

## **Submission on the Relationship between the Government and Opposition Parties**

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### Introduction

The Research and Library Services Division of the Legislative Council Secretariat prepared a report entitled *The Relationship between the Government and the Opposition or Minority Parties* (hereafter document).

A formally recognized ruling party (or ruling party coalition) exists in Western democracies like Britain, New Zealand and the United States. There appears to be no ruling party in the Hong Kong Special Administrative Region (HKSAR).

However, it can be said that the HKSAR is currently governed by a ruling coalition made up of non-party ministers, non-party ExCo members, and the two leaders of the Liberal Party and the Democratic Alliance for Betterment of Hong Kong (DAB). Strictly speaking, neither the Liberal Party nor the DAB is the ruling party in the HKSAR. There is a ruling coalition composed of the two parties, but a ruling party does not exist in Hong Kong.

Given the fact that Hong Kong is different from Western democracies, several issues raised by the Panel of Constitutional Affairs—(1) recognition of opposition or minority parties, (2) parliamentary privileges, (3) formation and operation of the Shadow Cabinet system, and (4) the relationship between the Government and the Shadow Cabinet—perhaps deserve special treatment and consideration. Below are our views.

### (1) Recognition of Opposition or Minority Parties

As long as the HKSAR government does not want to recognize or view the Liberal Party and the DAB as the ruling coalition's parties, it seems that the recognition of opposition parties will be relatively difficult.

Recognition of opposition parties in Western democracies implies that the opposition leaders, opposition chief whip, and assistant opposition whip (the case of the United Kingdom) may receive parliamentary salaries. In the HKSAR, we believe that it is unnecessary to recognize the opposition because the opposition can be simply recognized by convention.

Moreover, the definition of opposition parties in the United States appears to be different from that in the United Kingdom. In the United States, the second largest party in the House of Representatives or the Senate is the minority party (see Legislative Council's document, executive summary). In the United Kingdom, the largest party in terms of its membership that is not the Government or in coalition with a Government party is known as the Official Opposition party. The two definitions in the United States and the United Kingdom are different. Therefore it is difficult to come up with a commonly agreed definition of opposition party.

Similarly, in the case of Hong Kong, the definition of opposition party is ambiguous; the largest party in the Legislative Council is not the ruling party.

## (2) Parliamentary Privileges

We do not see any need for parliamentary privileges to be conferred upon opposition parties.

## (3) Formation and Operation of the Shadow Cabinet

We do not see the need to form Official Shadow Cabinet, which can be an informally established by any political party that plays the role of the opposition. In other words, there can be division of labor amongst these “shadow cabinet ministers,” who need not be formally recognized. For example, each of the “shadow cabinet members” is responsible for a particular ministerial portfolio.

## (4) Relationship between the Government and the Shadow Cabinet

We recommend that the Government can regularly meet with members of all political parties, as with the present practice. This can enhance the communication gap between the Government and any opposition parties in the Legislative Council.

## (5) Other Neglected Issues

The document has neglected the role of District Councils. In fact, at the district level, an Executive Committee can be introduced to each of the eighteen District Councils. Each Executive Committee can be formed so as to govern the Council affairs. The Executive Committee can be composed of a ruling party or a ruling coalition. In other words, District Councils perhaps can consider recognizing the formation and existence of ruling and opposition parties. This will be a crucial experiment in providing a training ground for local politicians to govern district affairs, thus realizing the spirit of “Hong Kong people ruling Hong Kong.”