

SARS AND CIVIL SOCIETY IN HONG KONG

BY CHRISTINE LOH AND VERONICA GALBRAITH

The whole world focused on the Hong Kong Special Administrative Region in July as an estimated half a million people took to the streets to protest proposed security legislation. Christine Loh and Veronica Galbraith examine how the SARS crisis served as an impetus for Hong Kong people's renewed determination to protect their human rights.

The civic energy evident in Hong Kong throughout July 2003 was significant and exciting. On July 1, 2003, half a million people protested against the government's proposed national security legislation in Hong Kong's largest demonstration since the rallies around June 4, 1989. Fifty thousand people attended a second protest on July 9, 2003, calling for democratic reforms and Chief Executive Tung Chee-hwa's resignation. On July 13, 2003, 20,000 people rallied for faster progress toward universal suffrage, a provision outlined in the Basic Law, Hong Kong's post-1997 constitution.

The July protests were a culmination of public dissatisfaction that had been building up against the Tung Chee-hwa administration in recent months. Ostensibly, the July protests centered on a controversial draft bill prohibiting acts of treason, sedition, secession, subversion, theft of state secrets and links between local and foreign political organizations. Article 23 of the Basic Law requires Hong Kong to pass its own laws to cover these areas, but with no set timetable. The administration, for whatever reason, was eager to rush the legislation through before the Legislative Council's summer recess this year, even while debate over many issues remained unresolved.

The size of the July 1 protest surprised everyone. Even event organizers only anticipated perhaps 250,000 marchers, which would already have been a very large number. Even more surprising was who participated. Many of the protesters had never taken part in public demonstrations before. A poll taken by the University of Hong Kong shortly after the march found that the traditionally silent and apolitical middle class comprised 60 percent of the marchers. Professionals accounted for 40 percent of the crowd, and 60 percent were universi-

ty educated. Eighty percent were aged between 20 and 50. Most of the protesters did not belong to any organized group. It appears that people from all walks of life just decided to join the march. The organizers, made up of various NGOs, asked people to wear black, which many did as a symbol of unity of purpose. The protesters were impressively peaceful, polite and in good humor, and many brought their children.

The protest was not so much in opposition to the principle of passing laws to protect national security as it was against certain details in the draft bill. For example, a survey published on June 27 showed that the vast majority of respondents did not want the police to be given the power to enter private property without first obtaining a court warrant. The majority also opposed the lack of a public interest defense to counter-balance the law relating to state secrets.

But there were also other important reasons behind the protest. Many participants expressed dissatisfaction with how the government had handled the SARS outbreak that overwhelmed Hong Kong between March and May. Many others felt they had to march to express their concerns because their views were not adequately represented by anyone, including Hong Kong's political parties. For these people, the protest march was a "self-help" event in the absence of other means to show their general dissatisfaction. Indeed, almost 90 percent of marchers were unhappy with the government's performance overall, and more than 80 percent thought the Chief Executive should resign.

Dissatisfaction with the Tung administration has been festering since the handover from British to Chinese sovereignty in 1997, as Hong Kong has weathered the Asian Financial Crisis (1997-1999), various political scandals, poor handling of many policy areas and most recently, the SARS outbreak. The worst examples of political mismanagement include the decision not to prosecute Sally Aw, a former newspaper publisher and a named co-conspirator in a corruption case in which her employees were charged and convicted; and the failure to dismiss the former Financial Secretary, Antony Leung, for his "gross negligence" and breach of the ministerial code in purchasing a car and not declaring it just before he announced a steep increase to the vehicle tax.

The Chief Executive responded with stunned silence to the mass showing of public discontent. Rather than face the

public, he instead issued a press release that evening expressing concern that so many people had demonstrated. After saying very little for several days, he finally offered three concessions to the proposed Article 23 bill. However, when one of his cabinet ministers resigned and took with him eight dependable pro-administration votes in the legislature, the Chief Executive was forced to withdraw the bill for further consultation, as he could no longer be assured of its passage as originally set for July 9.

