

# **OFFICIAL RECORD OF PROCEEDINGS**

**Thursday, 24 June 2010**

**The Council continued to meet at Nine o'clock**

## **MEMBERS PRESENT:**

THE PRESIDENT

THE HONOURABLE JASPER TSANG YOK-SING, G.B.S., J.P.

THE HONOURABLE ALBERT HO CHUN-YAN

IR DR THE HONOURABLE RAYMOND HO CHUNG-TAI, S.B.S., S.B.ST.J., J.P.

THE HONOURABLE LEE CHEUK-YAN

DR THE HONOURABLE DAVID LI KWOK-PO, G.B.M., G.B.S., J.P.

THE HONOURABLE FRED LI WAH-MING, S.B.S., J.P.

DR THE HONOURABLE MARGARET NG

THE HONOURABLE JAMES TO KUN-SUN

THE HONOURABLE CHEUNG MAN-KWONG

THE HONOURABLE CHAN KAM-LAM, S.B.S., J.P.

THE HONOURABLE MRS SOPHIE LEUNG LAU YAU-FUN, G.B.S., J.P.

THE HONOURABLE LEUNG YIU-CHUNG

DR THE HONOURABLE PHILIP WONG YU-HONG, G.B.S.

THE HONOURABLE WONG YUNG-KAN, S.B.S., J.P.

THE HONOURABLE LAU KONG-WAH, J.P.

THE HONOURABLE LAU WONG-FAT, G.B.M., G.B.S., J.P.

THE HONOURABLE MIRIAM LAU KIN-YEE, G.B.S., J.P.

THE HONOURABLE EMILY LAU WAI-HING, J.P.

THE HONOURABLE ANDREW CHENG KAR-FOO

THE HONOURABLE TIMOTHY FOK TSUN-TING, G.B.S., J.P.

THE HONOURABLE TAM YIU-CHUNG, G.B.S., J.P.

THE HONOURABLE ABRAHAM SHEK LAI-HIM, S.B.S., J.P.

THE HONOURABLE LI FUNG-YING, B.B.S., J.P.

THE HONOURABLE TOMMY CHEUNG YU-YAN, S.B.S., J.P.

THE HONOURABLE FREDERICK FUNG KIN-KEE, S.B.S., J.P.

THE HONOURABLE AUDREY EU YUET-MEE, S.C., J.P.

THE HONOURABLE VINCENT FANG KANG, S.B.S., J.P.

THE HONOURABLE WONG KWOK-HING, M.H.

THE HONOURABLE LEE WING-TAT

DR THE HONOURABLE JOSEPH LEE KOK-LONG, S.B.S., J.P.

THE HONOURABLE JEFFREY LAM KIN-FUNG, S.B.S., J.P.

THE HONOURABLE ANDREW LEUNG KWAN-YUEN, S.B.S., J.P.

THE HONOURABLE CHEUNG HOK-MING, G.B.S., J.P.

THE HONOURABLE WONG TING-KWONG, B.B.S., J.P.

THE HONOURABLE RONNY TONG KA-WAH, S.C.

THE HONOURABLE CHIM PUI-CHUNG

PROF THE HONOURABLE PATRICK LAU SAU-SHING, S.B.S., J.P.

THE HONOURABLE KAM NAI-WAI, M.H.

THE HONOURABLE CYD HO SAU-LAN

THE HONOURABLE STARRY LEE WAI-KING

DR THE HONOURABLE LAM TAI-FAI, B.B.S., J.P.

THE HONOURABLE CHAN HAK-KAN

THE HONOURABLE PAUL CHAN MO-PO, M.H., J.P.

THE HONOURABLE CHAN KIN-POR, J.P.

DR THE HONOURABLE PRISCILLA LEUNG MEI-FUN

DR THE HONOURABLE LEUNG KA-LAU

THE HONOURABLE CHEUNG KWOK-CHE

THE HONOURABLE WONG SING-CHI

THE HONOURABLE WONG KWOK-KIN, B.B.S.

THE HONOURABLE IP WAI-MING, M.H.

THE HONOURABLE IP KWOK-HIM, G.B.S., J.P.

THE HONOURABLE MRS REGINA IP LAU SUK-YEE, G.B.S., J.P.

DR THE HONOURABLE PAN PEY-CHYOU

THE HONOURABLE PAUL TSE WAI-CHUN

DR THE HONOURABLE SAMSON TAM WAI-HO, J.P.

THE HONOURABLE ALAN LEONG KAH-KIT, S.C.

THE HONOURABLE LEUNG KWOK-HUNG

THE HONOURABLE TANYA CHAN

THE HONOURABLE ALBERT CHAN WAI-YIP

THE HONOURABLE WONG YUK-MAN

**PUBLIC OFFICERS ATTENDING:**

THE HONOURABLE HENRY TANG YING-YEN, G.B.M., G.B.S., J.P.  
THE CHIEF SECRETARY FOR ADMINISTRATION

THE HONOURABLE JOHN TSANG CHUN-WAH, J.P.  
THE FINANCIAL SECRETARY

THE HONOURABLE WONG YAN-LUNG, S.C., J.P.  
THE SECRETARY FOR JUSTICE

THE HONOURABLE MICHAEL SUEN MING-YEUNG, G.B.S., J.P.  
SECRETARY FOR EDUCATION

THE HONOURABLE STEPHEN LAM SUI-LUNG, G.B.S., J.P.  
SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS

THE HONOURABLE AMBROSE LEE SIU-KWONG, G.B.S., I.D.S.M., J.P.  
SECRETARY FOR SECURITY

DR THE HONOURABLE YORK CHOW YAT-NGOK, G.B.S., J.P.  
SECRETARY FOR FOOD AND HEALTH

THE HONOURABLE DENISE YUE CHUNG-YEE, G.B.S., J.P.  
SECRETARY FOR THE CIVIL SERVICE

THE HONOURABLE TSANG TAK-SING, J.P.  
SECRETARY FOR HOME AFFAIRS

THE HONOURABLE MATTHEW CHEUNG KIN-CHUNG, G.B.S., J.P.  
SECRETARY FOR LABOUR AND WELFARE

MS JULIA LEUNG FUNG-YEE, J.P.  
SECRETARY FOR FINANCIAL SERVICES AND THE TREASURY

THE HONOURABLE MRS CARRIE LAM CHENG YUET-NGOR, J.P.  
SECRETARY FOR DEVELOPMENT

DR KITTY POON KIT, J.P.  
SECRETARY FOR THE ENVIRONMENT

THE HONOURABLE EVA CHENG, J.P.  
SECRETARY FOR TRANSPORT AND HOUSING

THE HONOURABLE MRS RITA LAU NG WAI-LAN, J.P.  
SECRETARY FOR COMMERCE AND ECONOMIC DEVELOPMENT

PROF LAU SIU-KAI, J.P.  
HEAD, CENTRAL POLICY UNIT

MISS ADELINE WONG CHING-MAN, J.P.  
UNDER SECRETARY FOR CONSTITUTIONAL AND MAINLAND  
AFFAIRS

## **CLERKS IN ATTENDANCE:**

MS PAULINE NG MAN-WAH, SECRETARY GENERAL

MRS CONSTANCE LI TSOI YEUK-LIN, ASSISTANT SECRETARY  
GENERAL

MRS VIVIAN KAM NG LAI-MAN, ASSISTANT SECRETARY GENERAL

MRS JUSTINA LAM CHENG BO-LING, ASSISTANT SECRETARY  
GENERAL

**PRESIDENT** (in Cantonese): Good morning. We now continue with the debate on the Motion concerning the Amendment to the Method for the Selection of the Chief Executive.

## **MOTIONS**

### **Continuation of debate on motion which was moved on 23 June 2010**

#### **MOTION CONCERNING THE AMENDMENT TO THE METHOD FOR THE SELECTION OF THE CHIEF EXECUTIVE**

**MR PAUL CHAN** (in Cantonese): President, Honourable colleagues, Good morning. President, a fortnight ago in this Chamber, I, in great anxieties, shared with Honourable colleagues and friends in the accountancy sector my views on the Package of Proposals for the Methods for Selecting the Chief Executive and for Forming the Legislative Council in 2012 (the original package). President, the political situation on that day could be described as not seeing light in the future and walking a tortuous, never-ending path. Today, we are here in this Chamber to formally debate and vote on the two motions proposed by the Government of the Hong Kong Special Administrative Region (SAR). I am, however, in a different mood. Now, I sincerely look forward to passing, either today or tomorrow, the revised version of the constitutional reform package (the revised package) announced by the Government on Monday in this Chamber, so that the constitutional development of Hong Kong can move forward while the community of Hong Kong can be prevented from moving in the direction of splitting up and from facing serious crisis of governance and social turbulence, which would otherwise jeopardize the investment environment of Hong Kong and preclude the public from living and working in peace and contentment.

President, I wish to sincerely thank and salute the Democratic Party for bringing about a breakthrough for the constitutional reform package. I wish to salute them because they have, in fighting for the early implementation of dual universal suffrage, demonstrated untiring perseverance by still making all-out efforts despite knowing that they were attempting the impossible. I salute them for their wisdom in judging what is feasible and what is possible on the tortuous road of democracy, and for their courage in making decisions which they should made but not welcomed by some of its supporters and even allies. I believe

many members of the public will join me in expressing heartfelt appreciation and gratitude to them.

I personally think that the revised package proposed today is an improvement to the benefit of Hong Kong. In view of the criticisms in opposition of the package both inside and outside this Council, I must admit that this is a political judgment. Nobody can rightly tell today whether this will ultimately be right or wrong. I made a judgment by my conscience, having regard to the information available, my understanding of this issue, the history of Hong Kong and the Mainland, as well as my personal experience and beliefs. The success of the reform or otherwise will depend on the internal conditions in Hong Kong as well as many other factors, including the political and economic situation in the Mainland. In case anything is proven wrong in future, I believe we will still be able to promptly work in concert to make remedies. Only in this way can our society have the momentum to move forward and only in this way can there be vitality in the community of Hong Kong.

President, turning back to this motion, the development of the constitutional reform has changed dramatically over the past week. When considering how I should vote, I had made a comprehensive review in the light of the developments. Now I wish to take the opportunity of this debate on the motion concerning the amendment to the method for the selection of the Chief Executive to explain how I will handle my vote on this constitutional reform package for the purpose of keeping clear public records.

President, the Government published a consultation document in November last year. In order to enable friends in the accountancy sector to understand the views of the Government and leaders of various parties and groupings on this topic, I organized a cross-party consultative forum on political development on 23 January. Political leaders who attended the forum included several Members who are now in this Chamber, namely, Mr TAM Yiu-chung, Ms Emily LAU, Mr Alan LEONG and Mrs Regina IP, and Mr Stephen LAM, Secretary for Constitutional and Mainland Affairs, also attended the forum. Here, I wish to express my gratitude to them once again. I hoped that the forum could give friends in the sector an opportunity to understand the analyses and views of various parties and groupings on this extremely controversial issue which has struck a chord in so many Hong Kong people, and I had also taken the opportunity to collect views from members of the sector. On that day, many

friends in the accountancy sector attended the forum, and some of them had put forward some rather pointed comments and questions.

President, the Government gave a notice to this Council on 7 June that a motion on the original package would be put to vote today. I, therefore, sent an open letter to friends inside and outside the accountancy sector to share with them my observations, analyses and opinions on this package. This open letter was sent not only to the 30 000 accountants in the sector but also to over 10 000 friends outside the sector. Although I am the Member representing the accountancy functional constituency, I work in this Council also for the well-being for all the people of Hong Kong, and I am accountable to the sector as well as to the entire community.

On 11 June, I sent, through the Hong Kong Institute of Certified Public Accountants (HKICPA), electronic and printed copies of a questionnaire to 29 914 registered members of the HKICPA to fully consult the views of the accountancy sector on the original package.

The questionnaire consists of three questions, two of which are optional, while the third one is compulsory. The first two questions are "Do you prefer the development of Hong Kong's political system 'to remain where it is' or 'to move a step forward'?" and "Is the 'Political Reform Proposal' of the Government 'a step forward'?" In the third question, to which they must reply, they are requested to indicate that in their opinion, the proposed 'Political Reform Proposal' is: Acceptable/Not acceptable/Not satisfactory but acceptable/No opinion or Do not care.

Of the 29 000-odd questionnaires being sent out, we have only received 1 660 replies, representing a response rate of 5.55%. The survey results show that 80.24% of the respondents prefer the development of Hong Kong's political system "to move a step forward" and 13.13% of them prefer it "to remain where it is". Besides, 51.2% of the respondents consider that the constitutional reform package put forward by the Government is not "a step forward" while 44.64% of them consider that it is. Third, 50.9% of the respondents consider the package "not acceptable" while 48.37% find it "acceptable" or "not satisfactory but acceptable".

President, the results of the survey reflect that most of the respondents consider that the constitutional development of Hong Kong should move a step forward but at the same time, they hold that the original package introduced by the Government is not a step forward, showing the inadequacies of the package.

While the response rate of this questionnaire survey is only 5.55%, which represents a significant drop when compared to the response rate of over 10% in the survey on the 2005 constitutional reform package, and views are also quite divided this time, the survey actually has very great reference value. President, as soon as the survey results were known, I telephoned and wrote to the SAR Government to reflect the views and position of the accountancy sector on the original package and that is, if the original package to be tabled by the Government for voting by the Legislative Council would remain unchanged, the chance of its passage would not be optimistic. I urged the Government to listen to the views of the accountancy sector and improve the original package.

President, never had I thought that there could be so many twists and turns in the development. On 21 June, the Government announced that it accepted the "one-person-two-votes" revised package proposed by the Democratic Party. I had planned to conduct another round of questionnaire survey, but as some people among the 29 000-odd members of the sector have indicated that they do not receive emails, I cannot conduct a survey. If I only send out the questionnaire by emails, those members who cannot be reached by emails will be unfairly treated, and what is more, the survey results will not be credible. Judging from the response to this questionnaire survey, the results obtained from questionnaires received by mail and by emails are poles apart from each other. First, for printed copies of the questionnaire received by mail, the response rate is 10.84%, compared to only 5.47% for emails. Besides, regarding the replies made in printed copies of the questionnaire received by mail, the percentages of those supporting and opposing the package are 68.9% and 31.1% respectively; whereas for email replies, the percentages of those supporting and opposing the package are 47.8% and 51.5% respectively. Given such a small number of questionnaires received in the first survey, there could be substantial changes in the result if there would be just dozens of votes more on either side. Furthermore, if I had to send out and receive the questionnaires by mail again, the replies could not be received in time for me to decide whether I should vote for or against the package today. President, I have given a detailed account of the whole process because I still held the view yesterday that it would be good to

defer the vote to a couple of weeks later because in that case, I would have the opportunity to conduct a comprehensive survey again in my sector before I vote.

President, since no opinion survey has been conducted on the revised package in the sector to provide a basis, what do I base on in deciding whether I should vote for or against the package? President, the questionnaire on the original package and the replies to the first question in it as I mentioned earlier have, to a certain extent, served as a reference for me to decide how I should vote. It is because over 80% of the replies from friends in the sector have expressed the wish for the development of Hong Kong's political system to move one step forward, just that the original package is considered to be not moving forward enough. With regard to the revised package proposed by the Democratic Party, I personally think that it will indeed increase the democratic elements of the Legislative Council and is, therefore, moving a step forward.

On the night before last (that is, on Tuesday night), before the revised package would be put to vote, I sent an open letter to the 29 000-odd accountants through the HKICPA to explain and give an account of my consideration of the revised package as well as how I would vote on it. Over the last couple of days, my office has received emails from a lot of friends in the sector expressing their views on the revised package. Some of them — there is no way for me to ascertain the identity of the senders — claimed that they opposed the original package but welcomed the revised package, they also asked me to vote for this motion in support of the passage of this package.

President, many friends in the pan-democratic camp, including the Democratic Party, are now of the view that the revised package is worthy of consideration. Moreover, as I mentioned earlier, over 80% of the respondents in the accountancy sector consider that the development of the political system should move one step forward, while an opinion survey on the revised package previously conducted by the Public Opinion Programme of the University of Hong Kong also finds that 54% of the respondents support this package, with only 19% opposing it. Judging from public opinions and response in the community, I think Members can clearly see that it is the wish of the public for the constitutional development of Hong Kong to move one step forward and that they are calling on Members of the Legislative Council to support the most recently announced package. Given this change in public opinions, which also

spells out the wish of the people, I, being a responsible representative, will vote in support of the package.

However, President, while I said that I would support the method for the selection of the Chief Executive in 2012, I wish to reiterate two points: First, I personally think that the nomination threshold can be reduced from the current ratio of one-eighth to a one-tenth, so that people holding different political opinions can run in the election. This will not affect how I am going to vote this time, as I have taken into consideration the distribution of the political spectrum among Members of the Legislative Council in the past two or three terms, and the five new District Council Functional Constituency (DCFC) seats will be returned using a low threshold and the proportional representation system. I believe it will not be difficult for people who hold different political opinions to obtain nominations at the ratio of one-eighth of the 1 200 members of the Election Committee in future. Second, with regard to whether the 2012 Election Committee will be transformed into the nominating committee for 2017, the Deputy Secretary General of the Standing Committee of the National People's Congress, Mr QIAO Xiaoyang, has not given us a clear answer, thus arousing concern about whether screening would be conducted at the stage of the nominating committee and hence eliminating the chance for people with different political opinions to contest the election and depriving the public of choices. President, in the 2007 Chief Executive Election we saw Mr Alan LEONG and Mr Donald TSANG competing with each other and this, I think, is what the people would wish to see. Therefore, the 2017 Chief Executive Election should not, and is unlikely to, regress to a state which is even worse than a decade ago.

With these remarks, President, I support the motion.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR LEE WING-TAT** (in Cantonese): President, Members, good morning. This morning, we are here to discuss the motion relating to the selection of the Chief Executive. As the contents of the motion are not very complex and do not differ a lot from the proposals made in the last term, there are not many issues that need to be discussed. The new Election Committee (EC) members will be distributed to each sector proportionally and some will be returned through

election by District Council (DC) members from among themselves. To us, though this cannot be considered a great improvement, it is not a great regression as well.

