

Authoritarian Deliberation: The Case of Hong Kong

by

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Abstract

Hong Kong is a half-authoritarian and half-democratic metropolis whose citizens enjoy full civil liberties. Deliberation is not usually expected in an authoritarian regime; however, the Hong Kong case shows that authoritarian deliberation is possible, although limited. There are two key questions that this thesis explores. The first one is whether or not the model of authoritarian deliberation is possible. The second one is why did the semi-authoritarian Hong Kong government choose to allow full deliberative processes in some issue areas? What can we draw from the unique HK deliberative practices? By examining the emerging deliberation initiatives in Hong Kong on both the macro and micro levels, this paper figures out two mechanisms for Hong Kong deliberation, one with the Advisory Group acting as a bridge between the government and the public. It is a model that can be learnt by mainland China about how to initiate and conduct effective deliberation at the metropolitan level. This thesis argues that deliberation in a context of an existing strong civil society and civil liberties like in Hong Kong is probably irreversible. The deliberative process in Hong Kong is successful in granting legitimacy to some policy outcomes, but probably not to the regime itself. However, no deliberation in the policy-making process may cause a legitimacy crisis for the regime.

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Chapter 1

Introduction

Whether or not deliberative democracy constitutes a ‘paradigm shift’ in democratic theory is still an open question. Yet deliberative democracy has successfully redirected our attention from traditional democratic empowerment, such as voting, to a new path—communication. However, many people take for granted that deliberation can only happen within a democratic setting where there are competitive elections based on a universal franchise. The mode of representation of Iris Young is a good example. According to Young, representation is a process and circle of authority and accountability. Participatory and inclusive deliberation is very important in the democratic process of authorization because only when the representatives get involved in conversations with their constituents will they be able to know their will. It is this deliberative process that gives the representatives the authority to represent their constituents. This is one kind of deliberative democracy, but it partly relies on the condition that people are granted the right to officially elect their representative.

In this paper, I will argue, however, that deliberation can also happen within authoritarian regimes. Though democracy and deliberation are closely related, the former is not the only condition under which deliberation can exist. Both in Mainland China (“China” hereafter) and Hong Kong where there is no or incomplete universal suffrage, deliberation takes place, though it remains limited to certain areas. My main argument is that deliberative politics is developed around the problem of legitimization. Legitimacy as defined by Seymour Lipset, involves “the capacity of a political system to engender and maintain the belief that existing political institutions are the most appropriate and proper ones for the society.” (Lipset, 1983: 64) Deliberative democracy was firstly developed in response to the problem faced by representatives or leaders who are far away from their constituency, and contributed to the re-legitimization of their decision making process. This paper will argue that the legitimacy problem is not unique to

democratic setting. In contrast, for governments like those in China and Hong Kong, because the leaders and legislative members are not elected by the people, legitimacy is harder to sustain. Thus, deliberation is seen as a viable means to achieve a goal of legitimacy. Though the authoritarian government may not be willing to open all of the areas for deliberation, it is still possible to create space for decisions to be made through an inter-subjective communication among those affected.

I have picked Hong Kong as an example to analyse the authoritarian deliberation model. If the idea of authoritarian deliberation is inspired by the Chinese case, the unique factors in Hong Kong society may lead to a different quality and outcome of deliberation. If China is a perfect example of an authoritarian regime, Hong Kong should be classified in the “half-authoritarian-regime” category, where there are full civil liberties but with only limited voting rights at the regime level. There are two possible outcomes that deliberation in authoritarian regimes may lead to: 1) The regime becomes more democratic because the spectrum of deliberation widens; or 2) The regime becomes less democratic because it feels things are not under control. I will argue that the case of Hong Kong may fall into the first category as opposed to China which is more likely to fall in the second category. The above two possible outcomes are only theoretical assumptions rather than conclusions since the development of both cases has yet to reach this stage in the empirical world.

Generally speaking, two tasks are carried out in this paper. The first one is to argue that deliberation can happen in authoritarian settings. The second one is to examine the unique characteristics of Hong Kong and try to argue that its distinct features will make deliberation an irreversible trend. The paper will be developed into five parts. In the first part, I will introduce Hong Kong’s background and situate it along three lines-- authoritarianism, liberalism and democracy. The second part deals with the authoritarian model and I will explain how it is constituted. In the third part, I will bring the former two parts together and apply the authoritarian model to the Hong Kong case and argue that it makes deliberation an irreversible trend. In Part IV, five cases will be studied in detail about the current situation of deliberation in Hong Kong. Part V will state some of the conclusions of the study.

Chapter 2

The Nature of Hong Kong's Political System:

Authoritarian, Liberal and Democratic?

Hong Kong people often call their own society: “a free place without democracy”. This statement to some extent outlines the nature of Hong Kong’s political system. Hong Kong society includes some elements of the authoritarian, as well as the liberal and democratic regimes.

2.1 Authoritarian Elements

An authoritarian regime, as Paul Brooker puts it “is based on the residual notion throwing all the non-democratic political systems in together”(Caramani, 2007: 134). Drawn from this broad concept of authoritarianism, both China and Hong Kong belong to this category even though they differ greatly from each other. From the colonial era, the Governors from Britain had been told to rule “benignly authoritatively”(Lo, 2001: 44). Even though the last Governor of Hong Kong, Chris Patten, tried to accelerate the democratization process, the direct election of the Chief Executive is still not allowed. After the handover of Hong Kong from Britain to China, the reform of the electoral system remains stagnant and has not improved much. First of all, the Chief Executive is still unelected by the citizens. The right to vote for the Chief Executive is only granted to an 800-member election committee consisting of members from selected sectors and appointed by the Chinese Central Government in 2007. It is hard to find evidence of what this 800-member committee consists of. But back in 1996, when the first Chief Executive of HKSAR, Tung Chee-hwa, was elected by the 400-member election committee, according to Wong Man-fong, the former official of the New China News Agency in charge of Taiwan affairs, 150 of the 400 members of the Election Committees were

members of the Chinese Communist Party (CCP); 50 others were the CCP's 'friends'; and 100 could be persuaded or lobbied by the CCP to support a particular candidate (Lo, 2001: 3). "Who is in the election committee" is still a highly restricted area controlled by the Chinese Central government though the membership has been increased to 800 people now. Thus it is plausible to assume that the general composition of the committee has not changed a lot since 1996 and that the members are mostly pro-China, which guarantees the winning of a pro-China leader. The second reason for Hong Kong being considered as authoritarian, is that half of the seats in the Legislative Council (LegCo) are reserved for functional constituencies, and only half of them are elected directly by the citizens¹. This electoral system is blamed for the fact that members of functional constituencies represent only the interests of big interest groups rather than those of the ordinary HK people. Also, not everyone is granted the right to vote for the candidates belonging to functional constituencies, however, some people are allowed to vote for both for the seats of the functional constituencies and the directly elected seats. Therefore, this electoral system is seen as unfair by many Hong Kong people.

Moreover, the basic law has authorized a greater executive power over the legislative power, which means that the unelected chief executive has the right to ban any legislation passed by the LegCo².

Third, Hong Kong is not itself an authoritarian even though it enjoys the right of self-governance. The SAR government is always standing in the middle, facing a dilemma when there is conflict between its citizens and the Chinese government. On the one hand, as stated before, the Chief Executive is not elected by the citizens. For this reason, it is not accountable to them. However, since the SAR government is established for the purpose of administering and ruling Hong Kong, it must take its citizens into consideration. On the other hand, the Chinese central government is the boss of the HKSAR. There is another branch of power which has the final say—the National People's Committee (NPC). For example, regarding the abode rights of mainland citizens

¹ The electoral system in Hong Kong is that there are 60 seats in the LEGCO and 30 are reserved for the functional sectors which only ¼ of the citizens have the right to elect them. 30 seats are elected by HK citizens.

² The LegCo has limited rights of initiating motions of public expenditure, and the Chief Executive could veto the laws the LegCo passes. For further information please refer to Basic Law Article 48, 73, 74.

to Hong Kong, the HK court of final appeal has a different interpretation from the NPC in regards to the Article 22 and Article 24 of the Basic Law, which are concerned with the entry of mainland Chinese into HKSAR and the definition of permanent resident of the HKSAR respectively. (Lo, 2001: 25) The final result is that the interpretation of the NPC is the ultimate version and that the SAR government has to conform to it. This is only one example of the fact that the SAR government is not fully independent from the Chinese government.

The above are the major reasons why Hong Kong should be seen as an authoritarian regime due mostly to its electoral system and subordination to the Chinese government and the NPC.

2.2 Liberal Elements

As the legacy of the British colonial period came with the promise from the Chinese central government that Hong Kong would remain unchanged for 50 years, Hong Kong people enjoy full freedom and civil liberties that are unlikely to be found in other authoritarian regimes. Freedom of expression and freedom of association are the most crucial ones. Unlike most of the authoritarian regimes, Hong Kong does not implement censorship laws. In contrast, the best efforts are made to protect freedom of expression. It is one of the few places in China where the internet is not filtered and it is possible to read and write articles about the events of Tiananmen in 1989. Though some of the leaders of the Tiananmen protests are considered by the Chinese government to be ‘rioters’ and thus deprived the right from going to the mainland, they are allowed to come and go to Hong Kong. What’s more, the government is quite tolerant of protests, and this is an important indicator of freedom of association. As we can see from the July-1st protest in 2003 against article 23 and from the recent protest against the high-speed rail construction in 2009, Hong Kong people remain free to express their views in such ways. Though some scholars have noticed that more and more people are arrested after the protests for threatening social security and order, the proportion of people arrested remains low and few of them end up facing charges in the end. Even the conservative Chinese government has realized that censorship cannot and should not be implemented in Hong Kong due to the existing strong free environment. Severe restrictions on freedom of

expression could not be implemented without an immediate reaction from the population and greatly infringing on the legitimacy of the government. Therefore, as long as the protests or associations are kept within the Hong Kong area and do not influence the Mainland, the Chinese government should continue to tolerate them.

