

Hong Kong protests: Beijing is now face to face with universal suffrage promise

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Surya Deva

Associate Professor, City University of Hong Kong



Democracy demanded. EPA/Alex Hofford

After days on the streets, thousands of Hong Kong residents are still occupying several major streets of their city. Already nicknamed as the “umbrella movement” because of protesters’ use of umbrellas to shield against the police’s pepper spray, this is the fruit of indifference from both Beijing and the local government to the genuine universal suffrage demands made by a significant section of Hong Kong society.

The immediate trigger for this massive movement was a decision by the Standing Committee of the National People’s Congress (NPCSC), delivered on August 31, that set a spark to years of frustration among pro-democrats.

The NPCSC stipulated that while next the chief executive of Hong Kong could be elected in 2017 by “one person, one vote”, the nominating committee set up under Article 45 of Hong Kong’s Basic Law must first nominate two or three candidates who “love China” and that each candidate must have the endorsement of more than half the nominating committee’s members.

The NPCSC also determined that the committee would meet the legal requirement of being “broadly representative” if it is modelled on the existing Election Committee – which comprises 1,200 members, a majority of whom are pro-Beijing.

To justify this decision, the chief executive and other pro-Beijing leaders often invoke the “rule of law”. But the legality of the latest NPCSC decision itself is suspect, since its powers too are limited by the Basic Law. Insisting on screening of CE candidates for “patriotism” or specifying an upper limit on the number candidates is clearly in conflict with the Basic Law as it stands.

Sticking point

So far the protesters have shown tremendous restraint. Apart from causing some inconvenience to commuters, they have not posed any threat to people, government officials or public property.

The present chief executive, CY Leung, has refused to meet with the protesters, despite multiple requests. This is quite paradoxical because during his election campaign and early days in office, Leung took pride in his ability to connect with people from diverse backgrounds. His intransigence may mean he is simply no longer free to make concessions – his hands have been tied by Beijing, which has very firm ideas about what kind of universal suffrage it can live with in Hong Kong.



Umbrellas to the rescue. EPA/Alex Hofford

Hong Kong’s business tycoons also fear that a chief executive elected by true universal suffrage might adopt more expansive welfare policies, and might in turn harm their monopolistic business interests.

The protesters are therefore up against the powerful cartel of Beijing, the local government and Hong Kong’s business tycoons. They also face at least four challenges internal to the movement: fear, futility, factionalism, and fatigue.

Divide and conquer?

So far, Hong Kong’s authorities have tried to use force to scare the protesters away, using tear gas and pepper spray on the night of September 28. This strategy backfired; the crowds were not cowed, and more people came out in support of peaceful protesters, and against unnecessary use of violence by the police.

The chief executive and pro-Beijing political leaders have also tried to employ the “futility” logic to discourage people from joining Occupy Central because the NPCSC would never agree to reverse its decision.

While there is an element of truth in this suggestion, it clearly has not dissuaded people from joining the movement. Many believe that that if they could prevail in the protests of 2003 and again in 2012 (shelving the introduction of a national security law and national education in school curriculum, respectively), this time need not be different.

In the past, the government has managed to turn factionalism among pro-democrats to their advantage. Since any change to the election process requires a two-thirds majority in the Legislative Council and the local government does not have the required number, it may try to dangle a few concessions to some Council members or blackmail them to support the current proposal otherwise 5m potential voters would not pardon them during the next election.

But for the time being, “fatigue” may be the strategy adopted by the HKSAR government – it might be hoping that most of the people on the streets would return to their universities and offices, leaving behind a small number of die-hards who can be dealt with easily.

This strategy is also likely to fail. A significant section of Hong Kong population has become deeply engaged with the democracy movement. In fact, the umbrella movement has now evolved as a platform to assemble all people dissatisfied with the local government, Beijing, the CPC and business tycoons. So, a wide spectrum of people – from Falun Gong to the LGBT community, persecuted Christians, middle-class people unable to buy even a tiny flat and locals unhappy with too many mainland tourists – have all found a home in the movement.



Not backing down. EPA/Alex Hofford

Hitting protesters hard with Tiananmen-style force remains an option. From the government’s point of view, it worked in Beijing in 1989. But it may well not serve them so well in Hong Kong in 2014. While some hardliners in Beijing might be pushing to “strike hard”, the combination of the deep distrust of local people, a free press, an independent judiciary and the presence of social media surely suggests that any such attempt would end up as a public disaster.

There is an obvious distinction between a foreign attempt to export democracy and a genuine groundswell of popular demand for it. Since the situation in Hong Kong falls in the second category, silencing protesters by violence would only bring a temporary respite. In the long run, a political solution will have to be found out to bridge the gap between expectations of pro-democracy groups and Beijing loyalists.

Next steps

As things stand, the most realistic option is for the local government to engage the protesters in an open dialogue – but first, it must regain their trust and confidence. By offering an unconditional apology for the police violence and by promising not to act under dictate from Beijing, Leung could at least bring protesters to the negotiating table.

For their part, the protesters are demanding that the NPCSC first withdraws its August 31 decision. That is both unrealistic and very unlikely, but there might be a way out: after a fresh round of open dialogue with protesting democrats, Leung could submit another report to the NPCSC requesting it to revise the decision in view of the “actual situation” in Hong Kong. Doing so would be both legally sound and politically viable.

Both sides should be willing to make some compromises. However, Leung must initiate the conversation and also try to convince the NPCSC to revisit its unwritten policy of screening out pan-democrats from contesting the election.

After all, under the Basic Law, the chief executive has a responsibility not only to the Chinese government, but also to the people of Hong Kong, who are now making their voices heard as never before.