The only point that we hope the Government would clarify is the method for electing the new representatives of DC members. At present, the representatives of DC members are returned through election by DC members from among themselves. When their number is increased, will they also return their representatives by election from among themselves, similar to the method adopted in the last term? In what way will they return their representatives from among themselves? Will they do so by "one person, one vote" or a block vote system? This will lead to changes in the composition of the EC. We in the Democratic Party certainly think that if, in our discussion on the next motion concerning the election of the Legislative Council, the Government is more inclined to adopt a system similar to a multi-seat, single-vote system for the five seats in one constituency, which means that the percentage of votes will, to a certain extent, reflect the seats obtained, this principle should also be applied to this motion, so that the electoral method will not deprive small and medium political parties of the chance to obtain a seat proportionally. In simpler terms, we should not allow any large political party to get all the seats under an electoral method.

President, I would like to respond to some people's queries against us relating to the development of democracy. I am not going to say a lot on this and so, I will make only a few points. First, many people have criticized the Democratic Party for selling out democracy in throwing weight behind this package. To them, "selling out democracy" is something which is easy to say, and pleasing to the ears too. To us, however, this is certainly not pleasing to the ears. But how should we discuss this issue? If we look at this strictly from the principle, unless you do not join this Council in the first place, once you have joined this Council, you have already made certain compromises to some extent.

I have known Mr LEUNG Kwok-hung or "Long Hair" since 1978. I have known him for a very long time. At that time I was the Vice President of the Students' Union and I was handling the incident of boat-dwellers. I was very young then. I was a young chap, so was him. I still recall clearly a scene when I, together with a group of boat-dwellers, were staging a demonstration in front of the Causeway Bay Magistrates' Court, and "Hung Chai" (*LEUNG Kwok-hung*

*junior*) was standing behind me — He is back to the Chamber now — Well, I was the person-in-charge of the Students' Union when I staged the demonstration, and he was standing behind me. We were arrested later for displaying a banner. Why do I mention this? When "Long Hair", LEUNG Kwok-hung, contested the election in the term before last, I think that was already a change on the part of "Long Hair", for it means that he has at least agreed that this Council is an acceptable avenue for putting up a fight.

Strictly speaking, this Council is not democratic, President, because there are 30 functional constituency (FC) seats. This Council is not democratic because winning a majority of seats in this Council does not give you the right to form a government, and there is also the separate voting system in this Council. Everyone who participates in this Council knows these restrictions, that is you will not become the Government, you cannot force the Government to act in the way you want it to, and your election platform is nothing more than some demands which will not become your policy agenda as the ruling party in the Government. All these are completely different from the Western society. So, when people alleged that we have made compromises over some issues, I would like to ask each and every ally of the democratic camp: Who has not thought about this when running in the election and when being elected to this Council? Have we made any compromise? Every one of us has made compromises. So, this is not a question of principle; it has even reached the extent that one can either take it or leave it.

As we all know, this Council is merely a platform for us to make our voices heard, so as to force the Government to change its policies. The public have known this point over the years. If we look at this issue from another level, should the support of this package or the participation in a certain imperfect system be taken as compromises and tantamount to selling out democracy? In the 2007 Chief Executive Election, Mr Alan LEONG ran in the election on behalf of the Civic Party, and we in the Democratic Party had nominated him. At that time, the NPC had not yet provided a timetable for universal suffrage in 2017 and 2020. Can we say that Mr Alan LEONG and the Civic Party have made compromise and that they have sold out democracy? I beg to differ. I do not think that this formula is correct. Of course, Alan knew that he would not become the Chief Executive. When he ran in the election, he said that his purpose was to make it possible for the public to participate and make their voices heard, and also to question, through this platform, how badly the Chief Executive

had performed in his governance. Alan had indeed achieved these purposes. I do not know how friends in the democratic camp think about the next Chief Executive Election. I do not think, nor do I expect, that a member of the democratic camp would become the Chief Executive. This is not a realistic expectation perhaps for a certain period of time.

In 1997, we in the Democratic Party returned to this Council, and we discussed the way forward in a discussion camp in the Chinese University of Hong Kong. Our direction is "oppose retrogression, not to withdraw". This actually does not sound too impassioned, and there is no such wording as "full democracy" or "immediate democracy". "Not to withdraw" means that we should not emigrate to foreign countries, and that we must stay in Hong Kong and uphold our position, and we should hang on so long as we are able to do so. "Oppose retrogression" means that we must resolutely oppose any undemocratic system which signifies a retrogression of freedoms, so that the existing system will not regress to a state like, with due respect, that in Macao even if there is no significant improvement.

Some young friends have said to me, "What have you achieved after working for more than two decades?" "Long Hair" was arrested that year. In 1979 when we took part in the Students' Union and fought for the benefits of the boat-dwellers, my schoolmates were arrested. Why? Because an assembly of three people — perhaps nobody will remember this ordinance — When three people assembled to discuss politics, that would constitute an unlawful assembly. At that time, 12 schoolmates of mine who were medical students in the university were arrested and hence could not become doctors. Over the past two decades or so the public have been fighting for their causes, and have they achieved any fruitful result? Yes, they have, and certainly, their success does not hinge on the Democratic Party. The minor changes that have been brought about to the freedom of speech, the rule-of-law system, freedom of the press and democratization of the institutions are all attributed to the efforts made by millions of people over the past two decades or so. It is not the case that the results can be achieved overnight. Well, can we not fight at all? Yes, of course we can, and the situation would be like that in Macao. Let us take a look at the newspapers, radio and rule-of-law system in Macao. The authorities will become very nervous even if we just put up a banner to stage a protest.

So, President, when we made overly extreme remarks, we must ask ourselves whether or not we ourselves believe what we said. Should we not think about what these people have done over the past two decades? What purposes do these people want to attain by working so hard for over two decades or so? Had there been cases of selling out or buying off, we would long have become rich, rather than being what we are like today.

President, the second point I wish to discuss is that I disagree to Mr WONG Yuk-man's saying that whether or not to accept this package is a question of principle. This is a question of direction or strategy, or at an even lower level, a question of political judgment. Whether to support or oppose democracy is a question of principle. I have discussed this question with WONG Yuk-man this year and last year. I always have discussions with him. I said, "Yuk-man, you are going in one direction, while I, LEE Wing-tat, as well as Albert HO, CHEUNG Man-kwong and the Democratic Party are going in another direction. Nobody knows whose direction will lead to success a decade or two later. Since I have chosen this path, and as my principle does not differ from yours, we should treat each other as allies on the road to democracy. This is, at most, an internal conflict among the people, it not a conflict between two enemies." Of course, I am happy to hear that many friends in the democratic camp have said that this is just a difference in strategy and direction, not a difference in principle.

To put it simply, our strategy is that after putting up the so-called street struggles for over two decades or so, we have to, at certain times, attain some results in stages through certain forms of representative assemblies or discussions and then we should extend these results. This is the basis of our reasoning. This idea is not merely a pure wish and aspiration, because in the actual proposal being put forward, 10 Legislative Council seats will be returned by direct elections. President, I am the first member of the Democratic Party who perceive this as a *de facto* direct election. Certainly, the Secretary for Justice WONG Yan-lung cannot say so, for saying so would go against the Basic Law but I do not have to care about this. President, think about this: When the democratic elements in this Council will be increased by 16.6%, can that be considered just a small step? It is 16.6%. Fred LI made a good point at the last Council meeting. Do Members think that these 10 new representatives will be the same as traditional FC Members? In fact, they are no different from we, the directly-elected Members, with regard to their election platforms, views, future

performance, and to whom they are accountable. We have come to a positive view because these 10 representatives can take this Council forward to become more democratic and more inclined to public participation, and our analysis is positive.

Some people asked whether we will be rationalizing this issue. I think we can look at any issue from two sides. Mr CHEUNG Man-kwong's constituency has an electorate of only 90 000 voters, while these representatives have 3 million voters. So, what will be their political inclination? Can they act against the wish of the majority of the people? They can do so, but they cannot be re-elected for the next term. Each Member of this Council has to go through a test once every four years and their political inclination is restricted by the next election. So, why are we confident in a democratic political system? Not because the Democratic Party will win in elections. Even Mr TAM Yiu-chung and Mr LAU Kong-wah are returned by direct elections. Members can see that over the years, their views have been very different from ours on political issues but when it comes to livelihood issues, they do not dare to stand on the side of the Government every time. My views are very different from those of TAM Yiu-chung but he is brave, for he has been gone through the test of direct elections.

Yesterday, I met a friend who said, "You people in the Democratic Party are real fools because even though you have come up with so many methods, you may not necessarily win in the election in the end." I said, "Sir, I am really sorry. We come up with this system not for our own sake." We have been putting up street struggles for more than two decades and we have reached the retirement age. We have come up with these ideas not for our own sake, but to build a solid foundation for this system, a foundation that does not change according to one's will. Why can it not be changed? When the people have tried the taste of democracy, it would be difficult to take it back.

Some people asked us why we trust the Communist Party. True enough, we do not quite trust the Communist Party. As our Chairman Albert HO has said, we have very little trust in the Communist Party. But think about this: If it wants to do something extreme, it has to pay a price for that. What things are considered as extreme? For example, the abolition of 30 directly-elected seats in the next term. Members may ask: Could this be possible? Yes, it could be. But it has to pay a price. Can it press for the enactment of legislation on the

implementation of Article 23 of the Basic Law? Yes, it can, but likewise, it has to pay a price. So, we must be rational and calm. It can do anything but why does it not do certain things? Because it has to pay too dear a price and public response would be too overwhelming. Certainly, it is very difficult for us to substantially change, in a short time, our compatriots in China who have since 1949 experienced such painful struggles as the Anti-rightist Movement and the Cultural Revolution. However, I hope that what has been done presently is only the first step. The Central Government and the SAR Government must think from this angle more and think from the public's angle, so that the administration of polices can be led by the voices of those who are relatively rational and moderate and who seldom make their voices heard in Hong Kong. Otherwise, this transient reconciliation will not be sustainable.

Thank you, President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MS MIRIAM LAU** (in Cantonese): President, today, the Legislative Council will vote on this constitutional reform package proposed by the Government. Given that the Government already announced on Monday that it agreed to further revise the original package to ensure that the package can have the support of a two-third majority of all Members of the Legislative Council, in order for the mechanism for amendment under the Basic Law to be successfully initiated, I believe the vote today will not be like applying the neutral gear and bringing things to a standstill, just as what happened five years ago. After a long delay of five years, this train of constitutional reform finally has the chance to start its engine today, heading towards the ultimate goal of universal suffrage. This is very much appreciated and supported by the Liberal Party.

It is true that there are now a lot of voices inside and outside the Legislative Council saying that despite the adjustments made, the package has remained unsatisfactory and so, they would prefer to remain stagnant rather than make mistakes, as they have put it. But even though their voices are very loud, they cannot mask the wish of the silent majority in support of the constitutional reform package. We have made continuous efforts over the past few months exploring ways to listen to the views of this silent majority. Our conclusion is that they

actually have strong views on this matter, just that they have not spoken up to make their voices heard.

Why have we come to this conclusion? It is because since the Government published the constitutional reform package for consultation in November last year, the Liberal Party has repeatedly conducted opinion surveys, hoping to find out the views of the public on the package. We have conducted five opinion surveys. In the course of the consultation exercise in April this year, we conducted two opinion surveys and later, another three were further conducted. We asked very similar questions in all the surveys and there is one basic question that we would certainly ask and that is, whether the respondent agrees that this constitutional reform package is in line with the principle of gradual and orderly progress with increased democratic elements. Among the five opinion surveys that we have conducted, apart from the one conducted in December last year which showed that slightly below 50% of the respondents supported or agreed that the package is in line with the principle of gradual and orderly progress with increased democratic elements, all the other four opinions surveys showed that over 50% of the people considered the package more democratic with enhanced democratic elements and in line with the principle of gradual and orderly progress, while only about 30% disagreed. The latest opinion survey was conducted between 18 and 21 June, and during this period of time, there was news about the Government's plan to revise the package by enhancing the democratic elements, so that non-functional constituency voters can take part in the election to return the five new Members of the District Council Functional Constituency (DCFC) by "one person, one vote". Subsequent to this news about adjustments to be made by the Government, the percentage of people who support the package and consider that greater democratic elements are included has increased to 59.3%, which is close to 60%, while those who oppose the package or disagree with it still accounted for about 30% but the percentage of people indicating that they have no comment has considerably decreased. In other words, after the revised package was introduced, many people who had not made up their mind before have come to the view that this is an acceptable package.

Speaking of the revised package now proposed by the Government, under which non-FC voters can return the five DCFC Members by "one person, one vote", which is the concept of "one person, two votes", we had actually come up with this idea during the consultation on constitutional reform last year. When,

in future, FC Members or all the Members will be returned by universal suffrage, if the FCs would wish to participate and if they are also required to meet the principle of universal suffrage, what should they do? What feasible electoral models are there?

The Liberal Party has made detailed and careful consideration in this respect and conducted consultation and opinion surveys. In one of the opinion surveys, we asked the public ..... Our questions have no presumption. But if "one person, two votes" will apply to all the people of Hong Kong, which means that in addition to the one vote in geographical constituency, a voter can have another vote to return FC Members, do the public agree that this is in line with the principle of universal suffrage? According to the survey results, 53.5% of the respondents indicated that they agreed and very much agreed with this, and only 30.2% disagreed. It means that a greater number of people think that in the FC elections, consideration can be given to adopting the electoral model of "one person, two votes". Of course, that opinion survey was conducted in December last year and at that time, our presumption was that this would be applied to FCs as one whole constituency. That said, we are still happy to see that this model can be applied even earlier to the five new DCFC seats in 2012. This is why we immediately came forth to express our support when hearing that this can be an option. Certainly, we must first resolve some constitutional issues and when these issues are resolved, we would have no doubts about this electoral model.

Yesterday, I heard Mr Ronny TONG say for the first time that the democratic camp or some members of the democratic camp did think about this "one-person-two-vote" model two years ago. I certainly understand that their idea may not necessarily be the same as ours, but the democratic camp did give consideration to this "one-person-two-vote" concept. On this point, I did hear it very clearly yesterday. Of course, Ms Audrey EU may not agree, and other parties and groupings may not agree either, but it does not matter, and this concept was indeed mentioned yesterday. When this idea is proposed, we can have more discussion on it. For instance, how should this idea be applied? What is the scope of its application? These will warrant further thoughts by Members .....

**MS AUDREY EU** (in Cantonese): I would like to ask .....

**PRESIDENT** (in Cantonese): Ms Audrey EU, what is your question? Do you wish to make clarification?

**MS AUDREY EU** (in Cantonese): I wish to raise a point of order.

**PRESIDENT** (in Cantonese): What is it?

**MS AUDREY EU** (in Cantonese): Ms Miriam LAU mentioned me in her speech earlier. Can I make clarification later?

**PRESIDENT** (in Cantonese): Is it that you have not yet spoken on this motion?

**MS AUDREY EU** (in Cantonese): No, I have not spoken yet.

**PRESIDENT** (in Cantonese): In that case, you entirely have the liberty to make comments on the remarks made by any Member in your speech.

**MS AUDREY EU** (in Cantonese): That is right. But she mentioned me in her speech earlier and what she had mentioned about me is not correct. So, I would like to clarify this point after she finished her speech.

**PRESIDENT** (in Cantonese): Ms EU, you certainly have the opportunity to make clarification because you have not yet spoken. So, please sit down now and let Ms Miriam LAU go on with her speech.

**MS AUDREY EU** (in Cantonese): Alright. But I hope to have your permission for me to make clarification after she finished speaking.

**PRESIDENT** (in Cantonese): Ms EU, please sit down. The rules relating to debates are made by this Council with very good reasons. Under the Rules of Procedure, if a Member has spoken in a debate but if what he has said is misunderstood by another Member who speaks subsequently, he can request to speak for the second time after that Member has finished speaking to clarify the part of his speech which has been misunderstood.

Ms Audrey EU, since you have not yet spoken, you entirely have the opportunity to give a detailed response during your 15-minute speaking time to the part of the speech made by Ms Miriam LAU or any other Member to which you do not agree, or to clarify the part of your earlier speech which has been misunderstood. Therefore, you do not need to request to speak for the second time. Ms Miriam LAU, please go on.

**MS MIRIAM LAU** (in Cantonese): Thank you, President. I also wish to make a clarification here. What I said just now was that ..... While you have not given Ms Audrey EU an opportunity to make clarification, she made such request perhaps because I mentioned her name earlier on. But what I said just now was, "Ms Audrey EU may not agree with me". If she really does not agree with me, she certainly can clarify her position or express her views on what I have said in her speech later.

I have spoken at some length on the opinion surveys that we have conducted only to make one point. There are now a lot of voices asking for the withdrawal of this package and giving a thumbs-down to the package but at the same time, there is a silent majority in support of the package, especially this revised package.

So, the Liberal Party supports this motion today on behalf of this majority of the people. We are also glad to see that after so many twists and turns, the moderate democrats in the Legislative Council have finally decided to stand on the same side with us by stating their position that they will vote for this package today.

Regarding this package proposed today, the first item is about the ways to amend Annex I to the Basic Law relating to the method for selecting the Chief Executive, so that it can be brought in line with the Decision made by the Standing Committee of the National People's Congress in 2007 and the Chief Executive can be returned by universal suffrage in 2017 the earliest. The Liberal Party considers that in order for universal suffrage to be implemented smoothly for returning the Chief Executive in 2017, the method for selecting the Chief Executive and the composition of the Election Committee (EC) in 2012 must be improved on the principle of gradual and orderly progress. Otherwise, if we continue to remain stagnant, there will be a lot of difficulties in implementing universal suffrage for returning the Chief Executive in 2017.

Today, although many colleagues have said that they would support the package, they are dissatisfied with it and have put forward many proposals. Similarly, the Liberal Party may not be fully satisfied with this package. We consider it more appropriate to increase the number of EC members to 1 600 in order to enhance its representativeness and legitimacy as far as possible. In fact, over the past couple of years, various sectors have continuously — I do not mean the existing FC sectors — expressed to us their wish to become FCs. Even if this may not be possible, they still hope to take part in the EC, in order to exert an influence on the selection of the Chief Executive.