2.3 Democratic Elements

Though Hong Kong is still not able to enjoy the right of universal suffrage to elect its own Chief Executive and only limited rights to elect half of the LegCo members, the electoral element is not totally missing and the government is trying to be accountable to its citizens. There are elections at the district council level. The district council elections are held in Hong Kong at 4-year intervals when the 18 district councils, totalling 405 elected members (as of 2007) require renewal. The district council members do not have the most important powers—legislation and assessment of the public expenditure of the government - as the members in the legislative council do. However, the district council members are the representatives who are closest to the citizens, and are in the best position to help them solve their everyday problems. They are not likely to make the high level decisions but are still able to represent the voices of their constituencies to some degree. The district council members can advise the government on the following issues:

1. matters affecting the well-being of the people in the District;
2. the provision and use of public facilities and services within the District;
3. the adequacy and priorities of Government programmes for the District;
4. the use of public funds allocated to the District for local public works and community activities;³

In other words, they serve as a bridge between the higher level SAR government and the ordinary citizens. Another indicator of the democratic side of Hong Kong is the Principal Officials Accountability System developed to ensure that officials are accountable for their decisions and deeds. It is a system developed by the first SAR Chief Executive Tung Chee-hwa, whereby all principal officials, including the Chief Secretary, Financial Secretary, Secretary for Justice and head of government bureaux would no longer be politically neutral career civil servants. Instead, they became political appointees chosen

³ <http://www.elections.gov.hk/elections/dc2003/english/dcb/dcb.html#3>

by the Chief Executive. The initial motivation and purpose for doing this was to provide a clearer definition of civil servants' accountabilities. However, the other side of this has been that the Chief Executive is not elected by the HK citizens. In consequence, this system is criticized as pushing Hong Kong towards a one-man-rule regime. Three principal HK officials have resigned because of these changes.

2.4 Conclusion

Hong Kong is a liberal city with the feature of half-authoritarian and half-democratic regime. The game of democratization is played by three actors: the Chinese central government, the HK SAR government and the HK people. The following chapter will look at why deliberation is possible under such circumstances.

Chapter 3

Democracy, Authoritarianism and Deliberation

Though democracy and deliberation are closely related to each other, the latter can occur in authoritarian regimes as well because it can enhance legitimacy. However, the literature is still ambiguous as to what kinds of legitimacy can be enhanced by deliberation. Does deliberation enhance regime legitimacy or only the legitimacy of the decision itself? And are these two types of legitimacies correlated? What's more, as consultation has existed for a long time even in such an authoritarian regime, what distinguishes it from deliberation? This part of the paper will try to probe into the above questions.

3.1 Democracy and Deliberation

Democracy's essential feature is rule by the people and for the people. Though there are a variety of approaches that try to achieve this end, the principle remains unchanged. In the past decades, democracy theory has focused on political empowerment, including a focus on voting. There are several forms of democracies that rely on the voting system in order to enhance inclusivity and representativeness. However, increasing complains can be heard about how voting has failed to make the voices of the people heard and how the elites have failed to represent their constituents.

Deliberation comes into play to fill in the gap created by the aggregative model of democracy. Deliberation is a kind of communication which is based on the language of reason. Participants in the discursive process should be "willing to consider the arguments offered on their merits" (Held, 2006: 238). Democracy and deliberation are always considered to be closely related to each other. On the one hand, the right of voting will hold the leaders more accountable to his/her constituents and thus the government will create a wider public sphere for people to deliberate. On the other hand, in a healthy democratic environment, procedures, including the way in which institutions are set up

for deliberation, are supposed to be done in a more transparent and fair way. Deliberation needs protection from “coercion, economic dependency, and traditional authority if it is to function as a means of resolving conflicts and making decisions” (Warren & He, 2008: 3), and democracy can offer this condition for deliberation.

However, democracy is not the only condition under which deliberation can happen. If one says that democracy can ensure the quality of deliberation, but deliberation can still occur in an authoritarian regime when the ruler is seeking legitimacy and decides to use it as a means to form preferences and policies.

Mark Warren and Baogang He are the pioneers of the authoritarian deliberation model. Both of them have noticed an interesting phenomenon in China, which is that the “Chinese national and local governments have encouraged and supported deliberative institutions to maintain local order, as an instrument to maintain local security, as a solution to local community-related problems, as a ‘valve’ to release the pressure upon China’s fast-moving economic machine, and as a form of moderate democracy which avoids radical and substantial political reform.” (He & Leib, 2006: 7) Thus, the authoritarian deliberation model was developed as a form of governance-driven deliberation contingent to the will of the governor. As He and Leib argue above, the motivation of having such deliberations is to enhance the legitimacy of the regime.

But what is the difference between consultation and deliberation, when the former seems to have existed for so long? Is deliberation really able to enhance the legitimacy of the regime? The following two parts will discuss some of the current debates on deliberation and why authoritarian deliberation could emerge in China and HK.

3.2 Deliberation, Decision-making and Legitimacy

There are two criticisms of the potential influence of deliberation. First, deliberation is not likely to have an impact on higher-level decisions. Many scholars have argued that deliberation itself is a decision-making process that enables those who are affected to get involved in the process. But what kinds of decisions are they making? It has been shown that deliberation is most effective at a lower level where it is closest to the participants, such as village meetings, district meetings, conferences at schools and so on.

Deliberations occurring in those locations and at those levels are more likely to function positively because the issues on the agenda are likely to have a direct effect on them (for instance, the location of a bus stop or the issue of tuition fees). Participants who get involved in the decision making process are usually the ones who are authorized to implement the decisions that they make. In contrast, this is hardly the case when it occurs at the national level regarding national policies. Due to the large geographic territory and the size of the population, it is unrealistic to assume that all those who will be affected by the policy are able to participate in the conversation. Therefore, even though people can talk about the policy at a lower level, they are less likely to influence those who will actually make the final decision.

Therefore, consultation instead of deliberation often plays a role in such cases. Consultation is different from deliberation in that the former is a top-down rather than a bottom-up approach. Consultation is usually initiated by the government in order to “listen to” the population’s concerns about a certain policy. Thus, the agenda is set by the higher level government rather than by the citizens themselves. In a large area, when public opinions about a policy are needed, consultation may take place. Deliberation, on the other hand, is more likely to happen in a smaller area where people are able to set the agenda of the meeting and execute the decisions that they make. It is no longer a top-down action but rooted in the community. It requires equal inclusion of a variety of affected people holding different viewpoints to come together to talk and to offer arguments based on reason. Also, deliberation is aimed at reaching an agreement and at solving problems. Through the process of persuasion, by offering reasonable arguments, consensuses are reached. Again, the problems that the participants are aiming to solve are often community-based rather than a national policy.

These differences between consultation and deliberation have actually reflected existing dilemmas in deliberative democratic theory that is somewhat related to the second criticism. The second criticism that people have of deliberation is the legitimacy problem—whether deliberation can increase the legitimacy of a regime or whether it can purely enhance the legitimacy of the decision-making process? Drawn from the Chinese case, Mark Warren argues that there are two potential developmental logics to the

authoritarian deliberation model. The first one, he argues, is deliberative authoritarianism. In this model of development, deliberation serves as a “legitimacy-generating resource for the elites when it flows from democratic empowerments”. (Warren & He, 2008) So when the legitimacy is generated in an authoritarian regime, it makes the government more authoritative and thus strengthens the authoritarian regime. The second model Warren develops is the “deliberation-led” democracy model. In this model, Warren states that deliberation generates legitimacy that is “usable” by the state, and that it tends towards institutionalizing the decision-making process.

The focus of these two arguments is on the regime level where legitimacy is needed to secure the governance of a state. The assumption behind it is that because the people who are affected by the decision are involved in the deliberative process, the decision-making process is more legitimate. However, if deliberation is not likely to happen at a higher level in a large territory, its influence may be trivial and can hardly enhance the legitimacy of national policies. Some scholars argue that the major function of deliberation is to shape people’s preferences. But without finally reaching a consensus, it is still meaningless for the preferences to be shaped.

Therefore, community-based deliberation is able to help legitimize the decision-making process. The people who are affected are supposed to be more willing to accept the decisions made out of the deliberative process because they participated in the process and were exposed to the reasoning of the other participants. From this comes another question: Can the legitimization of decisions on a lower level influence the legitimacy of the regime at a higher level? It is hard to tell. In fact, there are two possible answers to this question: 1) Lower level deliberations cannot affect the legitimacy at the regime level because they are too trivial. When it comes to national policies, power is still concentrated in the hands of the centre; 2) The legitimization of small decisions can gradually enhance the legitimacy of a regime, because through the deliberative process, trust of the current government increases. This process will finally result in an increased legitimacy of the regime.

There is no agreement on which outcome deliberation leads to. However, one thing that we cannot deny is that there is a gap between higher level and lower level decisions and

that one effective channel to bridge the gap is a top-down approach. Some people suggest that the increase of legitimacy of a regime should be achieved through formal consultation. This is arguable but the truth is that in most cases, the 'deliberation' process of a national policy does not stem from the community, but is purposely arranged by the government. What makes it unique as deliberation instead of consultation is when a rough agenda is set by the government and deliberation has taken place, the ordinary citizens will be able to add to the topics on the agenda and direct the way the discussion goes. It is a combination of consultation and deliberation rather than purely deliberation itself.

