party ran in a predominantly middle class area in the Kornhill constituency in the Eastern District. Although the Civic Party is a relatively young party, the campaign techniques adopted were very traditional, including shaking hands with voters and standing and waving to voters as they passed on the sidewalk and street. Leung had significant support from Civic Party “celebrities” including Audrey Eu, Alan Leong, Albert Lai, Margaret Ng, and Claudia Mo. The student observed small scale campaign events such as handing out flyers and pamphlets at subway exits. Home visits were very limited; in the area where Leung canvassed, visitors were required to wear a visitor card. It seemed most residents were willing to accept campaign flyers. Leung’s and his opponent’s campaign flyers focused on their professional expertise and how they would use this to assist the residents if elected.

<i>Patrick Leung Siu Sun*</i>	1599 votes
Liu Mei Ling Rhoda	1165 votes

Jimmy Wong (Democratic Party) - Incumbent, Tai Po District

Jimmy Wong’s constituency is a predominately middle class area. He ran an environmentally friendly “green” campaign, using fewer flyers and handing out his name card instead of larger leaflets. Wong preferred to spend time shaking hands with residents, asking them directly for their votes on elections day. Most residents seemed to prefer receiving the name card. Unlike many candidates, Wong also asked for voters’ email address. This was observed as an innovative campaigning tactic to build a database of constituents, and it was a strategy that had not been seen in other districts. Wong used images of his family on his campaign literature, which was designed to reflect his constituency’s demographic of predominantly young couples with children. On election day, Wong distributed stickers with images such as a dog asking people to vote for Jimmy; these stickers were designed to appeal to children as well as their parents.

Yau Sze Sang	984 votes
<i>Jimmy Wong Chun Wai*</i>	1444 votes
Cheung Kam Tak	139 votes

Wendy Wong (Civic Party) - New Candidate, Tuen Mun District

Wendy Wong is a young Civic Party member who ran against a more established incumbent, So Shiu Shing. Wong is relatively young, and hoped that residents in the area would vote for a younger, fresher alternative. The student observer reported that when Wong was campaigning on the street, the incumbent would drive up alongside her and use a microphone to shout louder than Wong. Wong, however, refused to counter the actions by her opponent, preferring instead to concentrate on her own campaign efforts.

<i>So Shiu Shing*</i>	<i>1389 votes</i>
Wendy Wong Hiu Fung	889 votes

**Indicates election winner*