It would be a good thing if members of the public can be more concerned about politics and more concerned about the election of the Chief Executive. As far as I remember, these sectors include the real estate agent sector, the insurance sector, and the security service sector. They have asked us to increase the size of EC as much as possible, so that they can take part in it. These are sectors with over 100 000 practitioners, or tens of thousand practitioners at the least. The scale of these sectors is not small at all. Regrettably, the Government has not accepted this proposal. It has only taken on board the lowest limit that we suggested in our proposal of expanding the EC to include a membership ranging from 1 200 to 1 600. Finally, the Government has only agreed to increase the number to 1 200. We consider this acceptable, for it is better than remaining stagnant. But we very much hope that in the Chief Executive election in 2017, when the EC will be transformed into the nominating committee, the Government can enhance its legitimacy by all means. The Government has accepted our proposal of adding the same number of members to each sector if the four sectors of the EC will be expanded. This is in line with the principle of balanced

participation and we consider it appropriate. As regards the proposal of including more elected DC members in the fourth sector to enhance the democratic elements, we consider that this proposal also merits our support.

However, the Liberal Party is of the view that it is very important for the democratic elements to be enhanced in a gradual and orderly manner in the transition from 2012 to the election of the Chief Executive by universal suffrage. Although the democratic elements have been enhanced, they are still inadequate. We hope that the Government can consider expanding the electorate base, which has been discussed for a long time, to enable more people to take part in the election of EC members. This can reduce queries about small circle election in the EC and facilitate the adoption of the nominating committee in the election of the Chief Executive by universal suffrage in 2017. Under the Basic Law, the nominating committee should be broadly representative. With the participation from more people, more sectors and different groups of people in the general public can be covered. Only in this way can the requirement of the Basic Law be met.

Regrettably, the Government has all along refused to broaden the electorate base of FCs. We have always proposed that the "corporate votes" be replaced with "director's/individual/executive's votes". But since the relevant development became stagnant in 2005, the Government has consistently turned its back on us, saying that nothing would be changed so long as the reform package was not passed. Even for some very humble proposals made by my sector, namely the transport sector, such as whether or not it is possible to include other votes in addition to those of organizations, or to transform these votes of organizations to corporate votes, the Government has also ignored us. If this package can be passed today, I very much hope that the Government can do more to broaden the electorate base of FCs. The excuse used by the Government last time was that it would not do anything so long as the package was not passed.

With regard to the nomination threshold for the Chief Executive Election, the level of one-eighth of EC members is maintained under the Government's proposal. We consider it an appropriate level because on the one hand, there can be adequate competition and on the other hand, it can ensure that the candidates have adequate support.

Lastly, I wish to talk about the requirement that the Chief Executive should not have any political affiliation. The Liberal Party has continuously advocated for its amendment over the years but still, the Government is not prepared to revise it. The Liberal Party has always considered that in order to smoothly implement universal suffrage for the election of the Chief Executive, it is a very important supporting measure to rationalize the relationship between the executive and the legislature, and allowing the Chief Executive to have political affiliation will help resolve the major problem now faced by the Chief Executive in the Legislative Council and that is, the Chief Executive has powers but no ballots whereas the other side has ballots but no powers, resulting in a constant deadlock in the relationship between the executive and the legislature. If the Chief Executive has political affiliation, the Government should be able to keep closer tabs on public sentiments in its governance.

President, time is up (*The buzzer sounded*) ..... Although I still have a lot to say, I have to leave it to the next part of the debate. Thank you, President.

**DR JOSEPH LEE** (in Cantonese): President, in the pan-democratic camp, I am a Member of the minority group. Why do I say so? Mr CHEUNG Man-kwong said earlier that there were some so-called small-circle elections in FCs. I am in the large circle within the small-circle election. But this large circle may be regarded as a small circle, for the number of electorate in this circle is only some 50 000 electors, which is smaller than the number of teachers in the sector represented by Mr CHEUNG Man-kwong. Over the years, I believe that the professional sector which I represent has a greater coverage than other FCs. Under the pan-democratic camp, there are the social welfare FC and education FC, as regards the health services FC, it covers 26 professions, which includes not only nurses, but also occupational therapists, physiotherapists, pharmacists, dietitians, clinical psychologists, and many others, adding up to a total of 26 professions.

The training we receive is very special. We hope that through our training, we may help people or patients in need of nursing and care services grow healthily, or be nursed back to full health. Owing to our training, we do not have a specific method that must be followed to achieve these goals, and we

will not consider other alternatives impracticable. We will make professional judgment under different circumstances. If practicable treatments or nursing options are available, we will take the situation into consideration and examine the options base on our professional knowledge and understanding. If we consider the option worth a try, we will suggest the patients or clients in need of nursing care to give it a try and tell them the steps they should take. This is the essence of our professional training. Certainly, we have a notion. We hope that our clients and patients under our care will be healthy, or they can regain their health to their previous state. This is the primary objective of our professional training.

When it comes to the fight for democracy, I recalled that in 1986, as mentioned by Mr LEE Wing-tat earlier, I was no longer a little boy but a young man. At that time, I followed some predecessors to go around Sha Tin to promote the "88 direct election" and put up banners. Back then, I did not know what it was all about, but was overwhelmed by passion. Right after graduation, I engaged in these activities. As for real participation, it should be after my participation in the FC election. It is obvious to all that FCs were just a transitional arrangement at the time. Members may query how FCs are transitional? More than 20 years have passed, how can this be regarded as a transitional arrangement? The reality is that we are still in the course of transition.

I believe among the Members in this Chamber, I think ..... I once used the following slogan when I stood for election: When I enter the legislature and the establishment, I hope that with our influence, FCs will be abolished. How can we abolish FCs? I believe when direct election and universal suffrage are ultimately implemented, FCs can be abolished. How can we make universal suffrage and direct election possible? When there is universal suffrage and direct election, it indeed reflects that Hong Kong has become a mature democratic society. This is our ideology, and rightly our principle. On the premise of this principle, we will examine the methods we can adopt to realize this ideology.

Hence, in 2004 or before, I participated in various activities, including political activities, and activities organized by trade unions or professional bodies, and we proposed that different methods might be put on trial. For this reason, I

have not drawn up any specific proposal or a proposal of my own since I joined the Legislative Council. From this perspective, I am different from others in this Chamber. They have their own proposal but I do not have mine. In my view, if certain proposals can be put on trial, why not try it out? Just have a go. I do not think my judgment is a professional one, for they are not our ..... To put it another way, my focus is not on our clients or patients, but society of Hong Kong as a whole. Be this a political game or a political activity, this involves a political judgment. After consideration, I will do certain thing if I consider my political judgment correct. As such, I have always been dubbed a follower of the main trend. A few weeks ago, the odds were 2.5 times, but it keeps changing. I think they can say whatever they like, but in my view, if certain measure is correct, why not give it a try?

In our profession, if I make a mistake and unfortunately cause the death of or injury to my client or patient, what will happen to me eventually? My licence will be revoked, and I cannot practice any longer. By the same token, I believe that in this Chamber today, if I have made a wrong political judgment, I will have to bear the political consequence of "leaving". That means I cannot be re-elected for the next term if I choose to stand for the election again. I must take this consequence, and definitely, I must have the courage to make this political judgment.

Back to this constitutional reform package, actually, some time ago, I went over a stack of newspaper cuttings, papers and articles which I kept. When the Government put forth this constitutional reform package last year, we considered the package unacceptable. The proposal was undesirable with no major amendments introduced, it might be even worse than the previous one. Hence, I decided that there was no reason for me to support this constitutional reform package. But then things changed gradually, actually the change was not significant until a few weeks ago. By then, I noticed a change. Why would I make the political judgment that this change is correct and worth trying? In fact, I joined the Alliance for Universal Suffrage in March or April or early this year. The Alliance is not a political entity, it is an organization for political actions and is composed of various community groups with different political background. The ideology of the Alliance is to strive for ultimate universal suffrage. It did put forth one point ..... In a proposal put forth in March or April — the time

when the consultation of the Government was still in progress — it was mentioned that threshold for the election of the Chief Executive by universal suffrage should not be set too high. It also proposed that it would be more desirable if all elected District Council (DC) members might join the Election Committee for selecting the Chief Executive. The Alliance had put forth these proposals. In respect of the election of the Legislative Council, the Alliance had made proposals to improve the DC package advocated by the Government. It did mention this point. Surely, friends from the Alliance had not only mentioned the arrangement for 2012, but also that for 2016, 2017 and 2020. Regrettably, the proposals were considered impracticable shortly after they were raised, and the issue was brought to a close.

However, the Democratic Party brought up that proposal again and have won the consent of the SAR Government and the Central Government, thus giving rise to the present change. Actually, some of the arrangements mentioned in the proposal have been put forth by the Alliance of Universal Suffrage. Against this background, I think I have no reason to withdraw my support for this constitutional reform package. Surely, the part relating to the method for selecting the Chief Executive now under discussion seems to be unsatisfactory, and one of our proposals of including all elected DC members in the Election Committee (EC) has not been considered. Under the present proposal, there will be an increase of 75 seats elected from and among elected DC members, 10 seats will be allocated to Members of the Legislative Council, 10 seats to members of the National Committee of the Chinese People's Political Consultative Conference and five seats to Heung Yee Kuk. If the 10 seats to be allocated to Members of the Legislative Council will be taken up by the 10 new "directly-elected" Members as mentioned by Mr LEE Wing-tat, or by Members of the Legislative Council holding "directly-elected" seats, the democratic elements have actually been increased. However, is this an improvement? Certainly, the ideal situation that we advocate has not yet been reached. As for the threshold, we hope that it can be capped at 150 persons or one-eighth of the total membership, or that a lower threshold can be adopted. This topic has already been discussed by other colleagues. I believe that in the 2012 Chief Executive election, activities similar to the debate held between Mr Alan LEONG and the Chief Executive Donald TSANG in 2007 will also be organized. Through such activities, the public will understand that in the election of the

Chief Executive, the candidates will have to come forward to face the public and explain their platform and their vision of governance. I believe the present arrangement for 2012, though falls short of our expectation and lacks a clear definition of the threshold to be adopted, is still acceptable.

Surely, the most important point is that if the entire constitutional reform package is passed this time, I think this is only a start. Our friends in the democratic camp have been stating for a long time that we should strive for a timetable, but this timetable is not drawn by us. It seems that someone else has already laid down the timetable. A roadmap is another thing we have to strive for. It seems that the first step of the roadmap has already been drawn by us and we have agreed to it. Surely, some people may disagree, saying that drawing this roadmap is a betrayal of democracy, an act of renouncing our belief. Indeed, in terms of principle, or even in terms of a political judgment, I definitely do not think that we have taken the wrong step. We have only drawn the first step. Do Members agree to take this step? Let us wait and see. But to me, I think this step is only the first step to take under the present circumstance. What we need to do is that upon the passage of the package, all members in the pan-democratic camp or everyone who wants to strive for democracy in Hong Kong must seriously discuss with the Government details of the specific arrangements and then write them down.

Some people said that "the devil is in the details". After today, I believe, or perhaps I hope, that all people striving for democracy in Hong Kong should work together to draw angels in the details instead of allowing the devils to find their way in the details. If we do not take this step, surely, we can remain on the same spot. It does not matter if we choose to do so, but we can try to figure out what should be the next step. This is also an option. Base on my professional training, when I see that there are various practicable options, I will consider putting one of them on trial. We may try out this option and see whether it is practicable. I think this is a feasible action. Nonetheless, I have to stress one point. In a mature civic society, people may have different views and opinions, but I hope people will respect each other. What I have said may not be music to your ear, but it does not matter, for it is only an opinion. By the same token, what you said may sound uncomfortable to me, but I will not attack you with abuses or vilification. These actions are utterly uncalled for. I believe, no

matter it is because we are in this Chamber or that we are in this position, we have the responsibility to let the public know what is going on and how we will head towards this direction. If we have taken the wrong direction, it does not matter, the public may simply kick us out with their votes. Or they may just say no to us and ask us not to come forward again, if so, we will surely disappear. By then, they may go for another approach. After all, with our efforts, the election of the Chief Executive should not be subject to a high threshold in 2017, nor should there be any screening mechanism. These issues have not been discussed and will be discussed in future. Under this circumstance, we may elect the Chief Executive by "one person, one vote" in 2017. As for the election in 2020, will the approach of "one person, two votes" or "one person, one vote" be adopted? I hope, after we take the first step, we can bring forth this point for detailed discussion, so that we will genuinely reach the target of implementing universal suffrage in Hong Kong.

President, I hope that this time ..... this may not necessarily be a debate but a presentation of different stances by Members. With these presentations, people in Hong Kong will have a better understanding of what is actually happening in the political arena now and how we will take the way forward. As a nurse, I hope that Hong Kong will go along the road to democracy and gain steady and healthy growth. This is our approach. Whether we have done the right thing this time, I cannot tell now. But I think upon making this political judgment, I have to bear the responsibility to follow through with the approach I consider practicable. As for the consequence, I will leave it to my electorate to decide. Thank you, President.

**DR PRISCILLA LEUNG** (in Cantonese): President, in the past decade or so, we have been trapped in a deadlock in the political arena, and after all the crux of the problem lies in the word "trust". Hong Kong fears being tricked by the Central Authorities, and the Central Authorities fear that proposals put forth by the democratic camp or other groupings in Hong Kong may be a ruse. Actually, during the discussions concerned, I notice that there was a serious lack of mutual trust between the two parties. Hence, despite the various efforts made, both sides may prefer making no changes.

Yesterday, I took out a rope — I had not finished speaking about the rope, because the President asked me not to speak on that topic, so I continue today and would expound my views. Two weeks ago, I considered that the knot in this string was a dead knot. I had really given up and considered the whole issue a dead knot. I could not do anything but let things happen, for we have to prepare for the worse in many incidents. Today, this knot has been loosened a bit, but we should not take for granted that it will be loosened up. Perhaps after some time, people may, after considering the situation, think that this is not merely an issue involving Hong Kong, or that they may query whether the package is really that good. Honestly, when we met with different groups to discuss the package, many of them had reservations. Hence, as the knot has now been loosened a bit, if we do not untie it immediately and procrastinate further, given the various political factors, the rope may pulled tight at any time and turn the knot into a dead knot again. At that time, some people may still be happy about this.

Actually, in politics or daily life, in business operations or trading, if there is no trust between people, one gets worried when he walks on the streets, and he may even worry being poisoned by his maid at home. If a person has no trust in others, when he goes out, he may fear of everything. In respect of the constitutional reform package in 2005, I was an onlooker. I learnt from the relevant figures that 60% of the public supported the package, but it was voted down by the pan-democratic camp with its bundle-up approach. Some individual Members were in a difficult position, but they had to follow the bundle-up approach. When the package was voted down, I focused my attention not on the package itself but on the situation at the time, and I found that everyone was trapped by the bundle-up approach. Hence, I believe the situation then has prompted many so-called non-affiliated people to come forward to engage in politics today. The deadlock in Hong Kong is resulted from the serious lack of mutual trust and the problem of labeling, for neither side is willing to take one step forward.

If you go to the Mainland and talk to people who care about the decisions or problems of Hong Kong, as well as persons who have all along been concerned about the constitutional reform of Hong Kong, be they academics, politicians, or even the general public or young people, many of them will ask: "Why do they regard our kindness as malice?" The Democratic Party may say that it has made great compromises, and the Central Authorities may also say so; both sides have

compromised to the greatest extent. This is the political reality. For in politics, various sides will have different political inclinations and stances, and it is for this reason that we need different representatives to voice out what we want to strive for.

This time, the Democratic Party or the Alliance for Universal Suffrage proposes that the five new FC seats be indirectly returned by "one person, one vote". The Central Authorities have already accepted this proposal. I think this is a very important opportunity, and that it does not come by easily. Many people consider that we may be going too fast in constitutional reform. For those who consider that Hong Kong has walked too fast when certain problems have yet to be solved, they indeed have their worries and reservations. However, when I see light in the compromise, I am extremely happy for I think both sides are heading towards the right track.

To ensure the healthy development of society, the steady advancement in constitutional reform, the establishment of an attractive and well-liked democratic political system, which even our motherland, China, considers worthy of drawing reference from without having any fears in it, Hong Kong should work hard and undertake the task together, and follow the mainstream and rational opinions, including that of the pan-democratic camp and the pro-establishment camp. Without these mainstream and rational opinions, the democracy established in Hong Kong may cause fear, in that our society may fall into the hands of certain radical elements, which will not only pose danger to Hong Kong, but will also do no good but harm to the democratic reform in Hong Kong.

Two political parties, the Civic Party and the League of Social Democrats (LSD) launched the referendum in five geographical constituencies early this year. I have said at the outset that this would do no good but harm to the democratic reform and constitutional reform in Hong Kong. It does not matter whether the voting rate is high or low, the action itself is a direct challenge to the bottom line of "one country, two systems" of the Central Authorities. At the time when the Basic Law was drafted, the Central Authorities had clearly stated its stance that referendum was the bottom line of "one country, two systems". But we confront it deliberately and what is the consequence of such confrontation? The Central Authorities will become more skeptical about

quicken the pace of democratization in Hong Kong. Some people from the Central Authorities even ask: Does the democratic camp aim to bring chaos to Hong Kong? Do they have any bad intention? In this connection, we cannot blame others. If these campaigns are carried out by certain political groups, the Central Authorities would wonder, "Since it has been stated unequivocally at the time that this is the bottom line of 'one country, two systems', why do they have to do so? What does democracy actually mean? Do they do so to oppose the Central Authorities or to promote democracy in Hong Kong?"

If we are one of the important stakeholders in constitutional reform, and the Central Authorities at the very least has the right to veto, should we not strive to win the trust, support and recognition from the Central Authorities? Indeed, when such a radical method is adopted to provoke the other side, causing the other side to become more skeptical, all negotiations or fights will be futile. I think it is undesirable to adopt such extreme tactics and cynical attitudes all the time. If we adopt the conspiracy theory to guess the motivation of others whenever their views are not identical — not "similar" but "identical" — to ours, we can hardly achieve anything.