Hong Kong provides a great example of this model of a combination of deliberation and consultation. First of all, the territory is relatively small. It is not a country but rather a metropolis and most of the area is urbanized. This has allowed the presence of effective channels that spread information and therefore has provided the possibility of a wider participation into deliberation processes. Secondly and most importantly, the structure and organization of the government is relatively simple. Unlike big states such as China, Hong Kong has fewer layers of government, and the gap between the government officials and the ordinary citizens is smaller. This means that deliberation can be more easily set up and that the result of it does not have too far to travel to reach the top. Deliberation rather than consultation is likely to happen because of the above reasons. Of course, it is not possible yet to conclude that the dilemma of authoritarian deliberation has been overcome, but the Hong Kong case offers a specific example of some of the ways in which it becomes possible.

3.3 Authoritarianism and Deliberation

So how can deliberation exist in an authoritarian regime?

The attempt to increase the legitimacy of the regime is one of the big reasons. In democratic theory, it is common to find the argument that a valid regime needs to be backed up by its people. People are usually universally franchised. The governor and the representatives are chosen by citizens and they speak for their constituents. As a result, the decisions the governors make are theoretically legitimate no matter at which level the decision is made, as long as the decision maker is elected. Authoritarian regimes, by

contrast, do not have an elective element. Even though the governor is “elected”, the process is not fair and transparent. Legitimacy is not only desired by a democratic regime, but all types of regimes including the authoritarian ones. One could even argue that the latter is even more eager to get it. In an authoritarian regime, legitimacy usually comes from traditions and heritage. However, nowadays even people living in authoritarian states can receive information from other liberal states. Some liberal values such as freedom and some information about institutional setups, such as election processes, may impede traditional values in an authoritarian state. So when traditions and heritage start to break down, where can the regime go to seek legitimacy? It is not deniable that legitimacy comes from the people, so if voting is missing or weak in a state, and the traditional values are not strong enough to hold the society together, the state has to figure out another way to gain legitimacy from its people. Deliberation is one of the most effective approaches. Through having people who are affected involved in the deliberative process, the decision can be perceived to be collectively made and thus backed by the people.

Another argument related to the above perspective is raised by Mark Warren. He argues that there are more and more veto players or simply more players who hold opposing opinions in some societies such as China. In order to pass legislation, the rulers must involve those veto players and engage with opposing opinions through a deliberation process, in order to reach a consensus. As a result, the policies are not construed as illegitimate by the opposing voices, and neither is the regime.

The second reason that makes deliberation possible in an authoritarian regime is the collection of information. In the modern world, many of the authoritarian regimes are behaving benignly towards their people. Few of them are governing simply for power. To some extent, the policies they make are people oriented. However, no matter how large the government is and how smart the officials are, it is unlikely that they are ever able to know exactly what its people are thinking and what their opinions are. Therefore, deliberation can provide the government a chance to listen to a variety of voices and the opportunity to try to figure out which way works the best.

But as I argued in the previous part, this model of deliberation incorporates consultation elements. It is initiated from the top rather than the bottom. But what distinguishes it from consultation is that the subject of discussion is set by the participants who are involved in this deliberative process, and that the selection process is relatively inclusive. The direction of the deliberation process remains at the mercy of the participants. If they feel the need to discuss more on one particular issue and if they think some problems are worthy of being brought up, they have the right and the power to do so.

Another point that is worth mentioning is that because the power of initiative is held in the hands of the governors, the kinds of issue that can be discussed remain at their discretion. Take Hong Kong as an example. On the one hand, policies regarding land and housing are highly contentious and seldom brought out for discussion. But concerning other areas, such as educational and cultural preservation projects, the Hong Kong government genuinely engages the citizens in the conversation.

All in all, while many scholars have argued that deliberation can only happen at the community level, they have mostly used a narrow definition of deliberation, whereas my conclusions rest on a broader definition (which includes some consultative elements). However, it remains undeniable that this kind of deliberation is not generated from the people.

3.4 Conclusion

The authoritarian deliberation model is possible, and I believe that deliberation is not just possible in a democratic environment. Due to the legitimacy needs of the regime and to the information it needs, deliberation can actually act as an effective instrument to achieve these goals. At a higher level, deliberation in an authoritarian regime contains some consultative elements even though it is usually initiated by the government rather than generated by the people. I still think we can consider it as a deliberation process because people are capable of directing the way it goes and of adding topics to the agenda.

Chapter 4

Hong Kong's Unique Features and The Authoritarian Deliberation Model

The authoritarian deliberation model leads to two possible outcomes. The first one is that the regime will become more democratic as it embraces more and more democratic elements. The second one is that the authoritarian regime will remain such and even tend to become more authoritarian, because deliberation processes tend to destabilize the state. When the authoritarian government feels that things may become out of control, it will close up again. Another reason that may push the regime to become more authoritarian, Warren and He argue, is that deliberation actually enhances the legitimacy of the regime and thus no radical demands for democratization will tend to occur. I tend to think that China is more likely to evolve towards the latter result. The restriction of internet is a good example. However, Hong Kong presents a totally different picture. The following chapter will argue that deliberation could lift the level of legitimacy of the regime and at the same time lead it to a process of democratization in the Hong Kong society. As Lo asserts, once the gate of democracy is open, it is not likely to be closed up again. (Lo, 2001) There are three elements preventing Hong Kong from going back to a more authoritarian type of regime. The first one is a vibrant civil society and the presence of full civil liberties, the second one is the spirit of the rule of law and the third one is the limited but widespread district council elections.

4.1 Vibrant Civil Society and Full Civil Liberties

There are two competing strands of an understanding of civil society in the literature. As Thomas has well summarized, “on the one hand, the development of the illiberal strand placed civil society within a space delineated and regulated by the state; on the other hand, the liberal school of thought proposed that the state was a creation of civil society...As a result, civil society occupied a space that could not be regulated by the state.” (Thomas,

1999:114) This thesis is not going to discuss the origins of civil society but it favours the second strand of civil society in terms of regarding it as independent from the state. It would be too radical to say that the state has no influence on civil society at all. What I mean here is that the state cannot hinder the development of civil society.

There is a rich literature regarding the function of a civil society. Two of the major arguments are: first, civil society provides a public place for citizens to express their opinions; second, civil society is a classroom for citizens to learn how to participate in a democracy. As such, civil society contains a wide range of elements, such as public forum, different organizations and unions, social movements, political parties and so on. With a vibrant civil society, Hong Kong people are more likely to deliberate on the basis of reason and rationality. One of the examples of this is the preservation of Wing Lee Street. It is a very old street and in March 2009, the Town Planning Board of Hong Kong decided to preserve just three of the 12 tenements on the street. However, after listening to the opinion of the people, the government changed its decision and decided to preserve the whole street. Protest played a role in making the people's voices heard, and the government was quite open to listen to the discussions among the residents, the professional city planner, architects and others. A couple of forums had also been created to serve for deliberation purposes. It has been shown in this case that the public space in Hong Kong can be quite open for deliberation and that it has its own power.

What's more, when civil liberties such as freedom of expression and freedom of association are guaranteed, the public sphere widens up. Therefore, a virtuous circle is created. The more chances you have to join in the deliberation process, the better you are likely to perform in it. Carole Pateman argues that the labour union in Yugoslavia provided a classroom for the workers to take part in politics. It is true that people will learn from practice in how to provide convincing arguments in a deliberation process. Also, the actual practice will provide them the chance to listen to others and try to think through their positions.

Thirdly, when civil society is strong, it is unlikely for the government to easily revert back to an authoritarian mode after it becomes more democratic because citizens have a

higher awareness of these issues and tend to have more power in preventing the government from doing this. In China where civil society is relatively weak and the state has more control over the media, it is easier for the regime to revert back to a more authoritarian line. In Hong Kong, the situation is different. Information about most policies is highly transparent, thanks to the uncensored media, and if there is any policy that has a negative influence on people, there will likely be a protest against it. This is most obviously seen from the protest against article 23. It happened in 2003. The Hong Kong government proposed that article 23 should be added to basic law. It stated that:

“The Hong Kong Special Administrative Region shall enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the Central People's Government, or theft of state secrets, to prohibit foreign political organizations or bodies from conducting political activities in the Region, and to prohibit political organizations or bodies of the Region from establishing ties with foreign political organizations or bodies.” (Article 23)

This was perceived as a threat to the freedom of Hong Kong society in that the definition of the “act of treason, secession, sedition, subversion against the Central People’s Government” was unclear and interpretations could certainly differ between the Mainland and Hong Kong. As a result, 1 million people went on the street to protest against this article. Finally, this protest successfully prevented the article 23 from being enacted and it has not been re-proposed again till now.

Whether we should treat protest as a form of deliberation is arguable. But protest has backed up deliberation. It is certainly a stronger means for people to express their ideas. All the elements of civil society mentioned above have enabled deliberation to bring in more democratic elements, and prevented the regime from reverting to authoritarianism again. In addition, because more and more people were able and willing to get involved in the deliberative process, the decisions the regime made were able to gain more legitimacy.

4.2 Law

Inherited from the British tradition, Hong Kong has kept the spirit of the British common law as opposed to that of the rule of law in China. The spirit of the rule of law has

allowed Hong Kong people to respect the law morally as something that is higher than and intrinsic to oneself rather than treating it as a convenient tool. This is important because when you try to institutionalize deliberation, transparency and fairness will be guaranteed and protected, which as a result will push the deliberation to be of a higher quality.