In the meantime, the Article 23 controversy had sparked public discussion on the more general topics of good governance and the need for a faster pace of democratic development. Democracy leaders took advantage of the surge in public interest to encourage permanent residents to register and vote in upcoming elections for the District Councils in November 2003 and Legislative Council in September 2004. Even though Hong Kong's current electoral system does not give voters the ability to elect a government into power, it does empower voters to produce an opposition force. The message from the pro-democracy camp is clear: by voting for those who are not considered "pro-government" the people can influence the course of political events to at least some extent. With two sets of elections within a year, the political climate is bound to heat up enough to fuel further debate on public policy issues.

Recent events in Hong Kong have demonstrated that civic participation remains the most effective and practical way for citizens to take part in local politics. The July protests were the boldest manifestation of civic power fostering change that Hong Kong has had in recent memory. But they were the result of more subtle changes already in process. Earlier in 2003, during the SARS outbreak, Hong Kong people had a taste of what a difference they could make through community initiatives to help fellow citizens and to change government thinking on many issues relating to prevention and control measures. The SARS spirit, it seemed, flowed into people taking action over the Article 23 legislation.

One of the positive outcomes of the SARS outbreak was that Hong Kong citizens felt more empowered as they saw that they could positively affect their city. As tourism and business dropped to record lows and Hongkongers were forced to slow down, citizens had a chance to reassess what was important in life other than "traditional" materialistic concerns. Many Hong Kong people believed that the government was slow to react to the crisis and felt that they themselves had to create initiatives to compensate for the lack of leadership. A huge surge of civic energy emerged to examine social responsibilities such as promoting proper hygiene and caring for the environment. Two campaigns that stood out were *Fearbusters* and *Operation UNITE*. Other civic movements abounded, from fundraising campaigns to buy protective medical gear and to create foundations for SARS victims and their families, to programs promoting Hong Kong's attractive business and leisure opportunities to the international community. SARS restored Hong Kong people's sense of community and revived their love of their city.

This renewed civic spirit is bound to benefit many other new civic campaigns in Hong Kong that are already more

effective and sophisticated than in the past. Notable and high profile examples include the success of the Society for Protection of the Harbour in taking the Town Planning Board to court for its excessive reclamation plans; Save Our Shorelines' effective pressure on the authorities to abandon two large road projects in favour of better transport designs; and the efforts of residents of Lamma Island in forcing the authorities to observe more sensitive development plans. Groups of residents and concerned individuals are also currently campaigning against a government plan to build a giant prison in a pristine recreation area, as well as urging the government to terminate its ban on pets in public housing estates. These new groups have expanded the ever-growing diversity of NGOs in Hong Kong that include church groups, professional institutions, green groups, education groups and the many organizations that fight for welfare rights.

Hong Kong people are beginning to realize that they have a responsibility to participate in the affairs of their city through discussing public issues, improving their awareness of public affairs and making an effort to influence public policy. In Hong Kong, as elsewhere, it is important that ordinary people engage in civic activities as a counterweight to the traditional dominance of officialdom and vested interests in the decision-making process. Hong Kong people are learning that the best way to defend their rights is to create an active civic culture and civic institutions that are strong and knowledgeable. In the end, only sustained civic involvement can effectively monitor those in power and keep them honest and accountable. The nature and intensity of civic participation is changing in Hong Kong as its people have transformed from colonial "subjects" to "citizens." We can expect to see more NGOs being formed, more active involvement in many public issues, wider and deeper discussion of government decisions and the decision-making process, and a greater interest in political participation.

The Basic Law allows for universal suffrage after 2007. The present Chief Executive was "selected" by 400 people in 1996 in a process that was tightly controlled by mainland China. It was clear from the outset that Tung Chee-hwa was the Chinese government's preferred candidate, and a core problem that has plagued his Administration is his inability to claim the mandate to govern. His constant complaint that it is hard for him to push proposals through can never really be resolved until he is properly elected by the people. Yet Tung continues to delay opening up discussion over how the community can move towards universal suffrage. Perhaps Hong Kong people's new sense of empowerment and civic consciousness will lead to an effective push for electoral reform that will ensure that the next chief executive does not suffer from Tung Chee-hwa's crippling lack of public mandate. Then Hong Kong may finally, for the first time in its history, enjoy a leadership that is truly responsive to the will and needs of the people.