At a NOW TV programme held two weeks ago, I had a discussion with a moderate academic. There was another academic who supported the referendum and was skeptical about everything. I then said that pan-democrats are skeptical of pan-democrats too. Again, this is the result of the conspiracy theory. As they consider that there is a hidden agenda behind every issue, the problem between both sides can in no way be solved. In fact, in taking the constitutional reform of Hong Kong forward, we have many ideals, but how should we take the step forward? You say this can be achieved at a single leap, but we have to consider many factors. In politics, we really have to act maturely.

Days ago, some people whom I consider are clearly in support of the five-district referendum campaign wrote articles in newspapers, claiming that the devil was hidden in the DCFCs; that this was a sharing of political loots; that if the threshold is so high as to require 50 nominations, falsehood was dressed up as truth, and they assumed that everyone, whether or not they belonged to a political party would "sell the right to make nomination at a good price". I think this approach of making "aimless attack" unfair to everyone. As I mentioned earlier,

I know that many people from the pro-establishment camp do not necessarily oppose to the direction of constitutional development, they just consider that the pace is too fast and they have much reservation about this. Is it possible for us to come into terms on all issues so fast? Why do they have to advocate this kind of conspiracy theory now?

Yesterday, why did I mention my school years — the time when I was a radical? It is actually relevant to say so, President, and I can say more about this today. It is easy to provoke young people. It is extremely easy to be "radical". In society, it is easy to "destroy" something, and you find pleasure in it. When you act "radically", many people may praise you and you may consider yourself a hero. However, for those who provoke the masses, or even provoke some high-spirited people to keep acting radically, can they really shoulder the responsibility of the consequences which may be beyond their expectation and control? My experience tells me that the so-called undertakings made at that time would turn out to be empty talks. As young people have seen nothing of life, I think we should love and care about them. We understand their passion and their concern for society. People at their age cherish perfectionism and romanticism, they like radical actions and may even admire anarchism. Back then, we considered getting married and having children were pro-establishment deeds; going to school and sending our children to schools were also pro-establishment deeds. This is because we considered everything under that system unreasonable.

About three to four weeks ago, in a hearing held at the Legislative Council, a group of Form Four students submitted their proposals. I read the proposal carefully. After the hearing, some students told me that I was the only Member who had read their proposal and asked questions about it. I notice that they are smart students. In their proposal, they requested that the premier of Hong Kong should be elected by all people in China by "one person, one vote". They also proposed that we should allocate \$60 billion to the functional constituencies for distribution among themselves, and they should be left to destroy themselves. These were written proposals and I mention them for record purpose. I asked them humbly why they would come up with such a conclusion. I do not intend to disclose my conversation with them here today. They are Form Four students from a renowned school in Hong Kong. I do not know where they got the

message that Hong Kong should have a premier elected by all people in China by "one person, one vote". Regarding their knowledge on this issue, as well as their passion, I wonder if they have been misled. They are concerned about politics wholeheartedly, and I greatly admire these young people. When we were in Form Four, we did not know much about the world, we just went camping and hiking. Young people talk about politics now. This is the difference between the youth of this generation and those in the past. They have access to a lot of information. But I told them that unfortunately, "Though you have put forth your proposal, you cannot convince those who oppose your suggestions, for there is no dialogue between both sides, and they do not understand your suggestions and ideas."

If we say that Hong Kong is advancing faster than China in democratization, I believe many people will agree. But since Hong Kong is a special administrative region of China, we also have to consider the problems that China face. China has a population of 1.3 billion, of which 80% are peasants. It has experienced many brutal political movements, and today, it is progressing steadily. Hong Kong is a much smaller place and we enjoy many favourable conditions. It is definitely possible for us to establish democracy at a faster pace, not only faster but also better. It is hoped that China would draw on the experience of democratic development in Hong Kong, and will not be scared by the term "democracy", thinking that democracy is only limited to the style adopted in Taiwan, which has only caused confrontations and a ten-year halt in economy. It makes me sad when I see young people today, more often than not, equate democracy to foul-language culture and language violence, with no respect for individual thinking and the right of expression.

May I ask those who want to strive for democracy to learn from the presidential election of the United States. When KERRY and BUSH stood for election, KERRY got more votes than BUSH, but he lost the election because the system at that time was unreasonable. However, after his defeat, KERRY advised his supporters to accept that system. He said that he respected the final decision of the judiciary and asked his supporters not to make any disturbance. Similarly, in another election, McCain was defeated by a black candidate OBAMA. At that time, many whites felt angry, but McCain, after his defeat, gave a very admirable speech. We are looking for these democratic qualities, and Hong Kong will only become admirable with these qualities. What kind of

democratic system will we choose? I think all of us in this Chamber today, as well as those staging demonstration outside, should be sharing the same ideal in an abstract context. Many of my friends on the Mainland also hope that Hong Kong can do well, for only if Hong Kong's performance is good can they follow this track. If Hong Kong is not doing well, they will also be affected.

Hence, I think we are now walking on a new road today. We may not consider this a perfect option, for it is the result of compromises and concessions. However, I would like to say that compromise is not a bad thing. At present, our judiciary system also attaches importance to conciliation. It will be great if we can take one step forward after making compromise. Compromise should not carry a negative meaning. Despite the compromise, we all know what we are striving for and whether we consider the bottom line acceptable. Today, those who stress on adopting radical means in striving for democracy should consider the question: where do they want to take Hong Kong on the road to democracy? Do they want the democratic constitutional development in Hong Kong to be disgusting and tiring instead of being attractive?

President, I so submit.

**MR JAMES TO** (in Cantonese): President, perhaps I will start with an example. Let us assume that the 2012 package is put right on the table now. I will first talk about the method for the formation of the Legislative Council. We will change the education FC seat now taken up by CHEUNG Man-kwong to a directly elected seat. In other words, there will be 31 directly-elected seats and 29 FC seats in the future. However, there is no guarantee that genuine universal suffrage will be implemented in 2017 and 2020. If you ask me whether the above package is acceptable, I think it is more acceptable than the present package that includes five new super DCFC seats. Why do I say so? For once the proportion is changed to 31 seats to 29 seats, which is around 51%, it will not go back to 30 seats to 30 seats in the next term in 2016. It is not possible for us to turn back.

However, if five super DCFC seats are added at present, the future reform will surely be based on the "one-person-two-votes" model. Moreover, the five super DCFC seats to be introduced in 2012 will reflect the problems of the 30 existing FC seats, leading to stronger opposition. Hence, I even joke that in

2016, the Central Authorities may as well turn five existing FC seats, including those representing the sectors of education, social welfare, lawyers and so on — for these sectors have the greatest number of electors — into seats returned by "one person, one vote". Eventually, the electorate base of FCs will be further expanded, and it will be difficult to have them replaced.

Some people refer this as real progress attained at a certain stage. But in the context of the election of the Chief Executive, I do not agree that it is the case. However, some people say that it will be different in future. The world will be completely different, and it may change for the worse. By then, there will be no discussion about the package. What will happen then? The real progress made at a certain stage will become real progress in the area of communication, which means negotiation is possible. In other words, there will be negotiation and access to the Liaison Office of the Central People's Government is made possible. If such is the case, real progress in the area of communication may be attained through engagement in future.

Some people say that change in quantities will bring about change in quality, so we have to trust the people. If so, are we now going from change in quantities to change in quality or *vice versa*? By creating the five new super DCFC seats, we are actually transforming the nature of FCs, bringing about changes in quantities to the 30 existing FC seats. Hence, I consider this a change from quantity to quality.

Should we trust the people or should we put them to the test? By introducing the five new super FC seats, many electors will be allowed to vote. After allowing several millions of people to vote, should those seats be abolished in 2016? This can hardly be done. We give people the impression that FCs have both merits and demerits, and that we may launch reform to turn the demerits to merits. After all, I must admit that if we gear towards this direction, assuming that my ideal genuine universal suffrage is 100 marks, the present path will lead us to get some 70 to 80 marks, provided that the Central Authorities is really willing to go towards the end of this path. When we do so, we are not trusting the people but putting them to test. We are numbing the people, using the "one-person-two-votes" approach to weaken their solidarity and motivation in striving for universal suffrage.

Some people say that "the issue of this generation should be solved by this generation". We should solve our own problems and should not leave them to the next generation. I sense that the approach now adopted by young people is really different from that of our generation. Some colleagues talked about advisory committees and drafting committee, at that time, we would engage in talks. We sat down together to discuss the issues. An official mechanism is in place, and the Chinese Communist Party or the Central Government of China would have the opportunity to solve the problem through negotiation. I really believe that the Chinese Communist Party or the Central Government of China will not change their views because of our perseverance. It is willing to accept this package this time solely because it sees that Hong Kong society needs harmony, which otherwise will make governance difficult.

Just take it as a joke. Yesterday, a veteran Member from the pro-establishment camp told me that several weeks ago, hearsay was brewing in Beijing that Rita FAN was forming her governing team. A few days ago, I happened to have the opportunity to check this issue with a government official — I will not disclose his name here — I asked him whether this was true, and he said that the rumour swept Beijing a few weeks ago.

I think this package is unacceptable. In the past few days, different people, my friends and various comrades of my party asked me if I must cast the opposing vote. My line of thought can be divided into four steps. First, in the election in 2008, I promised to strive for dual elections by universal suffrage in 2012. We conducted a survey 10 days ago, and I have been perplexed by the survey results for many days. We ask people in support of the Democratic Party in 2008 whether they would support the revised DC package, 58% said they opposed it and 20% said they supported it. If this proportion remains unchanged today, I think I am not in a position to go back on my promise at the election but can only vote against the proposal.

Yesterday, I read from *Ming Pao Daily* another survey conducted by the University of Hong Kong. The survey was conducted two to three days after our survey, and there were obvious changes in public opinions. The survey found that 64% of the people in support of the Democratic Party in 2008 supported the present proposal put forth by the Democratic Party and 34% of them opposed the proposal. When I discussed the issue with Mr Albert CHAN

in the Ante-Chamber yesterday, Mr CHAN reminded me, "Ah TO, had you said that you would support this kind of proposal in 2008, and that 34% of the electors were against this proposal, you would not be elected without the votes of these 34% electors. Will you do so then?" I responded by saying that "Politics changes." At present, the proportion is 64:34, and I think I have more room for making judgment.

The second question I have to ask is: Am I holding different views with 80% of the members or colleagues of the Democratic Party in terms of strategies, principles and routes? I conclude that there is significant difference in judgment on the strategies to be adopted. In respect of the analysis of the package, whether the proposal can encourage the public to continue to strive for universal suffrage in future, and how far can the communicative approach take us, there is significant difference in judgment on the strategic fronts. It is not difference in the principles and routes to be adopted.

It is pointed out in the *Hong Kong Economic Journal* today that the division of the pan-democratic camp is caused by the change of routing of certain people in striving for democracy and opposing communism, or that they have given up this route. I have never taken this route, so I am not troubled by this. However, yesterday, I heard the speech of Ms Emily LAU, the Vice-Chairman of our party, and I think she is honest, and I respect her honesty. When she joined the Democratic Party, I have never thought that she has already ..... perhaps she only changed her mind recently, but I never thought that she would change. I thought that with Ms Emily LAU joining the Democratic Party, she would influence the Democratic Party, and the party would persevere and take on an unswerving stance. But now Ms LAU is influenced by the Democratic Party, or that the party has caused her to change her mind. No matter how, I still have trust in them. I will never say that my comrades are untrustworthy or that they have been bought over. Had they been so, they would have got rich and affluent long time ago. So, this is definitely not the cause of the change. However, there may be other causes. For instance, some people may feel dull or tiring, like the public, after all these years, and they earnestly hope that they can find a way out. Some people may even hope that achievement can be made during his leadership, which he believes is beneficial to the public.

Lastly, I have to consider whether I should stay in the Democratic Party, and whether I will make more contribution to democracy or people's livelihood by going out. If I believe my judgment is correct, I have to consider to what extent I can bring about specific changes, and how far I can change the strategy of the Democratic Party. President, finally, I choose to stay in the Democratic Party. However, I will not only strive for democracy with the Democratic Party, I will join hands with other political parties and groupings and individuals, such as the League of Social Democrats (LSD), the Civic Party and other members of the pan-democratic camp and the public.

Today, in my conclusion, I again plead and urge Mr LEUNG Kwok-hung to withdraw his remarks against Mr SZETO Wah that "cancer is spreading to his brain". Yesterday, I pleaded him to do so. Today, I plead him to do so again in the public. Why? Even if only 0.5% of the supporters of the LSD consider this remark disgusting or decide to withdraw their support because of this, I think this will undermine the democratic force. The road to democracy should include a spectrum, I absolutely believe that my support of the referendum at the time has caused the Central Government to give serious thought of the issue. At first, I even thought that victory could be won without a battle. In other words, if I support a referendum but it turns out that a referendum deems unnecessary because the Central Government senses that a communicative approach may be possible in the situation at the time, I will not consider the referendum unsuccessful. Let me share my analysis with Members. In the election in 2008, 45% of the electors cast their votes; the voting rate of by-election is 70% in general, of which 60% belongs to the pan-democratic camp, and by multiplying the three figures, we get 18.1%. Hence, even there is no promotion on the by-election, 17.1% supporters of the pan-democratic camp cast their votes in the by-election to express their views calmly. The views of these 500 000 people should not be taken lightly.

Finally, I would like to express my complete agreement on an article published by Joseph LIAN in the *Hong Kong Economic Journal* yesterday. He considers that the shift of the Democratic Party on the spectrum will cause the road of the democratic camp ..... supporters voting for the democratic camp are offered the options of being strategic or being specific, as a result, the democratic force will grow stronger. I have to thank him for his article has enlightened me, which makes me see the brightness of the way forward.

**DR PAN PEY-CHYOU** (in Cantonese): President, after the Government proposed the 2012 constitutional reform package, it has aroused much controversy in society and the political arena. People for and against the package have heated arguments, each with their justifications. After careful deliberation, the root of the argument is the word "trust". Why do I say so?

Since the unification of Hong Kong, 13 years have lapsed. All along, the principles of "Hong Kong People ruling Hong Kong" and "high degree of autonomy" have been implemented in accordance with the Basic Law. The Central Authorities have kept its promise. Apart from the areas specified in the Basic Law, it respects the autonomy of the Hong Kong authorities in dealing with other internal matters of Hong Kong according to the law. During the 13 years, the SAR and the Central Government, as well as various local government of the Mainland have tried to co-ordinate with each other gradually in the course of implementing the Basic Law. On the whole, the promise of "high degree of autonomy" of the SAR has been fulfilled, this is a fact well recognized in the international community. Since the establishment of the People's Republic of China (PRC) 61 years ago, it has all along complied with the international agreements and covenants, winning the recognition and respect of the international community.

However, in the past, particularly when the PRC was first established, the differences in political lines and personnel struggles had brought great sufferings to the general public. Many Hong Kong people, either they themselves or their previous generation, have once been the victims of these political struggles or political instability. Many of them have overcome great difficulties to come to Hong Kong. They have been working extremely hard to build their home. For example, my parents left the Mainland some time before the liberation and came all the way to Hong Kong where they eventually settle down peacefully.

Hence, Hong Kong is really like a ship carrying a group of people who wish to find some peace in a rough and unrest sea of great times. At first, these people only regarded themselves as passengers and viewed Hong Kong as a ship that could carry them safely to the opposite shore, where they could find happiness. As time passes, these people settled peacefully here, one generation after another, and find their roots here. Hong Kong has thus become their home.

In the 1960s, the Motherland developed gradually. With the concerted efforts made by the Chinese Government and the people, the country managed to rise out of poverty and chaos, and, with the blood and sweat of the people, it has moved forward with great difficulties and progressively. As the country gets rich, the people's livelihood has also improved.

More importantly, with the development of the country, it becomes more stable politically. Certainly, in a big country like China, the rapid development would surely give rise to many major problems. However, we notice that the Government is acting proactively and making every effort to solve these problems, thereby creating favourable conditions for the progressive development of the country. As we see the country growing stronger and becoming more prosperous, we as Chinese cannot help feeling proud.

The State regards the unification of Hong Kong the most important event and is devoted to make Hong Kong, the Pearl of the Orient, shine more brightly. However, due to our own personal or our previous generation's painful experience, many Hong Kong people are wary and fear of the Central Authorities. They find the achievements accomplished by the State over the years unreal, uncertain and unconvincing.

The Central Government understands these emotional entanglements of the people of Hong Kong. Hence, it is stipulated in the Basic Law that Hong Kong will have a high degree of autonomy upon reunification, and the previous capitalist system, the various rights and way of life of Hong Kong people will remain unchanged. Most important of all, the Basic Law stipulates that the Chief Executive and the Legislative Council of the Hong Kong Special Administrative Region (SAR) will ultimately be returned by universal suffrage.

According to the spirit of the Basic Law, the constitutional development in Hong Kong should be implemented in a gradual and orderly progress. This is more than reasonable. When we examine the constitutional development of other places carefully, we will discover that gradual and orderly development will have a higher chance of success, while abrupt changes will bring uncertainties.

First, let us look at two examples of gradual progress, that is, the United Kingdom and the United States, the two pioneers of democracy.

Since the United Kingdom signed the Magna Carta (The Great Charter) in 1215, democratic ideology came into bud. In the following 800 years, the constitution system changed gradually to develop into the constitutional monarchy of today. The United States established a electoral system after the war of independence. However, when the country was first established, women and slave did not have the right to vote. Over some 200 years, the electorate base expanded gradually. To date, the constitutional systems of the two countries are still developing constantly. For instance, the power of the House of Lords of the United Kingdom has been diminishing in recent years. As for the United States, the balance of power between the President and the Parliament changes from time to time.

As for abrupt democratic reforms, there are many examples too. Although quite a number of the former colonial countries have adopted the political system of their former sovereign countries, many of these countries fail to develop progressively. More often than not, dictators would rise to power by coup d'état, causing great regression in constitutional development. These examples are ample, and I would not go into details here.

These specific examples illustrate that if constitutional reforms are carried out gradually, it will have greater chance of success. The reason is that every society has a specific model in regard to the distribution of interests, and constitutional reform will inevitably bring about changes in this area. Hence, should any changes occur, society needs time to adapt to the changes and a new balance has to be struck between different interest groups and social strata. Abrupt changes have lower chance of success. The reason is simple: the redistribution of interests brought by abrupt change comes too fast and sudden, making it difficult for various strata of society to adapt to the changes. As a result, adverse effects arise, causing political unrest.