A recent example of this is the event of poisonous milk. In China, when the parents of the affected children tried to sue the corporation and asked for compensation, they were either rejected or even accused of disrupting the social order and many got arrested. Therefore, some of them have sought, as a last solution, to sue the company in Hong Kong .

A judicial hearing is different from a public deliberation in that the decisions are based on the legal process. However, the spirit of the rule of law does increase faith and trust in deliberative institutions. When the citizens have faith in the state's institutions, they are more likely to engage in the conversation seriously and express arguments that will actually help the decision-making process. The spirit of the rule of law in this sense is an indispensable factor that holds up deliberative institutions and thus is beneficial to the democratization process.

4.3 Limited Election: A Widespread Phenomenon

As stated before, Hong Kong conducts basic elections at the district council level and for the 30 seats of directly elected members of the LegCo. Though the voting rights of the Hong Kong citizens are limited, it does not mean that they have none at all. First, the influence of this limited election lies in that the district council representatives are close to the citizens and they deliberate frequently. The district council is very community-based. Often, the result of an election depends on whether the candidate is able to spend enough time in the community listening to people, talking with them and helping them solve problems. It requires intensive deliberations with the residents living in the area about the community affairs.

As to the 30 directly elected members of the LegCo, they realize the difficulties in being elected and that they bear heavier responsibilities compared to the others because only

they are elected directly and can represent the voice of ordinary citizens. Therefore, those members are working their best to try to bring the issues that ordinary citizens care about into the legislative council and let them influence higher level decisions. The current mainstream public opinion in Hong Kong is that the political system needs to move forward towards democracy. How to reach this goal remains controversial in the society, however, no matter what proposal you are supporting, radical or moderate ones, the reform of the political system is always at the centre of attention in Hong Kong society. To reflect this mainstream public opinion, LegCo members ensure that the reform of the political system is on the agenda of discussion.

It is hard to say how much further the discussion in LegCo can lead and how much pressure the Hong Kong society can exert on the central government about political reforms, but one thing that we can tell from the limited election system is that the constant discussions and request for a more democratic system will prevent the regime from reverting to authoritarianism.

4.4 Conclusion

As argued above in part II, deliberation can foster legitimacy because it is an inclusive process that involves those affected. In addition, civil society is a strong power that ensures the deliberation can carry on. In an environment where civil liberties are present, civil society is very likely to create and expand the public spheres for deliberation. Also, deliberation can function as a classroom to educate people to be more rational and to teach them how to organize and express their arguments. Law, on the other hand, builds up citizens' trust of the regime and of its deliberative institutions. Since people in Hong Kong believe that law is unbiased and not submitted to any external pressure, they have faith in the system and as a result, are willing to get into a genuine conversation when deliberating. Last but not least, the limited voting rights can play a role as well in securing deliberation and democracy. The elections at the district council level have compelled the candidates to get closer to the residents and to deliberate with them. Directly-elected members in the legislative council have provided an outlet for the mainstream public demand for a more democratic political system. In conclusion, the synergy of the three elements---vibrant civil society and full civil liberties, rule of law

and the limited voting rights - have secured a healthy deliberative process and prevented the regime from slipping back into authoritarianism.

Chapter 5

Cases of Deliberation in Hong Kong

The word deliberation is still not widely used in Hong Kong. As discussed earlier, the deliberative process is mostly initiated by the government. It is referred to by some of the Hong Kong scholars as “public engagement” and by the government as “consultation”, rather than deliberation. I argue that we are warranted to call the process “deliberative”, and my argument has two parts. The first one is that the process we are witnessing is a mechanism that the government uses to involve the public. Deliberation in this sense is equal to a form of public engagement. But on the micro level, deliberation refers to the conversations that take place in the public space, such as in public forums, and more specifically to how the participants talk and reason, and it is not an institutional design per se. This chapter will examine deliberation at both the macro and micro levels.

5.1 Institutional Design for Deliberation in Hong Kong

In Hong Kong, normal institutions of deliberation such as citizen’s juries and deliberative polls are not implemented. However, as Hong Kong is an open society backed by a vibrant civil society, the policy making process does involve ordinary citizens. But what is the institutional design of deliberation processes in Hong Kong?

In 2007, the Bauhinia Foundation Research Centre published a report analyzing the new consultation model that emerged in Hong Kong in the last 5 years or so. Instead of calling it public deliberation, the Hong Kong scholars use the phrase “civic engagement”. Civic engagement, as described in the report, is

“an organised process where a government has taken the initiative to involve citizens in all stages of policy development, from identification of problems, to clarification of values and interests, development of policy alternatives and prioritisation of proposals.”
(Bauhinia Foundation Research Centre, vi)

There are two major points that can be drawn from the definition above. First of all, public engagement is a process initiated by the government. As stated in Chapter 2 instead of starting the whole process from the bottom as many scholars propose, a widespread deliberation that is designed for as many citizens as possible can also successfully be initiated by the government. Secondly, civic engagement should involve citizens at all stages of the policy making process, from agenda setting to the development of alternatives. However, it is vague here whether citizens are engaged in the decision making process.

There are two models concerning the institutional design for deliberation in Hong Kong. The first one is the more traditional consultation model. In this model, the government and maybe the major corporations that will carry out the future project are the initiators of the consultation process. The consultation conducted by these two parties is usually considered top-down and directive. The agenda is often set before the consultation and targeted towards specific issues.

Another institutional design for deliberation in the policy making process has three major players---- the government, an advisory group/committee and the public. The government is the one who makes the decision and also acts as a decisive body to establish the advisory group, and has the power to choose its members. The advisory group usually consists of major stakeholders, professional experts and government officials. The task of an advisory group or of the committee is usually to consult the public, to develop plans of alternatives and then give advice to the government. There is a huge difference in how the advisory group will complete this task and how much civic engagement they will commit to. Also, the component of the advisory groups varies. Some advisory groups which are considered more democratic will involve as many stakeholders as possible, but others consist mostly of government officials. This deliberation model is regarded to be more participatory, empowering, flexible and open. A good conduct of this deliberative model may involve citizens in every stage, even the earliest addenda setting of the policy making process.

Ng and Kwok have identified some important actions that the advisory group and the government take to enhance public engagement. First of all is the brainstorming session.

This session was “designed in a form of general and open minded approach in order to gauge development and design ideas, views and visions” for the policy. The second event is what they called “random sample survey and interviews”. At this stage, surveys are conducted within the targeted area, and the respondents are randomly selected. Also, interviews with the affected people are done in the local communities. The purpose of the survey and interview is to gauge the public opinion about the results generated from the brainstorming session. The third kind of action is to conduct workshop sessions. Major stakeholders from different sectors of the communities will come to attend this session and discuss about the preliminary plans developed from the opinions of the previous two sessions. The fourth event is the exhibition. In this event, the general public is shown the “preliminary design schemes or concepts devised in the workshop” and a questionnaire is given to the participants asking about their ideas about the schemes. Last but not least, public forums are held. Public forums are supposed to provide a public place to deliberate on the design schemes or concepts, and to form the preference. After this final stage, a final report will be prepared by the advisory group to inform the government (Ng and Kowk, 118).

However, this 5-stage public engagement process is not implemented completely in every policy making process, and it is executed better in certain policy areas than in others. Sometimes, the quality of the process can differ within one same policy area.

In the following part of this section, five cases will be discussed to demonstrate how deliberation works in different policy making processes. The first three cases are examples of the new deliberative model which includes the government, an advisory group/ committee and the public. The last two cases are more traditional, and the government and major companies serve as the consultative body that look to engage citizens in the policy making process.

Case 1 Environmental Policy: The Case of Municipal Solid Waste Management

Hong Kong has been living a consumption-led lifestyle for the last couple of years. Every day, tons of solid waste is sent to the three existing landfills. It was estimated in 2005 that these three landfills will be filled in 6 to 10 years and if the trend continued, an additional

400 hectares would be needed to meet waste disposal needs until 2030. However, finding such sites would be difficult because Hong Kong has limited land resources (Bauhinia Foundation Research Centre, 73).

Facing such a situation, the government has multiple tasks to perform. First of all, the government needs to raise the public awareness of a more sustainable way of life. This can be done, for example, through the education system, where the recycling issue can be brought up. Secondly, Hong Kong is in urgent need of suitable technologies and methods that could help solve the solid waste problem. Therefore, the government has to identify some of the proper methods and companies that can help them effectively deal with this. Last but not least, the government proposed incineration as one of the possible alternatives to landfill. However, there have been doubts about this proposal and even opposing voices from some of the green groups. This has led the government to realize that the decision has to be made out of a public mandate and that it should seek information, opinions and look to integrate the opinions of the most relevant stakeholders, especially the green groups.

There were three advisory groups set up regarding the solid waste management issue. The first one is the Advisory Group on Waste Management Facilities (AG hereafter), the second one is the Support Group on Solid Waste Management (SG) and third one is the Council for Sustainable Development (CSD). AG is chaired by the permanent secretary for the Environment, Transport and Works. Members of the AG and its five sub-groups come from green groups, academia, the business community, and the general community. The SG is chaired by an unofficial member and the members of the group come from green groups, academia and various professions. The CSD is chaired by the chief secretary for administration, and members come from academia, business, social service, the various bureaux of the LegCo.

