

A Reflection of the Legislative Council (Amendment) Bill 2003

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Judging from the figures over the past two LegCo elections (1998 and 2000), the decline of voting turnout rate in the geographical consistency (around 53% in 1998 and 43% in 2000) of the LegCo election is attributed to a number of factors. In this submission, I will focus on three aspects: problems arising from the boundary of geographical constituencies, the relaxing of election campaigning in the mass media, and the upholding of neutrality and equity of the Chief Executive and Principal Officials of the government during election campaigning.

At present, the entire Hong Kong is divided into five geographical constituencies and the number of seats is allocated according to various factors, namely (1) the distribution of population, and (2) geographical setting, (3) historical factors, (4) the presence of intra-regional connection within the designated constituency; and (5) opinions of the residents. However, it is controversial and subjective to evaluate the relative importance of the above factors. One of the controversies arising from this present arrangement is that some political parties, groups or candidates may intend to draw the boundary of the constituency in such a way that their possible hard-line supporters can be included within the constituency, thereby enhancing the chance of winning the election.¹ Additionally, it may be valid to see that the election is easily managed at the regional level; yet, we cannot neglect the fact that the choice is very

¹ See, for example, Tsang Yok-shing. "It could be much better to remain the constituency unchanged",

limited to an elector within his/her own geographical constituency. Hence, I suggest that the boundary of different geographical constituencies should be removed. *The whole Hong Kong shall be established only one geographical constituency* (i.e. the adoption of the Macau Model). An elector can cast up to 30 favorable candidates in the LegCo geographical constituency's election. This idea is very useful to increase the voting turnout rate for the following reasons:

First, electors have a number of choices that can arouse their interest in casting a vote. In case an elector is interested in certain party/political group, he/she can vote his/her favorite political party/ies and/or group/s. However, the present arrangement reveals that he/she can only choose one political party/political group within the geographical consistency he/she lives.

Second, the division of different geographical constituencies creates the wrong impression, saying that the candidate is *only* concerned about the narrow and fragmentary interests of the geographical constituency where he/she involves. With reference to campaigns organized by some candidates, most candidates are indeed strong in emphasizing the district affairs and achievements, but are vague in reflecting and proposing the solutions to cope with the general political and socio-economic affairs. As a matter of fact, the candidate should be assumed to represent the interests of *all* citizens as they should be representative to Hong Kong people, rather than to "Kowloon West residents" or to "New Territories East residents".

Another suggestion I want to make is about *election campaigning on TV and radio*. It is disappointed to see that the government is still not willing to loosen the restrictions upon election advertisement about a candidate on TV and radio. Without the mass promotion and election campaigning on TV and radio, people would find it

difficult to arouse the interest in casting a vote. In addition, relaxing the restrictions helps to increase the transparency of such candidates in addressing their ideas and proposals to the public. Furthermore, the government can impose the time and budget limit for all TV and radio advertisement for the sake of equality and equity.

Finally, we should draw the attention on the role of the Chief Executive (CE) and Principal Officials (POs) throughout the entire process of election campaigning. It is important for them to observe the principal of *neutrality*. In other words, both the CE and POs should not express their preference, regardless of covert or overt manner, to a certain political party, group and/or candidate; attend or support the formal or informal activities, visits, or meetings run by a candidate and/or his/her related political party or group; or provide the assistance in any forms to a certain candidate during election campaigning.² It should be noted that integrity of the CE and POs directly affects the perception of electors towards creditability of the election.

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² For example, Tung Chee-hwa attended the Cocktail Party for 1st May's ceremony run by the Hong Kong Federation of Trade Union in the 1998 LegCo election campaigning. For details, see Yeung Sum, "The Chief Executive should uphold the principal of equality to maintain equity of the election", <http://www.dp.org.hk/database/opress/9804035.htm> (27 April 1998).