As regards whether the model of gradual progress or abrupt changes will be more suitable for a prosperous and developed city like Hong Kong, I believe Members will have an answer in their heart.

Moreover, the constitutional development in Hong Kong must take into consideration the fact that Hong Kong is part of China under the "one country, two systems". So, constitutional development in Hong Kong is not only a matter that concerns Hong Kong, it also concerns the whole country. In developing the constitutional system of Hong Kong, the unity of the country must be maintained. Any changes that may cause division between Hong Kong and the motherland cannot and will not be accepted.

We have to stress one point. Hong Kong enjoys the right of "high degree of autonomy", which is not enjoyed by other local governments of China and overseas countries. We, being the people of Hong Kong, should treasure this right of high degree of autonomy, and respect and protect the sovereignty of the State. We should bear in mind that, in the absence of "one country", how can "two systems" exist?

In 2007, the Standing Committee of the National People's Congress decided that the SAR Government must implement dual elections by universal suffrage in a gradual and orderly manner. The election of the Chief Executive by universal suffrage can be implemented in 2017 the earliest, whereas all Members of the Legislative Council will be returned by universal suffrage in 2020. These are solemn promises. However, in order to achieve this target, all parties should trust each other and work together, so as to attain success.

However, as I mentioned earlier, many people of Hong Kong are still wary of and fear the Central Government and the SAR government, fearing that the so-called dual election is only a "bird cage within another cage" and "fake democracy". We cannot say that this kind of worry is completely unjustified. But, just imagine, if we are always suspicious, refusing to trust that the Central Government is sincere, and regard all proposals put forth as ruses and tricks, when will there be any progress?

Any complicated task can only be completed with the co-operation of the team. The acrobats in a circus is one of the good examples. Everyone participating in the performance must have the same mind and heart, complementing each other. One reaches out to hold the hands of his partner. The two must have complete trust of each other to make this extremely difficult act a success. Surely, each performer has his own deliberation, hoping to

outperform others, so as to impress the audience. However, if they do not have mutual trust and simply refuse to co-operate, no performance can be staged successfully.

The Central Government, the SAR Government and many Members from different groupings have now held out their hands. We wish that we can cast all doubts aside and co-operate to take a step forward in the constitution reform, thus bringing joy to the people of Hong Kong.

As many people have said, the revised constitutional reform package put forth by the SAR Government this time, even with the improvement proposed by the Democratic Party incorporated, is no groundbreaking reform. It is only a step along the road of constitutional development. However, the package is pragmatic, and takes an actual step ahead towards democracy. It is a package that can be accepted by various sectors of Hong Kong society.

First, District Council (DC) members of geographic constituencies are elected by the general public at district level by "one person, one vote". Some people criticize the small electorate of a constituency, and deny the public mandate of DC members. This kind of remarks is an insult to the public and an offence to democracy. These DC members are nominated by the sectors concerned, and then returned by the general voters not belonging to any FCs as Members of the Legislative Council. That means these DC members have public mandate. How can anyone deny that this system is not a step nearer to democracy?

On the other hand, this package has a significant meaning. It means that by implementing and confirming this step in constitutional reform, the foundation of mutual trust will be laid among the people of Hong Kong, the SAR Government and the Central Government. We hold our hands out to hold each other's hands tightly, each fulfilling our own duties to get the job done. From this perspective, this is indeed a groundbreaking step.

Only with mutual trust can we work together to complete the more complicated tasks to be followed, which include the review of the impact of FCs on Hong Kong society, the merits and demerits of FCs, as well as their retention and abolition. At present, society has not arrived at a conclusion on these

questions. There are people advocating the abolition of FCs, while some other people advocating the retention of FCs. We must be careful, rational and honest in discussing these issues. Only by doing so can we advance on the road to democracy step by step.

With an open attitude of discussion, honest and sincere exchanges and an approach based on facts and reasons, the spirit of democracy can be brought into full play. Besides, a democratic society must possess these elements. On the contrary, some people scold and ridicule those holding opposing opinions under the guise of democracy. They just adopt an attitude of "those who submit will prosper and those who resist shall perish". What these people have done definitely cannot reflect the spirit of democracy. They are only presenting the temperament of a dictator.

As an old saying goes, "A thousand-mile journey is started by taking the first step". Since the reunification, the ship named Hong Kong is destined to gear in the direction of democracy. Today, let us be united, just act now in one heart by weighing the anchor and untying the anchor cable to set sail. We may on the one hand draw on the experience of our predecessors, and sort things out through discussions on the other, sailing towards the destiny of universal suffrage.

I would like to recite a poem of LI Bai, *Early Start from Baidi City* which I learnt in my primary years. The poem was written in spring, the second year of the Emperor Qianyuan. At that time, LI Bai was sent into exile in a place called Yelang because of the An-shi Rebellion. When he arrived at Baidi city, the Sichuan area at present, he was granted an amnesty. LI Bai was filled with joy and surprise, and he immediately took a boat down to River Jiangling. The poem was written during this journey. The poem reads, "At daybreak I leave Baidi amidst clouds aglow, a thousand miles to Jiangling is a mere day's flow. Whilst monkeys cry incessantly from bank to bank, I've skiffed past a myriad mountains row after row."<sup>(1)</sup> I would like to share this poem with the President, colleagues, government officials and the people of Hong Kong as an encouragement.

---

(1) <<http://chinesepoemsinenglish.blogspot.com/2008/01/tangs-poems.html>>

With these remarks, I, on behalf of the Hong Kong Federation of Trade Unions, support the motion proposed by the Government.

**DR LAM TAI-FAI** (in Cantonese): President, it is a fact that there are many voices in society calling for the abolition of functional constituencies (FCs) and such voices are even getting louder and louder. This is a fact. Therefore, it is only understandable that some FC Members speaking here these two days have been greeted with boos outside this building.

However, surprisingly, I also heard people booing outside when Members of the democratic camp spoke yesterday. This shows precisely that things in the world are capricious. Politics are unpredictable and hard to foresee, just like the weather outside, sometimes sunny and sometimes rainy.

President, I believe that the voting result on the method for selecting the Chief Executive today is very much a forgone conclusion. I do not want to, nor do I still need to, say too much on it. Rather, I wish to say a few words on my personal feelings about the approach or practice adopted by the Government to handle the present constitutional reform package. Maybe, some members of the public also feel the same way as I do. President, in the colonial times, Hong Kong people simply had no say about who should be appointed the Governor. Election of the Governor by "one person, one vote" was totally beyond anyone's imagination. It is now 13 years after the reunification, and with the protection of the Basic Law, it can be said that there are now more options for us. But contrary to expectation, we have been having endless disputes over the constitutional system, and social conflicts have been intensifying to the extent of generating a confidence crisis. Many people do not trust the SAR Government and the Central Authorities. Recently, an opinion poll conducted by The University of Hong Kong shows that Hong Kong people's confidence in the Central Authorities, the SAR Government and "one country, two systems" has dropped to a record-low in years. Efforts have been made in respect of constitutional reforms for many years, but it is still very difficult for Hong Kong's political system to make any slight headway. Marking time is definitely undesirable to Hong Kong. Many people have started to question whether it is after all possible to implement "one country, two systems" and how "Hong Kong people ruling Hong Kong" will end up.

President, why do the public and many political parties and groupings want to have a sound system for electing the Chief Executive? The reason is that they hope to identify a competent Chief Executive to run Hong Kong. But does it mean that a sound electoral system will necessarily enable us to select an outstanding person to run Hong Kong? The question is whether there are any such outstanding persons in Hong Kong capable of running the SAR. Is it really true that once there is a satisfactory system, outstanding persons will automatically emerge? Is it really true that once the people are given the chance to choose, they will willingly accept whoever is elected the Chief Executive, without raising any grievances? Frankly speaking, we may not necessarily have people of such high calibre. Among the 1.3 billion people in China, it is still impossible to identify a good coach capable of bringing our national soccer team to the World Cup Final, right? I am of the view that besides leadership ability, the Chief Executive must listen to different voices and aspirations. This is most important. If the Chief Executive only hears fine-sounding or flattering words, we will be in a very unfortunate situation. Today, the popularity rating of the Chief Executive is so low that I frankly do not know whether this is attributable to his personal problems or his lack of ability. I dare not make any rash judgment. However, I have indeed wondered whether it was right for me to vote for him then, in particular, he is so indifferent to the industrial development of Hong Kong. He has even failed to effectively tackle the simple issue concerning section 39E of the Inland Revenue Ordinance, thus inflicting endless sufferings to people in the sector. However, I am sure that the issue concerning section 39E should have nothing to do with the ability of the Chief Executive himself because since he can even ask the Central Authorities to help him tackle the issue of constitutional reform, it does not stand to reason that he cannot tackle section 39E. I believe that it is mainly because his team has not seriously ..... I am responding to the words of "Big Guy". I believe that his team has not tried seriously to help, thus inflicting such harm on and caused so many grievances among my sector.

President, a couple of days ago, the Chief Executive remarked openly in this Chamber that the greatest impression he has over the past few months was that we have to be on the same boat in the course of promoting democracy. I of course hope that the boat mentioned by the Chief Executive is Noah's Ark. As such, all Members can board the Ark and promote democracy altogether. However, my perception is that the boat he mentioned is just a double kayak, for

the democratic camp and him only. As for LAU Kong-wah of the Democratic Alliance for the Betterment and Progress of Hong Kong, he cannot even get anywhere near the aft of the boat. The most that we independent Members can do is to give cheers and applause. If it is really just a kayak, what then is the point of asking so many people to involve in the "Act Now" campaign? Am I correct? In this current legislative session, the Chief Executive has met with us, the five independent Members, for less than one hour. Almost a year has passed since the beginning of the current legislative session, it was not until last week that he called us for a meeting with him. Even if the Chief Executive does not regard us as people on the same boat, there is no harm for him to listen more to people's views at ordinary times, right?

Speaking of the Government's tactic of negotiating with political parties this time, many members of the public and I am not quite so satisfied. The reason is that it still failed to reach any agreement with the democratic camp even after many rounds of negotiations, and in the end, the Liaison Office of the Central People's Government in the HKSAR (the Liaison Office) had to step in and send a high-profile invitation to the Alliance for Universal Suffrage and the democratic camp for negotiation. And, it was only at this point that people started to see a gleam of hope. Some people thus started to doubt the competence of the SAR Government. Others also wonder why we could only see people from the Liaison Office meeting with representatives of the Alliance on television, and why no one from the SAR Government were involved to convene a tripartite meeting. I did not know whether that was because ..... as I could not see behind the camera, I had the feeling that the SAR Government was being marginalized. I fear that once an example is set, some people will bypass the SAR Government and seek to negotiate with the Central Authorities and the Liaison Office direct whenever there are any major problems, issues and difficulties in society. This is an undesirable example. I do not know whether the governing authority of the SAR Government will be affected, nor do I know whether there will be any other negative impacts. The worst thing is that the Liaison Office will thus be dragged into the scene, leading to the misunderstanding that it is the second governing team in Hong Kong. This will adversely affect the implementation of "one country, two systems", "Hong Kong people ruling Hong Kong" and "a high degree of autonomy".

I myself used to be in the marketing business as well. To me or members of the public, the Government's marketing tactic this time is rather hard-selling. Throughout the course of marketing, it has not tried to enhance, as far as possible the public's understanding of the content of the package, its direction, as well as its merits and demerits. Strictly speaking, some people really think that society will be split up, thus driving all to the two extremes. This can be evidenced by the speeches delivered by Members in these two days. I really do not wish to see any confrontation in society.

Actually, I have recently visited local communities and according to my observation and understanding, many people simply do not know the content of the constitutional reform package. They only know that they are requested to "Act Now", "Act Now". I wish to tell a true story here. One day, I met a Chaozhou native — I am really not sure whether he is a Chaozhou native or he is from the Mainland. He said, "Act Now? What does that mean? Flee now?". He simply did not know the message behind "Act Now". It was you, Andrew CHENG. I remember that it was you. I cannot be wrong. It was you. The purpose of conducting publicity activities in local districts should be to raise people's civic awareness, helping them to understand the package and the facts. The chanting of slogans alone just will not do. Actually, many students really do not quite understand the content of the package. In this regard, I hope the Government can realize that hard-selling cannot serve to proactively educate the public on the content of the constitutional reform package and will not make them realize how we can take a step forward in the course of democratization. Frankly, such an approach is somehow irresponsible.

Many people criticize that the Chief Executive and his principal officials seldom visit local communities, but this time, in order to canvass public support, they have suddenly become active and used loudhailers to voice their message. How did such acts differ from putting up shows? Some people have even commented, "Is filial piety all about taking your mother to a restaurant on Mother's Day?" Well, we should take our mother to restaurants at ordinary days. In other words, the Chief Executive and his principal officials should visit local communities more often during other times. This is a fact.

Actually, marketing a policy is a long-term task to be undertaken by government officials. This is a job that can only be accomplished bit by bit,

especially in the case of promoting policies with far-reaching consequences. In cases where it is very difficult to forge a consensus in society, government officials must act in advance, spend more time and reach out more, so that more people can understand the policies in question. Therefore, many people do not quite understand why the Chief Executive should have arranged a televised debate. Many people are of the view that if he really wants the public to have a better understanding of the constitutional reform package, he should deliver a simple speech on television, rather than taking all the trouble to invite a Member to a face-to-face debate.

Actually, as shown by some opinion polls, there has been a drop in the popularity rating of the package since the holding of the debate. To some, this may be very disappointing. Actually, had the Chief Executive chosen Albert HO for the debate on 17 June, the outcome today would have been better and more satisfactory. Therefore, choosing one's opponent in a debate does require some techniques.

Back to the issue of trust, I agree very much to the view of Elsie LEUNG. If there is no mutual trust, it is pointless to repeat something a thousand times. But why is there the absence of any mutual trust in the very first place? Priscilla LEUNG has expressed lots of opinions, and I suppose the blame should go to all the sides involved. I do not know ..... today, many people have questioned whether there is any promises made between the democratic camp and the Central Authorities, and the same question was also raised yesterday. I am an outsider, so I naturally do not know whether there are any promises. In any case, if there is really a promise, I hope that both sides can honour it because Chinese people have always upheld the importance of keeping one's promises. The honouring of promises forms the basis of mutual trust and serves a manifestation of one's integrity.

The Government frequently says that trust will make one's dream come true. This is right. I frequently say that Chinese people attach very great importance to "acquaintance". When two people meet more frequently, when they have more communications, they will have mutual trust. In that case, it is a good idea to issue Home Visit Permits to pan-democratic Members again, so that they can return to China to gain a better understanding of the country and have more communications with the people there. In this way, mutual trust can be

enhanced. They will then realize that the Central Authorities are well-intentioned towards Hong Kong, that the Central Authorities want to support Hong Kong, and that the only problem may just be their lack of trust and understanding.

Besides, I also wish to discuss the Government's proposal on the method for electing the Chief Executive. As mentioned by Ms Miriam LAU just now, I very much hope that the rule forbidding the Chief Executive to have any political affiliation can be abolished. My opinion is that if the Chief Executive does not belong to any political party, he will have no voting support at all. To put it more bluntly, he can only rely on "Grandpa" for voting support. Honestly, it will thus be very difficult for him to govern, and it will not be easy for him to get the support of any political parties either. This will deprive many outstanding political party members or people aspiring to pursue a political career of any opportunities. Therefore, I hope the Government can consider the possibility of abolishing the rule forbidding the Chief Executive to have any political affiliation.

I strongly support the expansion of the Election Committee from 800 members to 1 200. This can definitely enhance the representativeness of the Election Committee. Some hold that it is best to increase the membership to 1 600. Surely, I will not object to this idea.

I have also thought about the new seats in the fourth sector (the political sector), that is, the 100 new seats to be created. Since the Government stresses that it wants to introduce more democratic elements, I think it may as well make the whole thing more complete by allocating all the 100 new seats to elected District Council (DC) members. As originally proposed, only 75 new seats are to be allocated to elected DC members, and some of the remaining seats will be allocated to new Legislative Council Members. As mentioned by Ms Cyd HO yesterday, by the time of the Chief Executive Election, there will only be 60 seats instead of 70, right? There will be extra seats. Besides, several seats will be allocated to the Heung Yee Kuk and to the National Committee of the Chinese People's Political Consultative Conference (CPPCC). As both CPPCC members and appointed DC members are appointed, in order to take the interests of the whole into account, CPPCC members should also be excluded from the election

of the Chief Executive. Therefore, it is best to allocate all the 100 new seats to elected DC members. In this way, there will be more democratic elements.

The current 60-strong membership of the Legislative Council (I have checked the relevant record) has been in existence for 20 years. Therefore, an increase to 70 seats under the constitutional reform package is in fact a big step forward. I am therefore in support of the idea.

Besides, in order to prevent the five new DCFC seats from being monopolized by large political parties, and small political parties or independent persons being unfairly treated, I share the views of many Members that the threshold should not be too high. A reasonable threshold will enable more DC members, small political parties and independent persons have the opportunities to stand for election, thereby giving the public more options. I believe that the Government surely knows that if the threshold is as high as more than 20 nominations, another round of disputes will likely ensue.

As a matter of fact, all of us are fully aware where the next battle will be fought. The next battle will surely be fought over the areas of electoral methods and local legislation. These are the next battlefields. Therefore, I think that after learning a lesson from the experience of this time, the Government should, when enacting local legislation, conduct a more extensive consultation exercise, take earlier actions, reach out further, go deeper and more thoroughly. In this way, disputes, social division and grievances can be reduced.

Members know that I operate a factory. When we receive an order and learn of the date of delivery, we will all work with one heart to manufacture the goods before the delivery date. Members know that when we manage to manufacture a batch of goods, deliver them to the client on time and receive the money, there will be a win-win-win situation for the client, the factory management and workers. However, during the process, there are bound to be problems which may cause delay in the delivery time. In that case, all of us will work out various means to overcome the problems and make compromises. For example, it may be necessary for workers to work overtime. Not all employees want to work overtime, but does this mean that the whole production process has

to stop? No, everybody must be ready to compromise, rather than adopt an attitude of confrontation and refusal. Therefore, I hope that before Members vote on this constitutional reform package, they can likewise analyse the merits and demerits rationally. The point is that whether a Member is going to vote for or against the package, he will not thus become a hero or a culprit. We only differ in our political opinions and in our views on the pace of democratization. In the future, there are still many issues which Members must tackle together, particularly matters relating to people's livelihood. Therefore, although the tactic of marketing this constitutional reform package is not satisfactory and the Chief Executive seldom communicates with us, I will still focus on the matter at hand rather than any particular person (*The buzzer sounded*) .....