I The Advisory Group on Waste Management Facilities

AG did not initiate a lot of public events. Its task was to advise the government on the establishment of assessment criteria in the provision of waste management facilities and the selection of waste management technologies and sites. (Bauhinia Foundation

Research Centre, 169) The deliberation happened between the group and some professional operators. The AG helped with the expression of interest by examining the tenders from 59 private operators. To do this, the AG first collected information and proposals from the operators, and then shortlisted the potential companies. After this procedure, it invited the shortlisted companies to submit a detailed proposal that elaborated the “options” listed in the first proposal. (Bauhinia Foundation Research Centre, 81) The result turned out to be quite positive. Members in the AG thought that there was a shared understanding of the tasks of the AG and considerable trust between the members and government officials. As well, through in-depth discussions, members arrived at a set of proposals, including the acceptance of incineration as a safe alternative to landfill. The organization could also provide enough information to the Environmental Protection Department to write up a report on the framework for municipal solid waste management between 2005 and 2014.

II Support Group on Solid Waste Management and the Council for Sustainable Development

The SG and CSD were the bodies which actually conducted public engagement and involved citizens in deliberation processes. There was a 5-stage public engagement method which allowed more ordinary citizens to get involved in the decision making process: (1) identifying pilot areas, (2) preparing an Invitation and Response (IR) document, (3) involving the community directly, (4) composing a report, and (5) inviting the government to act. During the whole process, stakeholders were invited to put forward their views on the pilot areas. Between July and December 2004, more than 17,000 copies of the IR document and 32,000 summary leaflets were distributed to the public. Over 1,900 responses were received through various channels. Representatives of the non-governmental, professional and other organizations were invited to make speeches on the issues. Moreover, the CSD hosted 4 public forums, 11 regional public workshops, a Youth Forum, and a Sustainable Development Strategy Summit. Over 1,400 people attended these events. (Bauhinia Foundation Research Centre, 81-82)

It is not hard to see that the SG and CSD had conducted wider and deeper public engagement activities. On the public engagement level, the 5-stage process enjoyed a

good reputation. LegCo members, the press and the NGO activities were mostly satisfied with this institutional setup. And according to the report, the public was quite satisfied with the policy on solid waste management that came out of the process. However, there were mixed opinions about the deliberation that took place at the committee level. One of the good things in the SG was that it had a clear understanding of the group's task, but it was not the case in CSD. Some members said that the CSD was not persistently pursuing its tasks and not urging the government to do more. Also, it was criticised for the lack of green group representation at the full council level. Some people thought that the secretariat was too directive and it was not likely to have public input when CSD had its agenda. Others however thought it provided a perfect example for a government to start a deliberative process without an agenda since different groups could raise their voices at a very early stage of identifying the pilot areas.

Case 2 Planning Policy: The case of CHarMing the Victoria Harbour-front

Sustainable development and heritage preservation issues have gained bigger attention from Hong Kong people in recent years. There is an increasing demand from the Hong Kong public to preserve cultural heritages, and to stop further reclamation of the Victoria Harbour. In responding to this, the Final Court of Hong Kong overturned the government's appeal and decided that any plans for harbour reclamation must pass the "overriding public need" test. This requires the government gain public consensus in support of the construction and also to provide convincing proof that the construction is going to benefit the public. The Kai Tak planning is one of the issues that are at the heart of the reclamation problem.

The Harbour-front Enhancement Committee (HEC) was founded in 2004 in order to advise the government on planning, land use, design, and development issues relating to existing and new harbour-fronts. It is attached to the Housing, Planning and Lands Bureau. The committee was chaired by an unofficial senior engineering professor, and there were three types of representatives—representatives nominated by various professionals, associations and advocacy groups, appointed unofficial members from a variety of backgrounds, and official members from various bureaux and departments. HEC had been playing a key role in planning the harbour-front areas and conducting

public deliberation activities. In realizing that the previous consultation paper was misleading in how it asked the committee members to choose from only three alternatives without a proper public consultation, members of the sub-committee of HEC decided to withdraw it in 2004 and start a brand new public consultation process. The new exercise relaunched by HEC was called “Harbour-front Enhancement Review—Wan Chai, Causeway Bay and Adjoining Areas”. It had three stages: the envisioning stage which engaged the public “in determining vision and key issues”, the realization stage which was for the engagement of the public on the Outline Concept Plans, and the detailed planning stage.

At the first stage, three public forums and a community workshop were held which attracted 500 participants and over 240 submissions of various ideas. In addition, a large forum—the Kai Tak Forum arranged by HEC had successfully involved the general public, commentators and collaborators in the Stage 1 Public Participation, as well as representatives from different statutory and advisory boards, local community groups and interested groups. This activity helped a lot to collect ideas to further prepare for the Outline Concept Plan. At stage 2, a public forum, three district forums and three topical forums on a specific planning project were organized. Also, a second Kai Tai forum and a site visit were held in March 2006. Two hundred people including individuals, representatives of local and community organizations, district councillors, stakeholder groups and professional bodies had joined in these two activities. At the third stage, a drafted preliminary outline development plan was formulated for further consultation. A public forum, three district forums and four exhibitions were organized to show and explain to the public about the preliminary outline. Also, discussions between officials and district councils were organized and the general public were still welcome to give their comments and express their concerns about the outline plan. (Bauhinia Foundation Research Centre, 117)

The result turned out to be quite satisfactory especially at the public level. Most members from HEC felt that major parties including the government, different stakeholders and the public had all been involved at the initial stage, and they could freely discuss without a solid predetermined agenda. And this three-stage public engagement process is regarded

as a new successful mechanism for the public participatory in future policy making process. However, there are some complaints to the committee. Some members expressed that the councils were not yet fully equipped to play a more useful role in civil engagement as some of them were not knowledgeable enough. Also, some complained about the uneven distribution of resources as it had a tendency that the government and property developers dominated them. It was said that there was a lack of trust in the committee and the government and unofficial members did not have consensus on some of the important issues. An interesting comment made by some of the HEC members was that there was a lack of grassroots and civil society representation. They noted that this was because the government tended to appoint mainly academic, business and professional members. Others however, found that because more than one third of the members were appointed by the government, they could actually build up a nice channel between the government and the committee..

Case 3: Welfare Policy: The Case of Social Welfare

Hong Kong is a wealthy city in many people's eyes, but there are still a large number of people living in poverty. Since the 1990s, there have been more and more concerns regarding the situation of poverty in Hong Kong. This issue was even worse after the Asian financial crisis in 1997. There were several NGOs and other organizations such as Oxfam urging the government to take action to alleviate or even eradicate poverty in Hong Kong, and some of the topics included establishing a minimum wage standard and maximum working hours.

The Commission of Poverty (CoP) was established in 2005 to take care of the problem. The tasks of this commission were to study and identify the needs of the poor, to make policy recommendations to alleviate poverty and promote self-reliance in Hong Kong, and encourage community engagement and cross-sector cooperation. The CoP was chaired by the financial secretary. Other official members include the head of the central policy unit and four principal officials responsible for health and welfare, home affairs, employment and education. Other unofficial members are legislators, business people, community leaders and representatives from NGOs and academics. There are two task forces, including one on children and youth, one on district-based approach and two ad

hoc groups on social entrepreneurial training and elderly poverty. (Bauhinia Foundation Research Centre, 138-139)

The CoP conducted 13 meetings and had also held numerous ones within their individual task forces and ad hoc groups. Officials from the secretariat have also met with officials and unofficial members individually. Members in CoP had also made many visits to selected districts and social services agencies. The Commission has also held forums, sharing sessions, seminars, conferences and meetings with representation of social services agencies.

The CoP did not gain as much praise as the former two advisory bodies did, though many of the members thought that the representativeness was good within the group as its members came from diverse backgrounds ranging from academics, labour unions, political parties to NGOs and the business sectors. However, many of them felt the discussions were not in-depth enough. Common knowledge was lacking among some of the members and therefore conversations were not able to go deeply. The most important issue that bothered a lot of the members was that even though the government did not pre-set the agenda, some of the items were barred from being added on it. For example, even though the minimum wage issue had received widespread concern, the government still did not allow it to be discussed. So there was a general feeling among the members that the government controlled the agenda most of the time and chose what was to be discussed, and therefore fundamental issues remained untouched. The diverse background of the members had caused some problems as well. The opinions that the NGOs held regarding the poverty problem were very different from the opinions of the government. The government tended to support a milder adjustment while the NGOs thought some fundamental changes had to be made. Consensus could hardly be reached because of those opposing positions. And besides the several meetings they held, there was nothing close to large-scale public engagement exercises.

Therefore, even though the CoP had developed a set of poverty indicators (without drawing a poverty line as such), and identified four districts that needed special attention as well as set up a fund to encourage social enterprises, the public still considered the CoP as unresponsive to the seriousness of the poverty issue. This was because the

problems that people were most concerned about were not on the agenda and therefore the public was not satisfied with the CoP's performance.

Case 4 Transportation Policy: Shatin to Central Link

The Shatin to Central link is considered to be the fourth cross harbour link in Hong Kong. It was initially proposed by the government in 2000, and two major railway companies-- Kowloon-Canton Railway Corporation (KCRC) and MTR Corporation Limited (MTRCL) were invited to submit proposals to the government, and the government would finally decide who would get the project. In 2002, KCRC gained the permission to construct the link and it was expected to be finished in 2008. However, the plan was postponed for different reasons. And because KCRC and MTRCL merged as a company later in 2007, the MTR Company made big changes to the initial plan, and had to conduct a new series of public engagement exercises and to gather public opinions on the link itself, the stations and the facilities around this link.