**PRESIDENT** (in Cantonese): Dr LAM, time is up.

**DR LAM TAI-FAI** (in Cantonese): ..... I also support this package.

President, I so submit.

**MRS SOPHIE LEUNG** (in Cantonese): President, all of us know the result of our discussions and voting on this motion today. This motion is of crucial importance to the future of Hong Kong. Concerning what should be said, I must say that many Members have already put forward their respective opinions. Most people do attach very great importance to this historic moment.

President, I think the motion can be interpreted from various perspectives. Some people may think that not enough have been done, while others may think otherwise. Some may think that their attempts to get more seats in the future may be frustrated, but others may be happy that there is an additional avenue. I think that Members need not bring up all such views in the Chamber. Instead, they may discuss such views on private occasions. The more important thing should be how society as a whole looks at this motion.

Surprisingly, however, this question has never been raised by any Members in their speeches over these two days. As far as we can observe, what changes have our present discussion brought to young people in Hong Kong? We have been sitting in this Chamber delivering eloquent speeches. It has been raining all day today, but last night, the atmosphere outside the Legislative Council Building was so heated. We could see that those young people seemed to be so immersed in their own world, in their own realm of activities. I can observe that such a realm actually originates from the Internet. There, they have created their own domain, where they express their respective opinions in many different ways. I must admit that such ways of expression are indeed very creative. These young people do have their ideals and ambitions. Their ideals are pure and they are filled with passion. We have gone through such a stage, so we can surely appreciate their feelings. One point is that in order to access this world of virtual reality, they must follow the main line of opinions; they must not express any views that depart from the main line. If they ever express any alternative opinions, they will be greeted with boos. If Members try to access those websites and express any divergent views, they will find themselves under attack from all sides. This is something I realize.

We are all sitting here, enjoying the comfort of air-conditioning. We are able to know what kind of people in the pro-establishment camp are. But should we at the same time ask ourselves several questions? Why are all these young people so happy simply by living in such a world of virtual reality? Do they have any idea how the real world is like? Have we ever given them sufficient room for realizing their ideals and manifesting their creativity in the real world? All these questions should merit our consideration.

More importantly, as their predecessors, have we ever discharged our duty of instilling in them any proper interpretations of things and delivering to them any true information and messages? In the words of some Members, when many Members speak to the public, they will only tell part of the truth, rather than the whole truth. A Member whom I respect very much once told me that telling only part of the truth, rather than the whole truth, would make him very unhappy. Whenever we speak to the public on any issue, we should tell the whole truth. The reason is that if young people do not understand the whole

picture, they will, driven by zeal and ideals, cluster together to stir up trouble. We have let them down in this regard. I think we must realize this point.

Therefore, I hope that those in power and also we Members must try to find out why their world of virtual reality is so detached from the real world. Why are there no rooms in the real world for young people to manifest their abilities? Second, if we continue to force them to live in their virtual world, they will certainly remain totally detached from the real world, and will not have the courage to step into the real world. This is exactly the problem with many young people nowadays. I hope we can all think seriously about this point. Youth workers, in particular, must do so.

President, the second point I want to raise is that politics are just all about constitutional development and governance. We have been spending two or three days here to discuss constitutional development. We have been arguing this issue for several years, and the democratic camp even claims that it has been struggling for several decades. I always maintain that if one still cannot succeed after struggling for a very long time, he may need to consider whether his approach is feasible, whether he has shown adequate sincerity, and whether there are any other better approaches. Back to the topic under discussion now, I think we have indeed achieved a very significant breakthrough this time and this is attributed to the fact that some people have started to realize this point.

However, we must also admit that apart from constitutional development aside, the public would also like to see better governance. In this connection, many people have criticized the Government's attitude towards the public and its marketing tactic during the process. But I think that it is never too late to mend. The whole approach can actually be changed slowly over time. This precisely involves an entrepreneurial spirit, which I have been trying to promote among young people. What I mean is that we must take the first step with determination. Making mistakes does not matter so much, for the general direction and approach can be adjusted slowly along the way. Not all people are born orators who can persuade everybody. But it is necessary to take the first step.

Our accountability officials have ventured out this time and made much efforts, there is no turning back. From now on, all our successors and all existing stakeholders must consider whether they should face the public with such a frank attitude in the future, and how they can perfect such an approach. The reason is that we can only do better with no turning back. This, I believe, is the most desirable outcome that we have managed to bring forth this time. I hope that our team of accountability officials, in learning from the present experience or in pondering deeply over the issue, can always uphold this conviction. As long as they have conviction, they will naturally have the courage to face all people. It is only in this way that the governance of our society can become truly people-based.

President, the third point I wish to raise is that on this occasion, the so-called opposition camp in society, the group of Members who are labelled as opposing China and opposing the Government on every front, has established a sound communication channel with the Central Authorities. This is a hard-earned outcome. Although these Members have been chided by others, those who criticized might do so out of jealousy, for they cannot establish any such communication channels, or the channels they once had is now closed.

However, the Members concerned must bear several important points in mind. First, they must not lightly walk away from the negotiation table. Once communications are underway, they must communicate with the other side frankly and sincerely. Second, they must be tolerant and accommodating, so as to make the communications fruitful, they should not unilaterally state their requests like a demanding emperor. If they do so, how can there be any communications at all? I think the channels of communications have now been effectively established, indicating to all Hong Kong people that there is a willingness to negotiate, and both sides are up to sincere dialogues. Only in this way can we believe that "one country, two systems" is truly feasible, and that people can change. If after struggling for two or three decades, you still cannot get what you want, then sooner or later, you will realize that your approach is after all not feasible. Then, you have to change. This is something we should be proud of. These three points are the feelings I want to express.

Naturally, I also want to talk about the pro-establishment camp in the following part of my speech. There are comments that the pro-establishment

camp is the total loser, I do not think so. We have only been upholding our conviction. We have only upheld our loyalty and our passion. And, more importantly, we know what our duty is. What we have been doing all the time is based on our commitment to "one country, two systems" and the people of Hong Kong. Thank you, President.

**MR CHAN KAM-LAM** (in Cantonese): President, with the two motions put forth by the Government today, the history of constitutional development in Hong Kong has come to a critical moment. Whether Hong Kong can take a step forward in its constitutional development, and whether endless disputes will simply continue, will depend entirely on the voting result today.

President, it has been seven months since the Government launched its consultation on constitutional reform. Heated discussions have been conducted in society, and the Government has also made tremendous efforts to publicize the constitutional reform package. "Act Now" is not only the appeal of the Chief Executive and government officials but also the aspiration of many people. That Hong Kong can make progress in constitutional reform is the consensus of the common masses. We should respect people's aspiration and pass the present constitutional reform package, so that our constitutional system can take a step forward in its development.

President, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) has always maintained that any package which does not contravene the Basic Law and the relevant decisions of the Standing Committee of the National people's Congress (NPCSC decision), and which can promote the constitutional development of Hong Kong, should merit Members' serious consideration. The present package put forward by the Government is worth our support because it can introduce more democratic elements up to the maximum extent allowed by the Basic Law and the NPCSC decision in 2007. Some say that taking no step forward is preferred to taking a wrong step. Such an argument is both correct and appealing, but it is entirely wrong from the perspective of logic. As we all know, the development of a democratic constitutional system in Hong Kong must first meet a number of conditions, and progress must be made in a gradual and orderly manner under the Basic Law.

Any package formulated under such conditions is bound to be prudent and progressive. How wrong can any such package be? Are they saying that getting all things done in one single step will not lead to any mistakes? Our society has already entered a new era of forging consensus through negotiations. But some people are still clinging to an attitude of mistrust and confrontation. In that case, how can there be any prospects for democracy in Hong Kong? How can there be any prospects of economic prosperity in Hong Kong? What we need to do is to reflect on how we can establish effective, sustainable and sound communication channels, and how we can learn to make compromise and accept divergent views in an ever-changing environment.

President, I am of the view that the passage of the Government's constitutional reform package is of multiple significance. To begin with, this is conducive to our constitutional development in the future. It is true that the NPCSC has made it very clear that the making of democratic progress for the electoral methods in 2012 is not a pre-condition of implementing universal suffrage, but Article 45 and Article 68 of the Basic Law also provide respectively that the methods for selecting the Chief Executive and forming the Legislative Council shall be specified in the light of the actual situation in Hong Kong and in accordance with the principle of gradual and orderly progress, the ultimate aim being the attainment of universal suffrage. For this reason, gradual and orderly progress is in the final analysis a legal requirement for the implementation of universal suffrage in Hong Kong. By gradual and orderly progress, it means that some specified procedures and steps must be followed to proceed from the easy to the difficult in a proper order.

The constitutional reform package put forward in 2005 was not passed. If the present constitutional reform package is likewise vetoed, the constitutional system of Hong Kong will virtually cease to advance. In that case, if we are to implement universal suffrage in 2017 and 2020, we will have to "get all things done in one go", in contravention of the requirement of gradual and orderly progress under the Basic Law. If we make any mistakes in the course of "getting all things done in one go", social turbulence may result, and it will be very difficult to reverse the situation.

The Basic Law and the NPCSC decision have already laid down a framework for the ultimate implementation of universal suffrage in Hong Kong, and they also serve to provide the necessary guarantee. However, whether

universal suffrage can ultimately be implemented will still have to depend on the enactment of local legislation and the forging of consensus in our society. As the saying goes, it is always difficult to make a start. If we can take the first step today, the obstacles to the implementation of universal suffrage in the future will presumably be reduced. The early passage of the constitutional reform package for 2012 can enable society to have sufficient room for discussing the details of gradually realizing universal suffrage in 2016, 2017 and 2020. Besides, the passage of this constitutional reform package for 2012 will also become the first ever consensus in society on our constitutional development. This can help the public, the various political organizations and the Government to build up mutual trust, thus bringing forth a platform of communications in our future discussions on constitutional development.

What is more, apart from commanding the approval of the majority of the public, the current constitutional reform package is also recognized by the international community. Even the Foreign and Commonwealth Office of the United Kingdom has issued a statement that affirms the significance of this package to Hong Kong's future constitutional development. The United States Ambassador to China, Jon HUNTSMAN, is likewise optimistic about Hong Kong's prospects after the passage of the constitutional reform package, deeming that this is a step that Hong Kong people should all take. All this can show that the significance of this present package to Hong Kong's democratic development is actually extensively recognized.

Another point is that the passage of this constitutional reform package will help ease social conflicts. As a result of the disputes emanating from constitutional reform, the democratic camp is now sharply divided, even to the extent of total antagonism. People have turned diametrically opposed to each other in defense of their personal convictions. Some have even resorted to extreme actions when expressing their views, running totally counter to the essence of democracy. Democracy is about tolerance, about seeking common grounds while accommodating differences. It is all about respecting and appreciating divergent views. Even people with different political opinions are expected to co-exist peacefully. The extremists' attitude of regarding themselves as the only ones who are right, of treating others either as allies or foes, and of no reconciliation has inflicted the severest harm on the cause of democracy. The obvious fact is that those in the democratic camp who speak harsh words and put up fierce looks are not true democrats. I venture to think that should any

Members find the insults hurled at them unacceptable, they should remind themselves that another positive outcome of passing this constitutional reform package today is their realization that tolerance and harmony are the only true essence of democracy. Harsh words, tirades and insults are never the civilized acts accepted in any democratic societies.

Some maintain that when it comes to such cardinal issues as constitutional reform and universal suffrage, one must hold fast to one's convictions. But I wish to respond to this viewpoint by quoting some remarks of Prof CHEUNG Chor-yung. According to him, it is always possible for one to remain politically irreconcilable at the personal level. This is the manifestation of one's backbone, and TAO Yuan-ming is a good example. However, if a person with any public power refuses to reconcile even at the cost of social division, all will become a serious matter that endangers the well being of the common masses. Precisely because these are cardinal issues, it is all the more necessary for us to put aside all considerations of personal interests and political capitals and make decisions from the perspective of overall social interests. People in support of the constitutional reform package and those against it have been divided into two totally antagonistic camps, and they have even launched a battle of words in the streets and on the Internet. This is definitely undesirable to our society. Democracy should be an impetus for engineering social progress, rather than a means of dividing people into groups with different political standpoints.

The Hong Kong spirit is the "Spirit of the Lion Rock", embodying a broadmindedness that casts aside differences and seeks common grounds. Such a spirit is about helping out one another on the same boat, about the courage of joining hands to pursue our ideals without any fear. On our common ideal of implementing universal suffrage, we should likewise work with one heart to realize the goal. I also wish to say to those supporters or opponents outside this building that when they want to resort to extreme actions, they must ask themselves how they look at the assemblies of the Red Shirts in Thailand. If we likewise resort to extreme actions, how will the international community look at Hong Kong? We must also ask ourselves whether this is really the democratic quality we expect of our young people. Do we want our young people to be exposed to such a culture of violence?

President, constitutional development is certainly an important part of our social progress, but our social progress is not all about this issue. We have spent a very disproportionate amount of time on arguing over constitutional reform. For prolonged periods of time, we have spent huge social resources on discussing the issue of constitutional reform. In the case of this Council, for example, some Members will invariably put the blame on functional constituencies and the existing electoral systems regardless of what issues are under discussion. This has distracted us completely from our practical problems, thus making it impossible for us to thoroughly discuss the myriad of economic and livelihood issues. Recently, the mass media have given most of their attention to the actions of the Government and political parties. Their coverage of livelihood issues has been reduced as a result. Some research institutions have even said that even though they have finished some topical studies on elderly welfare, they have failed to find any suitable times to release the findings, because everybody has been paying sole attention to constitutional reform and the disputes among political parties. Therefore, if the constitutional reform package cannot be passed today, we will in a way fall at the last hurdle. All the social resources that have been spent on constitutional reform will be wasted. And, it is only by passing the constitutional reform package that we can enable society to re-focus on all those livelihood issues that affect the people closely.

The last point, the most important point to me, is that the passage of the constitutional reform package will be conducive to Hong Kong's economic progress. Hong Kong never plays the role of a political star in the international community. Rather, it is a metropolis with a highly advanced economy. Therefore, economic activities are the lifeline of Hong Kong. Any democratic development in Hong Kong must be made in the light of our economic and livelihood needs. Hong Kong is a highly externally-oriented economy, with its economic structure heavily dependent on external factors. Both in terms of trade and the financial industries, Hong Kong has very close ties with foreign economies. The sound legal system of Hong Kong and its stable taxation regime and sound financial environment are all very appealing in the eyes of foreign investors. Therefore, any political turbulence in Hong Kong will likely affect its competitiveness. And, to overseas investors (*The buzzer sounded*) ..... Hong Kong is a very important market.

Thank you, President.

**PRESIDENT** (in Cantonese): Mr CHAN, time is up. Does any other Member wish to speak?

**MR LEUNG KWOK-HUNG** (in Cantonese): President, having heard Mr CHAN Kam-lam's speech, I am really touched, and I almost burst into tears. Tears are priceless, right? Tears shed on the night of a candlelight vigil are of course genuine and sincere. I know of one politician called Ronald REAGAN. He was an actor, and even when he read his scripts, he was still very emotive. But the point is that when a person is in an emotional state, he cannot read from a script. That is why I do not like reading from any scripts.

I must first of all give my response to the issue concerning SZETO WAH. Today, what is under discussion is the future of Hong Kong people. I understand that many Members have repeatedly asked me to apologize to SZETO Wah. I know SZETO Wah personally, and I have known him for a very long time. I do not think that I need to talk about my friendship with him here. But since they want to make the whole thing political and drag in the issue of personal integrity, I must give a clear explanation. First, my personal behaviour, my behaviour that very day, that is, my comment that SZETO Wah has cancer in his brain — the very comment that has led so many accusations — has nothing to do with the League of Social Democrats (LSD). We have not convened any meeting to discuss this matter, nor has anyone ever instructed me to say so. That day, I was simply driven by mere indignation to say those words to some voluntary workers. I know SZETO Wah personally, and I do not wish to see him die. Nor do I think that he will really die because of my words. Therefore, I do not need to tender any apology.

As a matter of fact, as soon as Mr SZETO Wah disclosed that he was suffering from cancer, I personally called a secretary of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China, saying that I had found a very good doctor for SZETO Wah. I advised him not to undergo any radiotherapy, otherwise that doctor's therapy would not work. Actually, I also called Mr SZETO Wah, but he declined my help. Maybe, he is very sick, so he is rather bad-tempered.

Let me repeat that I never meant to curse him. I am an atheist. Members know that I am a Marxist. I certainly do not think that any words spoken out of mere indignation will really make anyone seriously sick. I must repeat this. The sadness of a political figure is that he has turned to be a statue of a god, to be exploited by people for different purposes. In my life, the first person I believed in was MAO Zedong. That is why I once chanted, "Long live Chairman MAO." I genuinely hoped that he could live eternally. Following DENG Xiaoping's death, I joined a protest, saying that even death would be too good for him. I have always been showing my love and hatred without any reservation. That very day, many Members in this Council sent their condolences. I frankly do not understand why they did so. Let me repeat this point, any one who tries to stir up trouble by exploiting my personal friendship with SZETO Wah, or my indignation at SZETO Wah's wrongful deeds in the five-district referendum campaign, must be trying to distract attention. Being open and aboveboard, I dare condemn ZHANG Dejiang, DENG Xiaoping and MAO Zedong. So, why should I allow others to smear my integrity?