From July 2006, the MTR Company and some related government departments, such as the Highway Department, had started a public engagement exercise of various forms: roving exhibitions, district visits, meeting with different stakeholders and professionals, large-scale public forums and a series of leaflets introducing the link. These actions were taken in order to ensure that the link would better meet the needs of the community.

There are no advisory groups organized as the three cases above. All the public engagement exercises were done by the MTR Company and the government. There were several meetings with related 8 district councils including the Shatin district council and Wong Tai Sin district council, as well as that with the Legislative Council Panel on Transport Subcommittee on Matters Relating to Railways. What's more, there are two rounds of public forums regarding the details of the link. It majorly took the form of public forums in related areas. The public forums were served to explain in detail about the different alignment options and to collect views from the public. For example, there were three public forums about the cross harbour section taking place in later August to early September in 2009 and they were held in different venues in order to involve as many citizens as possible.

After the second round of public consultations, the report was published and the construction was expected to be completed in 2015 and 2019. Generally speaking, the MTR Cooperation and the government put a lot of effort into engaging the public in the decision making process, and their effort was recognized by the public, the LegCo and many other stakeholders. However, in the next chapter, we will take a closer look at what happened in the public forums, focusing on how people deliberated in these forums.

Case 5 Transportation Policy: The Case of Guangzhou-Shenzhen-Hong Kong high-speed rail

The Guangzhou-Shenzhen- Hong Kong high-speed railway was one of the ten major infrastructures that was announced in the policy address in 2007. The high-speed railway will connect Hong Kong, Shenzhen and Guangzhou and thus become a part of the high-speed railway network of mainland China. This railway will connect to other links outside Guangdong to other major cities in China such as Beijing and Shanghai. After the construction of the railway is completed, it will take only 48 minutes to commute between Guangzhou and Hong Kong. The construction will cost about 60 billion Hong Kong Dollars, and therefore, the decision as to whether it should be constructed and how construction should proceed is a major decision.

Normally, before such a mass construction project, the public should be well informed of what is going on and their ideas and opinions should be included in the final decision. However, the consultation and the public engagement process conducted by the MTR Corporation and the government was extremely disappointing according to most people in Hong Kong.

First of all, before announcing the plan's details, about where the railway would go and about the resumption area, the people who would be deeply affected by this construction (some villagers) were not consulted. These people had not had any chance to thoroughly know the plan, to express their interests, not to mention to participate in the policy making process. Only after it was gazetted, was the public able to express its opposition, though this was in vain. What's more, the government said it had conducted large scale consultations between May and November 2008, regarding big issues such as the benefit

and cost of the railway, where the line will go, the facilities, the stations and so on. However, according to what the website of the MTR Corporation shows, the things the MTR and the government had done were to briefly introduce the content of the construction to six district councils and three rural committees. Also, between 27th September and 7th November 2008, they arranged a roving exhibition in six metro stations (one week for each). The 8 panels only promoted the proposal of “West Kowloon as the terminal”, ignoring the controversial topics such as shared or special access, other possible terminals, or if there should be stations in the new territory area. Therefore, even if the public happened to see the exhibition, there was not much room for change and discussion. In the previous Shatin to Central link case, the public engagement exercise had lasted for more than one and a half years, as did the consultation for other major policies. However, the “consultation period” of this high-speed rail construction only lasted for half a year, and a lot of information which was controlled in the hands of the government and the MTR Corporation was seldom shared with the public. Furthermore, the government and the MTR Corporation were unresponsive to many of the ideas and opinions that the public and other experts raised.

This improper action irritated the public because ordinary citizens were not involved in the policy making process, and the construction of the railway was expensive and would violate some of the citizens’ rights and interests. Even though they knew that the policy had been gazetted, they still hoped that through protest, petition and writing articles on the internet, they would still be able to pressure the government and the members of LegCo and be able to contribute their opinions and interests to the discussions in the council. The protests against the construction of the railway or the planning of the railway attracted a lot of attention and the media reported these events in detail and as a result a heated debate was stimulated within the society. This phenomenon was rare in Hong Kong in recent years after the event of Article 23 in 2003, so that the government could no longer ignore the voices of the public. After the protests took place, the government officials showed up more in public places and were more involved in using the media to explain their plans about the railway construction. What’s more, since the funding needed to be passed in the LegCo, the related government officials, especially the Secretary for Transport and Housing, Eva Cheng, needed to explain every detail about the railway to

the LegCo members and convince the members that this railway would be beneficial to Hong Kong.

There were heated debates within the LegCo as well. Even though the appropriation bill was passed, it was done after 14 meetings and 12 periods in a total of 24 hours of discussion.

5.2 Evaluation of Deliberative Results

A rich literature has been developed in academia of how the policy was made, but there is a general consensus on the following four steps: agenda-setting, policy formulation, policy implementation and policy evaluation. Christiane Miethe identified these four stages in the Hong Kong policy making process. (Miethe, 2). This section will discuss only the first two stages as these are the two stages before the decisions are made.

- 1) Agenda setting: How the problem is perceived, what to discuss
- 2) Policy formulation: The detailed process of using normative and empirical methods of defining a policy goal, exploring alternatives to achieve the goal and then choosing a preferred policy solution that will become the basis of a public policy plan.

To evaluate how far the deliberations have reached at these two stages, some indicators are used. At the agenda setting stage, I will look at: a) how the scope of the problem is defined; b) The representativeness in the discussion. At the policy formulation stage, several elements are essential: a) Whether the information is easily accessed; b) Whether there is enough time and channels to express opinions; c) Whether the opinions are taken; d) Access adequacy of commitment including time and resources.

The result could be seen in the following table.

Table 5.1: Results of Deliberations

Stage		Case 1			Case 2			Case 3			Case 4		Case 5	
		Gov	AG&CSD	Public	Gov	AG	Public	Gov	AG	Public	Gov& Co.	Public	Gov& Co.	Public
Agenda Setting	-Identify the scope of the problem	✓	✓	✓	✓	✓	✓	✓	Complicated	Low	✓	✓	✓	Low
	- Representation: What groups should be represented and be involved in the decision making process	The government took full charge of this part	The AG and CSD chairmen had the power to nominate their members	Not involved	The government accepts an unofficial member recommended by HKU as the chair person	Group members are from different backgrounds and not only nominated by the government	Some advocacy groups had a say in the nomination	It is chaired by the financial secretary	The formation of the group is inclusive, members are from different backgrounds	Some NGOs, advocacy groups working in this area were chosen to join the commission.	The government and the MTR Cooperation conducted large-scale public forums to involve ordinary citizens with diverse background to participate.	People affected were encouraged to express their opinions.	Except some of the experts were consulted, the public was not involved into the process.	Low

Table 5.1: Results of Deliberations (Continue)

Stage		Case 1			Case 2			Case 3			Case 4		Case 5	
		Gov	AG&CSD	Public	Gov	AG	Public	Gov	AG	Public	Gov& Co.	Public	Gov& Co.	Public
Formulation	-Access to information: whether or not the influenced parties are able to know what is needed to shape their preferences and make their decisions.	The government needs the information from AG, CSD and the public to develop a suitable plan, and it is not the only information source.	The AG was able to gather information from the operators and the CSD was capable of collecting public opinions. Meanwhile, the government gives them enough support too	There was a website to realise related information, it is basically transparent.	The government did want the public know more about the plan and did not deliberative hold information of important issues.	The HEC acted properly as a bridge between the public and the government. And exchange the ideas of both sides.	The public engagement process has allowed the public to know better the plan and gain more information on it.	The government controlled the agenda tightly, and there are hardly consensus on fundamental issues. Some of the information was held within the government.	Unofficial esp members from the advocacy organizations were willing to share their views on the issues, but the official members, but it is not perceived in a same way as the official members do	Low	The government and MTR posted necessary information online for the public to read, and also explained the alternatives to the public.	The public is basically well informed.	The government did not release enough information about the rail and the alternative to the public.	The public was not able to access to adequate information except for the 8-panel exhibition in 6 MTR stations.

Table 5.1: Results of Deliberations (Continue)

Stage		Case 1			Case 2			Case 3			Case 4		Case 5	
		Gov	AG&CSD	Public	Gov	AG	Public	Gov	AG	Public	Gov& Co.	Public	Gov& Co.	Public
	-Express of opinions: . Weather there are enough time and platforms to deliberate .Weather the ideas are taken	Government officials approached the public through CSD, and had the chance to explain the initially proposed alternative: the incineration.	Members in both the AG & CSD were basically satisfied with the deliberation within the group.	The five-stage consultation process was a success		The HEC was established because such kind of policy needs a public mandate. The previous consultation paper was withdrawn because the public was not able to be involved in the decision making process.	The public was involved in every stage of the policy making process	The government did not allow some of the topics to get on the agenda, and the fundamental issues raised by some unofficial members in CoP were not discussed and several suggestions were not taken.	Some members complained that the discussions in the group are not deep enough as they do not share common knowledge.	No large-scale public engagement exercises were taken.	Public forums, exhibitions were organized.	The public was largely involved into the planning process.	No public engagement activities were conducted .	Low
	-Access to Information and Adequacy of commitment of Time and Resources		The groups spent about 2 years gathering opinions from the public, and it is supported by the government.	Over 14,000 people attended different forums.		The process has lasted for more than 2 years and numerous resources has put into it.	The public was active in the whole process. There were over 200 submissions of different ideas of the plan at the first stage, and a lot of people had attended different activities				The government and the MTR spent two years listening to the public opinions.	Many of the citizens attended the forums and exhibitions	The consultation time was much shorter than other equal policies which lasted for only 6 months.	The public could only raise their voices through protest and internet-based activities. However, this was considered the start of a new wave of social movement in Hong Kong.

Case 1 and Case 2 are cases about the environmental policy and the planning policy. Their public engagement exercises were considered successful. A lot of effort was put into these exercises and ordinary citizens were invited to participate in every stage of the decision making process from the very beginning. The reasons for the large and deep involvement were, first of all in case 1, the government really needed to gather as much information as possible since the problem it dealt with was quite technical and difficult to solve. In case 2, the decision of the final court had played an important role. The final court decided that the reclamation of the Victoria harbour must put the public interest in the first place. The endorsement of the public to such a policy was required to have the policy passed and implemented. However, the engagement activity in Case 3 on the social policy could be considered unsuccessful. Though the commission was intended to include people with a variety of backgrounds, the official and unofficial members could hardly reach consensus since they did not share common knowledge and perspectives on fundamental issues. What's more, the government was fully in charge of the agenda setting process and strictly controlled what could be discussed. Though the above three cases adopted the same model with three players—the government, the advisory group and the public playing the game together, and the advisory group acting as the bridge between the government and the public, the effects of the game were not the same with the first two being more successful. The last two cases were both about transportation—Case 4 was about the Shatin to Central Link and Case 5 was about the Guangzhou-Shenzhen-Hong Kong High-speed rail. In these two cases, there were not any advisory groups as there had been in the first 3 cases, and the public engagement process was conducted by both the government and the MTR cooperation. However, what was done for the public engagement exercise was totally different. In Case 4, a two-year-two-round consultation was conducted since 2006, and many ordinary citizens participated in the public forums, exhibitions and meetings to express their opinions. They were well informed through those channels too. But in Case 5, the consultation period lasted only for half a year, and much of the information was constrained in the hands of the government. Stakeholders did not have a chance to gain sufficient knowledge about the construction of the railway. The government's decision to ignore public opinion had angered the public and a new wave of social mobilization emerged. A lot of protests took

place in 2009 and plenty of petitions were signed. The government could no longer ignore the public voices under such pressure and it became more responsive. Also, the debates in LegCo were very fierce because some of the members thought that they were the representatives of Hong Kong citizens, and therefore they felt responsible for the government's decision to not involve citizens in the decision making process. As elected members of the LegCo, they felt they had to be accountable to the Hong Kong citizens.

5.3 Deliberation at the Micro Level

The previous section discussed the mechanisms set up for deliberation, or what the government calls—consultation, on the macro level. However, it can only prove that there are places to talk. In order to determine if it is an effective deliberation or if it is a deliberation at all, a close look at the micro level is necessary. Deliberation is generally conceptualized as a process that requires reasoning. The parties in deliberation must offer their reason and argument to convince the other parties that the alternative s/he chooses is better. There is not a fixed decision in the minds of those who come to deliberate and people can be convinced and change their minds.

The information about what exactly happened in the public forum regarding the deliberation was hard to find, and not every deliberation in every case was recorded. Because of that, this paper will only discuss some excerpts of Case 4, and assumes that they will reflect some similar phenomenon in other cases, enabling us to see a bigger picture through it.

Excerpt 1: The second round of consultation—The first public forum on the cross harbour section

[After the introduction of the link by the MRT Corporation]

MC: How many of you want this link? It is convenient, isn't it? (This question was asked several times) ... So it is time for us to discuss. Please tell us your name and what you do before your speech.

Audience 1: I am Pang Cheng-Sing, The president of the Trade and Industry Branch, New Territories. The construction of the link could gain 100% support from friends

living in the northern areas. It only shows benefits, no harms. I have several questions here: 1) This construction is 100% funded by the government. But according to our previous experiences in Hong Kong that such constructions should be funded by private corporations and allows them to run it for about 30 years. So why does the government decide to fund this link this time?(His speech lasted for about 3:05 minutes)

The official and the MTR Corporation took about five minutes and thirty seconds to answer the questions.

MC: This public forum is not just for asking questions, any opinions and ideas are welcome as well.

Audience 2: My name is Luk Kwok-Chiu, a member of the district council and the chairman of the Transportation Industry Committee. I feel that it is a very wise decision that the MTR decided to have a public consultation here tonight. Because if we only judged from the name “Shatin-Central Link”, many of the citizens will tend to think it has nothing to do with the citizens in the northern area. I believe people who came today to this public forum will know that this link is closely related to the life in that area...(he then asked 3 questions and it took more than 3:30 in total)

MC: I hope that the next audience will speak as briefly as possible.

Excerpt 2: The second round of consultation—The second public forum of the Wong Tai Sin Section

[Some of the participants who are local residents got the chance to speak, and they raised the boards that they prepared to protest against some of the arrangements of the link, then a young man, Mr Chow raised his hand to speak before the MTR and officials responded to the previous speech (Mr Chow showed up in almost every public forum and asked a lot of technical questions.)]

Chow: First of all, I would like to give two pieces of materials for your reference. [After giving the handouts] Okay, let me say something on behalf of the villagers. [Then he speaks about the result of his study and points out some of the areas that the MTR

Corporation might not have thought about before. Before he finished his speech, the other participants began to jeer, asking him to stop talking.]

Chow: Let me finish. Let me finish!

Audiences: Hey, who are you? Pass the microphone to Mr Chung (The MTR representative)! Don't let this guy speak! [But Chow keeps speaking.] You make up the story by yourself, what are you doing?

Chow: I am supporting you guys.

A: I don't need your support!

Chow: I haven't finished, don't interrupt!

A: Who are you? What's your identity? Who are you?! Where do you live? [There is some pushing meanwhile.]

Chow: Don't fight! Let me be clear [he steps on the chair]. I am not the same as them (the officials and the MTR representatives), I have no relationship with them. [Meanwhile, the other participants were trying to drag him down the chair. And it turned into a fight.]

Discussion

Shawn Rosenberg categorizes three types of deliberation. The first is what he called "conventional discourse" which aims at choosing the correct course of action and maintain conventional social relationships. It usually addresses specific topics of conversation or, secondarily addresses remarks of prior speakers. The quality of meaning constructed is based on the shared representation based on common cultural definitions or exposure to similar objective experience, and it is always acting in a form of speeches. The second type is cooperative deliberation. It is targeted at reaching agreement on the meaning and (conventional) claims in order to make effective and desirable decisions. Cooperative deliberation cares about the perspectives of each individual and participants engage in the process critically and with self-reflection. There is reasoned discussion of related claims with reference to a shared understanding of some of the fundamental values. The last type is the collaborative deliberation. Deliberations of this type aim at

choosing the correct action and use deliberation as an opportunity for a collaborative (re-) construction of meaning, selves and community. This kind of deliberation stresses on the diverse backgrounds and perspectives and does not have an intention to eliminate them. It normally does not take the form of speech, but the interlocutors between the participants. It is considered successful if the community could sustain while fostering fragmentation. (Rosenberg, 2007: 132)

From the above two excerpts we could see there are some unique features in Hong Kong deliberations. First of all, though it is called the public forum, it contains a different meaning. Public forum in our common sense is usually where all the participants are equal and free to express their opinions. However, in Hong Kong, the participants are unequal. It is more like the conventional deliberation using Rosenberg's word in that there are designated speakers on a certain topic. And the whole idea is that participants could talk to those who are going to make decisions other than exchanging views among themselves. What's more, as we could see in the case of Shatin-Central link that the ones who spoke most were not "ordinary" citizens. It does not mean that ordinary citizens were forbidden to speak, but most of the ones who spoke had some sort of title and were speaking on behalf of some committee or organization. Secondly, the participants' preferences could be shaped through the process. As we could see from the speaking of the second audience in excerpt one that many of the residents living in northern areas thought that the link was useless to them. But after coming to the forum, most of them had realized that this link would benefit them. Therefore, their preferences went from being unsure to supportive. The third point is the problem of identity and perspective. In the first excerpt, there were signs that both of the speakers tended to speak for Hong Kong people or residents in a certain area as a whole. The problem is, those people were not elected by the Hong Kong people so that they are not authorized to speak on behalf of them. What they were trying to do was to make a unanimous decision. The problem of identity stands out in excerpt two. When a speaker who does not belong to the community was trying to speak (and even be supportive to the local residents), the local people rejected him because he did not belong to their group and they even got into a fight. This was in no sense a rational and reflective deliberation as people were not able to listen to others and they held on to their initial ideas.

The above features of the discussions in the case of Shatin to Central link make the deliberation fall into a mixed type of conventional and cooperative. It is conventional because they adopted the form of making speeches and Q&A. Participants in the forums were not in an equal place, and there were not many chances in which the participants could talk to each other. However, it is also cooperative because it tries to include people from different backgrounds and have different perspectives. It is not collaborative because it did not aim at fostering fragmentation. Instead, one of its goals was to build up common understanding of a problem and seek a certain degree of consensus. The fight was a rare occurrence, but it could tell us that some of the participants were not open to other ideas but sticking to their own. If reasoning and self-reflection are not brought into the deliberation, maybe it could not be counted as deliberation at all.

5.4 Conclusion

The five cases that were discussed in the previous sections have embraced the unique elements of the half-authoritarian half-democratic regime of Hong Kong, and can explain why, in such a society, deliberation is able to occur.