And, Mr SZETO Wah once rebuked Mr LAU Chin-shek for being Judas. As Mr LAU Chin-shek is a Christian, comparing him to Judas must be the severest curse of all — he has to go to hell. Does SZETO Wah need to tender any apology? I do not think so. He openly asked those who took part in the five-district referendum to "jump to death", right in front of reporters, should we do so? I have never taken his remark seriously. I must call upon "my friends" ..... Is CHEUNG Man-kwong here? Do not talk about joining forces, no thanks. They have already stabbed me in the back today. They have launched political attacks on me under the pretext of this trivial matter. President, you have had some similar experience. When you learnt that the man who threw eggs and red paint at Chairman MAO's portrait during the 1989 pro-democracy movement was sentenced to 20 years of imprisonment, how did you feel?

I shall settle the matter between SZETO Wah and myself in private. Let me advise you all, whether out of good will or with no ill intention, do not dwell any further on this matter. My friendship with SZETO WAH is not for you to comment on. Even now, I still treat him as my friend.

The Democratic Party claims that there has been no deal. But the debate itself is a deal, saying that the District Councils package is an improved package that should be passed. But should this present package about the Chief Executive Election also be passed? Members belonging to the Democratic Party have repeatedly told Secretary Stephen LAM that the package made no advancement and was retrogressive in nature. May I ask the friends of the Democratic Party, today you will sign a treaty as the defeated and ask us to support a package that you have once criticized, if the revised DC package is not a deal, what else can it be?

It does not matter even if there is a deal. Albert HO is now sitting in the Chamber. He said that he has never heard of any negotiations which are not conducted behind closed doors. I must tell Albert HO that he is not such a learned man after all. Negotiations connected with mass movements can sometimes be held openly. I can cite a very simple example here. President, do you still remember how the Solidarity Union was formed in 1980? At that time, the workers at the shipyard in Gdansk went on strike. Lech WALESA and representatives of the Solidarity Union held a meeting with the leadership of the Polish Communist Party at the shipyard. Through the microphone, 100 000 workers outside the shipyard were able to hear the proceedings of the entire meeting. WALESA started the meeting by asking, "Mr Vice-Premier, how many villas do you have? How many cars do you have?"

Therefore, it is wrong to say that negotiations must be held behind closed doors. Negotiations may be held either behind closed doors or openly. Hong Kong is a metropolis, and in this metropolis, there is a legislature that can be described as fully-fledged by all standards. This legislature is supposed to monitor the governing party on behalf of the public. We are not talking about monitoring a government that is at war or fighting its enemies. From what we observe today, the process of negotiations has not been made public. According to the Democratic Party, it was not until mid May that it started to have contacts with the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region (the Liaison Office). This is certainly a "white lie". How about the Liaison Office's attempts to establish contacts before that time? Can one step foot on the Liaison Office without authorization? I am now prosecuted by WONG Yan-lung, just because I stepped foot on the Liaison Office without authorization.

Chief Secretary for Administration Henry TANG should know only too well. It was on the 28th day of the last month in last Lunar Year that he met with members of the Alliance for Universal Suffrage and the Democratic Party. The whole process started on that very day. They were requested to contact all Members present here today and persuade them to accept the package. He even said that they were ruining their own cause by asking for the abolition of functional constituencies. It all started this way. The five-district referendum campaign had already emerged by that time. Mr SZETO Wah repeatedly ate his own words, refused to admit what he had said and criticized the five-district referendum campaign. I have never asked him to apologize. Why should he apologize? He is a political figure, so he does need to tender any apology. All is about objective commentaries. But he even dared asking people to plunge to their death from a building.

It is pointless for you to tell any "white lies". Before you were admitted to the Liaison Office as a close friend ..... did they ever tell you, Albert HO, who was the high-ranking person with authorization from the Central Authorities that you mentioned? It was even before the Liaison office took actions. It was when the "16 May Referendum Campaign" was in full swing. Before Henry TANG made any public comments, when even QIAO Xiaoyang was about to give them a slap on the face, YEUNG Sum already told *Ming Pao* over the phone that there would still be room for negotiations. Who was the high-ranking person with authorization from the Central Authorities? Can the negotiation at that time be regarded as the first of round of negotiation? You are just telling a "white lie".

Honourable Members, to me, I do not care if the negotiations were held secretly. But the most important point is that after the negotiations, you keep your allies in the dark, even your own party members are kept in the dark. Now, your party members only ask for two more weeks, but their request was rejected. Now, we talk about for old time's sake, for friendship's sake, for all the hugging in the past, for, you know, the poetry of HE Da ..... Even when the founding party chairman and Andrew CHENG asked for two more weeks, the answer was still no.

"It rains when Heaven deems fit, mother remarries when she wants to". Mr SZETO Wah is very clever indeed. Do Members know where this saying

comes from? When LIN Biao attempted to flee the country, Edgar SNOW, an American journalist, asked MAO Zedong MAO, "Chairman, what are you going to do?" MAO replied, "It rains when Heaven deems fit, mother remarries when she wants to, just let him go." Does he know the allusion of this saying? In other words, MAO implied that just let LIN flee and die in a plane crash. Old time's sake and friendship? No, thank you. I frankly cannot do anything like this. If someone who has struggled with me for 25 years now asks for 14 more days in response to the request of his allies and the public, I will certainly tell the other party in the negotiation table, "Sorry, I must delay for 14 days. Make it or drop it." It is no use to be so sentimental and emotional here today.

Someone asked me, Ms Emily LAU said that she would be punished in the future (of course she will be punished in the future), did you know why she has said so? She is in fact betting on the assumption that man is by nature evil, rather than good. Suppose I have wronged you in one way or another, I will make amends slowly, hoping that you will forgive me as time passes. Forgive them for what in this present case? So far, the Democratic Party has not mentioned anything about the period from 2012 to 2016. The Democratic Party has in fact stated that without any timetable and roadmap for 2017, it will never accept any deal, right? What we demanded in the five-district referendum was exactly this. The referendum launched by us was attacked and criticized severely by others. On 16 May, when Mr SZETO Wah was seriously ill, he still told the mass media that he would not cast any vote. I am really very sorry for him. It all happened when he was seriously ill. They talk to me about friendship. What kind of friendship are they talking about anyway? Friendly fire may be fatal. Unfriendly fire is better because knowing that I am the target, I can take shelter. But friendly fire comes from the back of our own army ..... Many thanks indeed for their friendly fire.

Honourable Members, I still have many things to say. What I am going to say will not be reported by any journalists. Concerning the personal grudges between Mr SZETO Wah and me, I already gave a reply yesterday, but no newspapers have reported it. The *Hong Kong Economic Journal* handled the case in a slightly better way. People attack me here not so much because of what I have done; rather, they have been doing so just because they dislike my style. In this connection, I shall stand up to them till the very end. I have said many times that I simply do not care whether I can still be a Member. I will

carry on the fight, and I know only too well that friendship will be destroyed in the process. One day, if 40 Members cast their votes to expel me from this Council, I am well prepared to face the challenge.

I understand the thrill of a victor when he marches forward on the dead bodies of others. The Arc de Triomphe was constructed precisely for such purpose. To avenge the humiliation suffered in the past, HITLER insisted on marching through the Arc de Triomphe and summoned the French leader who signed the Treaty of Versailles to sign a peace treaty with him. President, I have not signed any peace treaty. I cannot sign any peace treaty even if I want to do so because 500 000 people have given me their mandate, which cannot be nullified until they give me a new one. I have warned you and all others many times that holding negotiations for the people without their mandate is a shameless act.

Since I was elected, I have, for four consecutive days, brushed aside my ego and begged FUNG Wai-wah not to do so. I begged the Democratic Party not to do so. I begged the Government not to do so. President, when I took the oath before you, my behaviour was very inappropriate. All was because I knew that no one would listen to me, and no one would report the whole thing. I cannot stop all this from happening. But I must now declare that I have not yielded. I do not want to comment on whether others have capitulated. I am only saying that I have not done so. I tell you all, it is always very painful to end a partnership. I have never received any favour from the Democratic Party. We walked together in the past to fight for universal suffrage; we now part at a point where there is no turning back in the course of fighting for universal suffrage.

President, you have had similar experience. You should know what this means. Thank you.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MISS TANYA CHAN** (in Cantonese): The historian, Jonathan D. SPENCE, mentioned in his book *"Tiananmen: Intellectuals and Chinese Revolution"* the

pain of intellectuals and reformers living in an anti-intellectual society. The book praises highly the wisdom of these people and also sighs with regret their invisible oppression by an anti-intellectual society. There have been appeals for a democratic reform in China for 100 years, and the high-minded people were regarded as ignorant 100 years ago. Today, even though people have become more intellectual, we are still facing the strong state machine. We need courage to take forward the development of the era and we should identify the direction clearly. This package is exactly leading Hong Kong towards bogus universal suffrage, especially the method for the selection of the Chief Executive; the Government is still not inclined to abolish small circle elections, and it has not accounted for how there will be an effective transition of the package to the election of the Chief Executive by universal suffrage in 2017. The "crap package" to be discussed by us today most truly reflect an anti-intellectual society, and the Government is the prime criminal who made our society become increasingly anti-intellectual.

The first referendum was conducted on Chinese land on 16 May. Though it was a *de facto* referendum, it was at least an unprecedented attempt. The new democratic movement, under the banner of calling on the people and with people taking their stands as its core, was smeared and suppressed by the authorities concerned. Yet, more than 500 000 people still cast their votes. How can the Government ignore that? Each vote was a solid response to the democratic movement, and each vote indicated to the Government that people would not yield to destiny and admit defeat. Having been under the colonial rule for over a hundred years, Hong Kong people have always enjoyed freedom but without democracy. Living under the control of our sovereign state, Hong Kong people have no real identities, and we have never become our own masters.

In the wake of the crisis concerning our future in the 1980s, China and Britain jointly decided the fate of Hong Kong, and Hong Kong people were certainly afraid and even perplexed. We could not even have an opportunity to decide our future. Why could we not become our own masters in connection with the rights to a democratic reunification with China? After the reunification, the National People's Congress (NPC) was determined to lead Hong Kong up the garden path; since we cannot strive for anything, we have no resort to other means.

The *de facto* referendum on 16 May was the first ever democratic movement in which passiveness has turned into activeness. Against such a historical background, how could the referendum be described as a failure? Of course, we must admit that a 17.1% voting rate was unsatisfactory, but 500 000 people took a solid step forward in course of the new democratic movement by casting a vote. Under the circumstances that the privileged are in power, those who have gone into politics must have a heart to defend the core values and put people's power together; as for the public, they must move forward on the road to democracy in an unswerving manner.

History keeps repeating itself, but the Government has not learnt the lessons. During the debate on 17 June, the Chief Executive Donald TSANG went so far as to ask our party leader how universal suffrage could be promoted. It has been five years and I trust that the SAR Government led by Donald TSANG deeply understands why the constitutional reform package has made no progress. Nevertheless, they keep shirking the responsibilities onto the democratic camp.

Concerning the constitutional reform package that we are discussing this year, we can see today that the Government has proposed a package that Honourable Members can only discuss but cannot make any amendments. The Government also has the right to draft the bill. The package is extremely undesirable in that it has not accounted for the future mode of universal suffrage. Naturally, the Government has the responsibilities. Five years ago, the Government introduced a constitutional reform package with no directions, no roadmap or timetable for universal suffrage. The Chief Executive also told us that "this is democratic progress". On that day, Donald TSANG was pleased with himself, thinking that he would certainly win; thus, he disregarded people's aspirations. He suddenly found that the situation was hopeless just before voting, so he vented his anger at the democratic camp and the public. He criticized the democratic camp for slowing down the earth's rotation, and conversely called us "democracy sinners". Within these five years, whenever the constitutional reform was touched upon, the Government shirked the responsibilities onto the democratic camp, and adopted an attitude of total indifference. We are very sorry that the current package of the Government is even more rotten and the Government's attitude is even worse. Even the revised package is undemocratic.

Is Donald TSANG a qualified salesman? I believe all of us know the answer very clearly. Today, we are not discussing a commodity, whether we should accept the commodity first, or whether we should make other plans after we have accepted the commodity. Also, we are not talking about the difference between Polo and Armani. Democracy is not a commodity, it is a naturally endowed human right, and no one has the right to deprive the people of their basic rights. We must respect people's dignity and the election of the Chief Executive by universal suffrage as a matter of course. Looking back at history, Hong Kong people could originally elect the Chief Executive who really represented them through "one person, one vote" during the democratic reunification in 1997. However, the Central Government's fear of the people was imprinted on the Basic Law. Since the promulgation of the Basic Law in 1990, the Central Authorities have always wanted to procrastinate as long as possible and consequently five years have passed.

The undertakings given in Articles 45 and 68 of the Basic Law to Hong Kong people intentionally avoid the provision of a timetable, and it just vaguely states that the ultimate aim is the implementation of universal suffrage. My friend once joked with me, if the Mayan Calendar was correct, the world would end in 2012, could ultimate universal suffrage be implemented in 2012? Would we have to wait until the end of the world for universal suffrage?

President, why is it so important to have an elected Chief Executive? It is because we have an executive-led political system, and the Basic Law intentionally dwarfed the Legislative Council long ago. Originally, the power of the head of the executive authorities should come from the people. However, under the abnormal situation in Hong Kong, the Chief Executive is returned by a small circle of people, and he basically does not need to be accountable to the public. He just needs to serve the privileged class, which will give rise to the separation of the executive and the legislative. Looking back at these 13 years, the problems of collusion between the business sector and government officials, and the disparity between the rich and the poor have become increasingly serious; I believe these problems are more or less associated with the unjust constitutional system. Today, the Chief Executive is still returned by a small-circle election, and this has actually trampled upon the rights of Hong Kong people.

If the Chief Executive can really be elected by universal suffrage in 2017, we have the last and only opportunity in 2012 for a transition to universal suffrage. Yet, the package introduced by the Government to the Legislative Council is even worse than that five years ago. It proposed to increase the membership to 1 200, that is 400 members fewer than the proposed 1 600 members in 2005. Also, unlike the former package which increased all seats in one go, 100 seats from each sector will be added this time. Furthermore, some have people suggested balanced participation, I am afraid that we eventually need to obtain some nominations from each sector; in that case, friends like Mr Alan LEONG will be deprived of the opportunity to stand for election. All along, the Central Government has put emphasis on developing in an orderly and progressive manner but this package has not touched upon the transitional arrangement at all. In fact, I am really worried whether we can still implement universal suffrage in 2017 after the passage of this package.

Some Honourable colleagues have talked about trust, should we trust a person or a system? I will trust some people I know very well; for those whom I do not know well, I would like to have a desirable system under which we will not have empty talks about trusting one another, and we can also monitor one another. Under the monitoring system, we can actually give advices to each other to attain mutual progress.

President, has the Government really promoted democracy? I believe that transitional elections for moving step by step towards democracy gave little cause for criticism. If the package can eventually lead us towards genuine universal suffrage, instead of bogus universal suffrage with screening mechanism, I will certainly support it when we vote. Yet, as I have observed, we are moving in the wrong direction, and the step will take us to a dead end with no return.

It was specified in 2004 that the Chief Executive shall report to the Standing Committee of the NPC (NPCSC) on the proposal of constitutional reform, the proposal would be returned to the Chief Executive after the endorsement of the NPCSC, the SAR Government could introduce the motion on the amendment to the Legislative Council, after being endorsed by a two-thirds majority of all Members of the Legislative Council and having obtained the consent of the Chief Executive, the relevant bill shall be reported to the NPCSC for approval or for the record. Let us look again the Basic Law again, there was originally a three-step mechanism, but for reasons unknown, it has turned into a

five-step mechanism in 2004. Two more steps were introduced for no reasons. Is this more unfair and undemocratic? Has this package touched upon the transitional arrangements? Has this package respected people's wishes? The behaviour of the Government today is actually an inheritance of the historical indifference to the autonomy of Hong Kong people. During the colonial era, there was a sovereign state and Hong Kong people were under colonial rule. After the reunification, even though "blood is thicker than water", our motherland extended the colonial rule and refused to let people to be their own masters. Should the future of the constitutional system not be determined by Hong Kong people?

Regarding the constitutional reform package advocated five years ago, the pan-democratic camp unanimously said no to the birdcage package. I had not yet gone into politics then and I watched the proceeding on television; I also took part in the procession in December 2005. Today, my role has changed and I am sitting in this Chamber. Over 100 000 people from the Hong Kong Island have indicated explicitly to me that they want the implementation of genuine universal suffrage and abolition of functional constituencies as quickly as possible. I have their expectations and mandate on my shoulder today. As an elected representative, I will vote against the crap package of bogus democracy and bogus universal suffrage without hesitation.

"For the ideal that I hold dear to my heart, I would not regret a thousand times to die". At this moment, we cannot admit failure, we cannot resign ourselves to destiny and surrender, thereby giving up the democratic foundation established through painstaking efforts in more than 30 years. I remember very clearly that, on 15 May, a day before the voting day on 16 May, I was speaking through a microphone in Causeway Bay. Of course, I had not used a loudhailer and I just used a microphone. At that time, some people gathered around me and listened to what I said. One of those standing in the front row, right in front of me, was a petite, white-haired old lady. I seldom found old people standing for a long time listening to me, probably because of I am not that attractive. Nevertheless, this old lady stood there for a very long time. As far as I recall, at the end, I said that genuine universal suffrage should not let this generation down, and it should not let the next generation down. Yet, we from this generation should not forget about the older generation — the determination of a white-haired elderly person to fight for democracy throughout the years. Although I did not know her, we finally embraced each other and wept together.

I happened to meet her again in Causeway Bay afterwards. I will not forget my promise to her. I should have a clear conscience and I should not let the next generation down. Furthermore, for the older generation who has made efforts over the past 20 to 30 years to strive for democracy, I treasure every step they take and every decision they made in this respect and I should not let them down. Hence, I will oppose the Government's package today.

I so submit.

**MR ALAN LEONG** (in Cantonese): President, how we should move forward on the road to strive for a genuine and democratic universal suffrage is a cardinal question of right and wrong. I am fortunate to listen to the speech made by Andrew CHENG and James TO, which touched me deeply. As Mr Andrew CHENG disagree with the judgment of the Democratic Party on how to fight for ultimate universal suffrage, he was forced to part company with party members whom he has worked together for nearly 20 years. He evidently has no choice because faithfulness and righteousness cannot coexist. As a fearless newcomer on the road to democracy, I am deeply disappointed to see the elder brothers and predecessors whom I always highly respected take this step which is so difficult to comprehend. I also empathize with Andrew CHENG and James TO, seeing how hard they struggled, and understanding their feeling of having no alternative and great depression. The reasons they gave for not supporting the constitutional reform package are rational and reasonable, and they aroused my immeasurable sympathy. They have demonstrated their steadfast positions in a forceful manner, which lit up the heart of many Hong Kong people. They deserve our applause.