One of the major reasons why deliberation could happen is because the regime needs legitimacy. Take Case 2 as an example when the HEC was established in 2004. That was one year after the massive protests against Article 23. The SAR government has lost some trust of its citizens, and as the Chief Executive and half of the LegCo members were not elected directly by Hong Kong people, the government needs to seek legitimacy from somewhere else. A large-scale of public engagement activities could exactly serve this purpose. Through various public forums and exhibitions, ordinary citizens were provided a platform to get into the decision making process. Though the decision-making power is still controlled by the government and it is hard to tell how much public opinion the government actually takes when making the decision, the influences could still be seen as one can find obvious modifications in the leaflets after the first and second round.

If the government is looking for information, the public influence will be more apparent. For instance, in the first case, the government had clear difficulties in dealing with the solid waste problem and it needed professional advice on it. Therefore, it turned to the operators with an open agenda and encouraged them to submit proposals. Of course, it is

undeniable that this kind of involvement tends to include experts in this area rather than random ordinary citizens.

Another reason why the government is willing to initiate a deliberative process is that it needs to educate its citizens. Take the same case as an example in which one of the ways to solve the problem is to raise the awareness of the public in order to change their current way of life to a less consuming one. Therefore, it had to get to the ordinary people, telling them about the environmental problem that Hong Kong is facing and making them an actor in solving the problem.

What's more, the law plays a part in the initiation of deliberation as well. In Case 2, as the final court made a decision that the reclamation of the harbour must have the public mandate, the committee had to abandon the previous consultation paper and start a new one.

Last but not the least, sometimes the government conducts deliberative activities for delivering information and to build up a consensus in society. This was evident in Case 4, when the government and MTR Corporation made great effort to convey information to the public and make sure that they knew what would happen to this link. And from such conduct, they successfully got the trust and consensus of most people living in the northern area who might initially have considered the link to be useless.

For the two cases that did not successfully involve the public, the government could not easily escape either. In Case 3, regarding the welfare policy on poverty, the government avoided any discussion about the minimum wage issue at that time. However, as the NGOs and other organizations working in this area were so active, the attention could not be shifted away. This topic had been increasingly gaining public attention and became a major focus in 2010. The government had to conduct research on the minimum wage issues and could avoid it no more. In Case 5, the consultation period was short and major stakeholders were not involved in the policy-making process. The government's decision to ignore public opinion irritated Hong Kong society. People of all walks of life went on to the street to protest and numerous petitions were signed and delivered to the government. There were heated debates on the internet as well. Facing this new wave of

social mobilization, the government could no longer be unresponsive. The officials went out more to explain to the public about this high-speed rail construction. The LegCo members felt heavier responsibilities on their shoulders and thus discussed this plan more seriously because in the end, they had the right to ban the funding bill.

It is not easy to tell in what areas Hong Kong has embraced more deliberative elements as it can be seen in this paper that, though Case 4 and Case 5 are under the same category—transportation policy, the deliberative quality was totally different. The commitment for the government to deliberate and the quality of the deliberation are more dependent on the motivation of the government—why do they need such a deliberation? If deliberation is beneficial to the government, it will probably devote more resources and effort to it. But the trend was more that the government could not make policy without the participation of the public.

Chapter 6

Conclusion

It is still hard to gather concrete evidence to prove that deliberation in Hong Kong can enhance the legitimacy of the regime, neither is it easy to conclude that deliberation can ensure legitimacy of the policy/ decision. However, one thing that can be obviously drawn from the cases is that the legitimacy of the regime and the decision will be impeded without deliberation especially for the policy that will have a wide range of influence.

Deliberations in Hong Kong do occur, but they take different forms. As stated in Part II, the deliberative process in Hong Kong is initiated by the government. Some scholars call those actions, “public engagement”, but as this paper looks at both the macro and micro level, it could be defined as a deliberative mechanism and deliberation itself. A new model was adopted in recent years which includes three parties—the government, the advisory group and the public. It is believed that this deliberative model could bring a higher-quality of discussion. There are several reasons for people to believe so. First of all, the AG is usually composed of experts and representatives from different areas, whether they are appointed by the government or the chairman of the AG itself. Therefore, the members know better about the area and will normally have more knowledge on what should be concerned. What’s more, though the AG group may be attached to some of the government bureaus, it is more neutral than the government to conduct the engagement process itself. Thus the public may feel more comfortable expressing themselves during the process. However, the forms of deliberation do not have much of an affect on the relationship between legitimacy and deliberation. Some people may worry that if the deliberation is not initiated from the bottom, but by the government, it could be considered as being not neutral enough, and the government may control the whole process. This is a real concern however, many of the members in the committee said that the initiation by the government was actually an advantage. If the

government is really committed to deliberate with the public, they will invest a lot of resources in it which cannot be compared with other bottom-up deliberative arrangements. Legitimacy thus lies rather in whether or not the deliberation is genuine and effective. The commitment is actually determined by the motivation of the government. If the government needs it, it will naturally put a lot of effort and resources into it. Also, due to the bureaucracy nature and tradition of Hong Kong, the public actually appreciate the fact that the government officials are deeply involved in the process as they are the ones who make the decision. This point can be easily told from Case 4, when some participants asked Mr Chow to pass the microphone back to the officials.

However, the fact is that the government does not always need the public backup and the information from the bottom if it wants to make the decision as soon as possible. At such moments, the policy making process will be detached from the public. But there is a trend that the vibrant civil society and the law in Hong Kong will prevent the government from being too detached from the public. In the High-speed rail case, the “fake consultation” urged the public to go on the street and pressure the government to be more responsive.

Some scholars argue that deliberation in the authoritarian regime will lead to a more authoritative government because it enhances its legitimacy. However, this is not the case in Hong Kong. Governed by a dynamic civil society, the rule of law and those limited voting rights, the door towards democratization will not be easily closed there. It is hard to predict how far it will go, but one can be confident that it will not slip into a more authoritative mode as easily as China does. The Hong Kong example contributes to the literature of authoritarian deliberation as an irreversible developmental model of it. Some people see protests as an indication of a reversed democracy because people have no other channels to express their ideas other than this. But protests could also be viewed as a guardian of democracy since it generates the power from the bottom. It is arguable that if protest can be categorized as deliberation, but it can lead to one as Case 5 shows.

At the micro level, citizens are able to bring up insightful opinions and make public speeches. People who talked were always well prepared and could provide evidence for the arguments they made. However, there are two things that are in the way of having a high quality of deliberation in Hong Kong. First of all, the participants are not in an equal

position. All of the speeches were for the officials or other decision makers sitting in the front. The communication between ordinary citizens was missing. Second, many of the citizens held too strongly to their initial opinions. This is not to say that their preferences could not be shaped through the whole process but that this is difficult. Therefore, Hong Kong citizens need to learn how to be more open to opposing ideas and reflect on their own. It is only through rational discussion that deliberation can reach a higher level.

In conclusion, there are several limitations to the deliberative practices in Hong Kong. The first one links to the fact that the deliberation process is initiated by the government, therefore, how resources are invested in the deliberation and how much of the public opinions are taken into consideration are controlled by the latter. In the AG model, the knowledge background of the committee plays an important role too as some of the committee members said that some members were not professional enough to perceive the problem. It is undeniable that the bureaucratic tradition of Hong Kong has influenced Hong Kong people's views towards experts. Hong Kong people may tend to trust the opinions of experts more than those of ordinary citizens. This has led to the result that first, Hong Kong society takes the form of a mixed conventional and cooperative deliberation where participants are not in equal positions. Second, participants are less tolerant of the ideas of the other participants. It is hard to generalize under which circumstances that the quality of deliberation will be the best. But as long as the initiator is still the government, deliberation will be better if the government wants it and is willing to commit to it. Also, if the participants come to the forum with an open mind, the deliberation among them will become more rational and of a higher quality.

China, as some of the scholars have observed, is now experiencing the same kind of deliberation as well—an authoritarian deliberation, but there is scarce literature that focuses on the micro level of the deliberation. Due to the fact that China has stricter control of the press and media, it will not be able to provide information as transparently as Hong Kong does. As sufficient information is a requisition of a high quality of deliberation, China should think of a more efficient way to deliver information, at least at the township level. The Advisory Group model can also be adopted by China for this purpose. The committee is usually composed of experts and professionals in a certain

area, and they are regarded as more neutral. Also, they will have more time to explain the real situation to the citizens. The AG model will be beneficial in the sense that China can still control some of the information that it does not want to share with the public, but at the same time make sure that the information they release is accurate and understood. What makes the biggest difference between the China case and Hong Kong case is that deliberation happens in China mostly on a lower level such as in villages and towns, but in Hong Kong, it involves the parties of the regime. Therefore, the subjects being discussed in Hong Kong are not limited to the everyday-life matter, but also those affecting the whole SAR. It is hard to say whether or not this kind of deliberation in Hong Kong will effectively enhance the legitimacy of the regime, however, with fewer layers of bureaucratic institutions, the communication between ordinary citizens and the government at the regime level will be smoother. It is unlikely that deliberation will happen at the national level in China, but it is still feasible at the metropolitan level. Hong Kong has provided a good example for a metropolitan deliberation in China, demonstrating how the government can initiate and be involved in the process of deliberation as well as providing an example of what is considered to be a successful public forum. Also, lessons can be drawn from the micro level as well, in that the involvement of people with different backgrounds does not necessarily lead to a qualified discussion. Therefore, how to bring different people together and at the same time have a rational deliberation is a challenge that both China and Hong Kong should face.

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<<http://www.youtube.com/watch?v=7eSWNWkI3IU&feature=related>>.

<<http://www.youtube.com/watch?v=J5M9Nj5TTK0&feature=related>>.