The new democratic movement launched half a year ago after the five-district *de facto* referendum and the debate between TSANG and EU has caused the whole territory to focus on the fight for a genuine universal suffrage roadmap and the abolition of functional constituencies (FCs). There are increasingly stronger voices in the community calling for changes and for the Government to listen to people's views, so as to proactively advance towards genuine universal suffrage. The power should not be taken lightly. Once this so-called "revised" package is passed, the tension will vanish and we will not be able to take advantage of the situation to pursue further and force the Government

to provide a genuine universal suffrage roadmap. This may be the most regrettable thing about the passage of the package at this moment.

President, Honourable Members of the democratic camp who support the package keep saying that they trust the people and respect people's views. However, they do not believe that, after vetoing the package, we can rely on people's power to fight for a universal suffrage roadmap.

Under the new District Council (DC) package, the seats will definitely have more democratic elements than the traditional FCs, but the situation where political powers are basically monopolized by the privileged business sector will remain unchanged. To achieve genuine universal suffrage, FCs can only be abolished but not retained. The only thing that gives Hong Kong people confidence about the implementation of universal suffrage is not a revised DC package but an explicit and practical roadmap.

We would rather take no step forward than take a wrong step. Make one wrong move and you will lose all. Besides, after the 2005 constitutional reform package has been voted down by the Legislative Council, had the Central Authorities indistinctly promised in 2007 that the Chief Executive could be elected by universal suffrage in 2017 and the Legislative Council could be formed by universal suffrage in 2020? After the July 1 rally in 2003, the Government withdrew the proposal to legislate to implement Article 23 of the Basic Law, which was followed by the stepping down of TUNG Chee-hwa and a few accountability officials.

Party Chairman Albert HO's remarks indicated his broad-mindedness. He pointed out that the Democratic Party was just a tool to fight for democracy and he admitted that the five-district *de facto* referendum and the debate between TSANG and EU had played a role in reaching the present situation. As reported, the Central Authorities only agreed to accept the DC package on 18 June, the day following the debate between TSANG and EU which reversed public opinion to oppose the original package. The Central Authorities had no other choice but to make the concessions, this is a political reality. If there were no bargaining chips, the concession would not be made. What else can the bargaining chip be if not people's power?

President, how can we underestimate the importance of maintaining the tension? If Hong Kong people really have confidence, we should believe that we can do so instead of accepting the constitutional reform package that rationalizes FCs and creates five "super FCs".

In 2005, the Government introduced a constitutional reform package concerning the election of the Chief Executive. It proposed that all DC members should be included in the Election Committee (EC) for the third term Chief Executive, and the total membership of the EC should be increased to 1 600: 300 members from the business and financial, professional, labour and religious sectors respectively, 700 members from the political sector; and the nomination threshold was 200 members.

Five years since then, the Government proposed that the total membership of the EC for the fourth term Chief Executive should be increased to 1 200, which include 300 members from the business and financial, professional, labour and religious sectors, which is the same as before, only 300 members from the political sector; and the nomination threshold is 150 members.

President, for many people, whether the democratic camp can obtain nominations is a test of the progressive or retrogressive nature of the package. I am not self-inflated, but as I had once succeeded in obtaining the required nominations, discussions among the public had been focused on me. Assuming that a member from the democratic camp can obtain 132 nominations in 2012 just like what I did then, he will lack 18 nominations under the current package, and he will lack 68 nominations under the 2005 package. Nevertheless, since more than 100 DC members of the democratic camp were all included in the EC under the 2005 package, it was not very difficult to obtain 200 effective nominations. Yet, under the current package, there are only 75 DC members, and I am afraid that we will not have 18 members from the democratic camp. In that case, it will be harder for the democratic camp to obtain nominations as contrasted with the nomination process conceived under the 2005 package.

The number of EC members proposed under this package is fewer than those five years ago, and the democratic elements decreased rather than increased; thus, this package is undoubtedly retrogressive. In view of the time sequence, we have reasons to believe that the tightening of the nomination

threshold was due to my becoming of a Chief Executive candidate years ago. This is out of the expectations of the Central Authorities. Nevertheless, is this an evidence to indicate that the Central Authorities currently have no intention of allowing Hong Kong people to elect the Chief Executive by universal suffrage? If that is the case, what is the point in passing today's package?

President, the Chief Executive Donald TSANG has said time and again that the method for the election of the Chief Executive by universal suffrage in 2017 will be dealt with by the next term Chief Executive; he refused to fulfil his election pledge and cast away all his responsibilities. As there is a chance for the next term Chief Executive to stand for re-election in 2017, which means that the next term Chief Executive can tailor make rules of the game to facilitate his smooth re-election. Consequently, there will be conflicts between personal and public interests. As Donald TSANG is now not burdened by the thought of re-election and does not need to consider his personal interests, he should honour his promise by promoting the implementation of a roadmap for universal suffrage.

President, on 7 June, Mr QIAO Xiaoyang, Vice Secretary-General of the Standing Committee of the National People's Congress (NPCSC) said that universal suffrage ought to comply with the principles of universality and equality, as well as four other principles: the legal status of the SAR, accommodation with the executive-led political system of the SAR, meeting the interests of different sectors of society and facilitating the development of the capitalist economy. President, these conditions were suddenly added and entirely subject to the interpretation of the Central Authorities, without consulting Hong Kong people. We can see from these additional conditions that the universal suffrage system in conformity with international standards that Hong Kong people asked for will hardly be found in Hong Kong. The interpretation by the Central Government often overrides the solemn undertakings in the Basic Law. Provisions in black and white can be interpreted in different ways according to different political needs. Universal values such as democratic universal suffrage have become trifling matters, and we may eventually be forced to accept a second-rate election system that does not meet international standards.

President, the Civic Party made a proposal last year on the election of the Chief Executive by universal suffrage, which included these points: after

broadening the electoral base of the existing EC, the EC should be transformed into a nominating committee. On the basis of the existing 800 EC members, the nominating committee will have enhanced democratic elements. The DC seats in the EC will be abolished while 400 directly elected DC members will be added, and the nomination threshold will be reduced from the current 100 EC members to 50 nominating committee members. To promote the development of political parties, the Government should amend the Chief Executive Election Ordinance and abolish the restriction that a political party member cannot become the Chief Executive. Eventually, the Chief Executive will be returned through "one person, one vote" election by all eligible voters in Hong Kong, and a candidate who obtained more than half of the total number of valid votes will be appointed by the Central Government as the Chief Executive. It is a pity that this mode of election that complies with the principles of justice with sufficient legal basis has not been adopted by the Government.

I hope Mr CHEUNG Man-kwong will no longer say that people who do not accept the revised DC package would like to get to the goal in one stride, as if he is the only one who can represent those fighting rationally by taking one step at a time.

President, Mr QIAO Xiaoyang, Vice Secretary-General of the NPCSC, in discussing the issue of the nomination threshold for the election of the Chief Executive by universal suffrage, said that according to Article 45 of the Basic Law, during the election of the Chief Executive by universal suffrage in 2017, the candidates should be nominated by a nominating committee in accordance with democratic procedures. If we are to compare this with the current method of the EC for nominating candidates for the Chief Executive election, as the two nominating methods are entirely different, no comparison can be made. The remarks of Mr QIAO implied that the Central Authorities would interpret the democratic process in the Basic Law again in the future. Hong Kong people have become more perplexed about whether they can elect the Chief Executive by universal suffrage while their rights to vote, to stand for election and to nominate are sufficiently protected.

The Civic Party considers that the 2012 constitutional reform package introduced by the Government is a package featuring retrogression in democratic development, and the candidates for the Chief Executive will still have to fight

for votes within a small circle with vested interests. Public interests have continuously been neglected and that is still the case 15 years after the reunification, which is definitely not the blessing of Hong Kong. Therefore, the Civic Party is going to use the votes that each of us has to vote down this crap package, in order to leave a mark in history and uphold democratic concepts.

President, in any case, the fact that members of the democratic camp are following different routes is a foregone conclusion. Nonetheless, regardless which routes are chosen, all of us should face up to the new situation with a heavy heart. We should not become excited because we have been labelled as moderates and we can get close to people with power; we should not become increasingly radical because we have been labelled as radicals, making democracy seem inferior. Some people want to draw in one faction and hit out at another, and to simply divide friends on the road to democracy into radicals and moderates. Yet, we should not allow ourselves to be so labelled so that other people can split us up.

"A single thread cannot make a cord, nor a single tree a forest". Pan-democratic parties and groupings only need unity and they do not have the conditions for a division. Just like dripping water that can penetrate a stone, we must remain persistent until the time our ideals are realized. Endless persistence is a sharp weapon for puncturing privileges. It is a prolonged war to fight for democracy, and allies should get united to tackle difficulties, as well as maintain communications with mutual trust and assistance. We can judge the situation differently and there are various means of fighting, yet, whatever we do should not have an impact on the righteousness of people going the same way.

I would like to tell Hong Kong people that it is getting harder to move along the road to democracy, but we should not give up and we must remain confident. We should strive firmly for the abolition of FCs and the achievement of genuine "one person, one vote" universal suffrage.

Let us make efforts together, and I hope that marks would be made by our sweats and footprints as we are moving forward in the fight for democracy.

**PRESIDENT** (in Cantonese): Mr LEONG, your speaking time is up.

**MS STARRY LEE** (in Cantonese): President, this is a crucial moment for our democratic development, would we be marching on the same spot or taking one step forward? This actually depends on the decision and vote of each of the Honourable Members present. It has been nearly two years since I joined the Legislative Council, and I am still a newcomer. I am very happy and gratified today for I have a chance to cast a historic vote to help take forward our constitutional development.

However, if I am asked — many reporters may ask me — how I would describe what I saw these two years, I would answered them with the words "disappointed" and "anxious". I am disappointed because I found that apart from rational discussion, a lot of abuses have also been unreasonably hurled in this Council. I am disappointed as I have seen that while some people outside this Council are expressing their views peacefully, there are people who employ more violent means to smear others. I become anxious when I find not only political issues have been voted down in this Council, even some financial issues have also been voted down easily.

I remember that I was most unhappy and disappointed when Mr LAU Kong-wah from the Democratic Alliance for the Betterment and Progress of Hong Kong moved a motion on the subject related to Guangdong-Hong Kong co-operation. It turned out that after lengthy discussion, the motion was eventually not agreed upon or passed by Honourable colleagues. Before joining this Council, I already had the impression that there were a lot of political arguments in this Council, yet consensus were frequently reached when people's livelihood and financial issues were discussed. Nevertheless, after joining this Council, I found that Honourable Members put all the blame, even when financial problems are concerned, on our political system, without considering the essence of the problems. In contrast to the speedy development of the neighbouring countries, we choose to put our efforts on unceasing internal discord, which really made me very anxious. In fact, many other members of the public are equally anxious and worried to find unceasing internal discord in Hong Kong, and Legislative Council Members are hurling abuses and criticizing each other, while nothing is accomplished. Therefore, for Hong Kong to move forward towards the implementation of universal suffrage, it really relies on the community and the choices we are going to make today.

Miss Tanya CHAN just presented her views vehemently, which aroused my deep feelings. Miss Tanya CHAN and I joined this Council at the same time, and both of us are newcomers. Though we have different political views on many issues, we exchange views very often. I notice that while she presented her views vehemently and talked about some ideals, she has not touched upon the political reality that we are facing. As many Honourable colleagues are aware, the first political reality — as Mr CHIM Pui-chung mentioned yesterday or time and again — is that Hong Kong is not a sovereign state. The Central Authorities really have doubts about our democratic development. This is a fact that we cannot deny, and we cannot say that we do not understand why the Central Authorities have such doubts. First, we have different systems. Second, whenever processions and demonstrations are held, some radicals will chant end one-party dictatorship, or even liberate China, recently some people organized a referendum; all these acts have touched the bottom line of the Central Authorities. Why do the Central Authorities have doubts about our democratic progress? We will certainly understand that. Thus, the Central Authorities should also handle the matter very carefully; it has to find a feasible route through putting ideas into practice, and it should cross the river by touching the stones. It makes sense to develop in an orderly and progressive manner.

Some Honourable Members just said that there was no roadmap. Actually, from my experience of working in the business sector, action is the most important and inaction will not bring us the desired results. That is also true for a roadmap, and based on what I just said, we should respect the Central Authorities. We must understand that we can only work out a roadmap through putting ideas into practice. For the same reason, we should know how to compromise.

(THE PRESIDENT'S DEPUTY, MS MIRIAM LAU, took the Chair)

The second political reality is that, since the Government proposed the revised package, the editorial of the *Apple Daily*, a newspaper which has all along been regarded as belonging to the opposition faction, on 21 June has even explicitly stated the following: it is impossible for dual universal suffrage to be

attained in 2012, it is impossible for functional constituencies (FCs) to be abolished in 2012, and it is even impossible for FC seats to be reduced by 50%. It is because the Standing Committee of the National People's Congress specified in late 2007 that the political system in 2012 ought to retain the arrangement that the Legislative Council should be composed of 50% directly elected seats and 50% FC seats. In other words, the 2012 constitutional reform package cannot go beyond this provision, and FCs cannot be abolished before the due date; besides, it is impossible for directly-elected seats to exceed FC seats.

Under such a political reality, this revised package is acceptable to the public. Now, we are going to vote on the motion on the method for the selection of the Chief Executive, and I earnestly call upon Honourable colleagues who have decided not to support this method to re-consider again. If they really hope that the Chief Executive would be elected by universal suffrage in 2017, they have to support this motion on the selection of the Chief Executive. All of us understand the reasons for that. We can by no means cast the Basic Law aside and we must comply with it. The Basic Law provides for development in an orderly and progressive manner in order to achieve the aim of the election of the Chief Executive by universal suffrage in 2017. In fact, 2012 is the last midway stop before 2017. In 2012, the Election Committee membership will increase to 1 200, which is certainly an improvement as compared with 800 members.

Of course, I am not a member of the legal sector, but as a layman, my opinion is that if we take no step forward in 2012, there is a chance that we will fail to comply with the principle of gradual and orderly progress. Thus, I think that it is even more important for Honourable Members who really support the expeditious implementation of the election of the Chief Executive by universal suffrage in 2017 to indicate support. Even if they disagree with the "super District Council" election method, I think that they must take a step forward in support of the method for the selection of the Chief Executive, and they should support the principle of gradual and orderly progress with a view to achieving the election of the Chief Executive by universal suffrage in 2017.

As a matter of fact, universal suffrage is given to Hong Kong people under the Basic Law. In accordance with the Basic Law, democratic progress roughly comprises three stages. The first stage refers to the first decade after the

reunification, and the democratic progress in this stage has been explicitly stated in Annex I and Annex II. So, there were not a lot of controversies over the development within the decade. At the third stage, we will eventually attain universal suffrage after we have strived by various means. I believe political arguments will disappear by that time because we would have already attained universal suffrage. Now, we are at the most difficult second stage, that is, the period during which preparations should be made for universal suffrage. How can Hong Kong advance towards attaining universal suffrage? In which direction should we go? Different people, sectors and political parties have different methods; thus, it is absolutely normal for various parties to have their own plans and that there will be the largest number of arguments. Yet, we have to take the first step after all before we can create for Hong Kong the road to universal suffrage.

The darkest hour of the night comes just before dawn. Insofar as universal suffrage is concerned, we are delighted that Hong Kong people see the first light of dawn today. However, I would like to say that democracy is about the right to vote, and also about respect and tolerance. I welcome and support the Democratic Party's act of choosing to advance towards universal suffrage by making compromises, and I also understand and respect some Honourable colleagues who have chosen to stick to their own routes. Yet, I really despise those people who oppose democracy while flaunting the banner of democracy. On the one hand, they shout loudly that they want to safeguard freedom of expression; on the other hand, they make malicious remarks and hurl abuses at people with different views. I think that this will lead to mutual criticisms and unceasing internal discord in Hong Kong. I am not the only one feeling this way. Recently, many of my friends have started expressing concerns for constitutional development following the "Act Now" campaign. I remember very well what an Honourable colleague told me: regardless which faction will be in power in the future, be it the pro-establishment camp, the Democratic Party or another faction, if we keep on abusing and criticizing each other, we will cause our own defeat. On another occasion, I was talking with some reporters, one reporter who made daily report on the "Act Now" campaign and witnessed the attack day after day, told me, "I am really disappointed, how come Hong Kong has turned out to be like that?" He asked me if I had plans for my daughter and whether I would find another way out for her overseas. I think this is the viewpoints formed gradually by quite a number of people. I trust that

Honourable colleagues have chosen to join this Council for the sake of the long-term interests of Hong Kong. I really hope that Honourable colleagues would respect democracy and fulfil all our promises on democracy.

Lastly, I would like to say that people need democracy, yet they care more about their livelihood. Undoubtedly, our constitutional development has reached a critical moment; similarly, our economic and social development is at a critical juncture. Hong Kong is under various threats, and there are domestic trouble and foreign threats. In the face of intense competitions from neighbouring cities, our situation is not optimistic at all. People need to cope with "excessively high" property prices, worsening disparity between the rich and the poor, as well as decreasing opportunities for upward social mobility.

I earnestly hope that we can pass this constitutional reform package today so as to allow the community to put aside political differences for the time being, and concentrate our energy on solving other problems; thus, we can really "Act Now" for people's livelihood.

Deputy President, I so submit.

**DEPUTY PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY PRESIDENT** (in Cantonese): If no .....

(Mr Fred LI raised his hand to indicate his intention to speak)

**MR FRED LI** (in Cantonese): Deputy President, in fact, I rarely involve in business related to political issues. However, having listened to the speeches of many Honourable colleagues these two days, and having some feelings that made me extremely uncomfortable, I would like to express my views today in any way. I do not think that those who act ferociously and speak loudly have the say. Just now, I listened very attentively to Mr LEUNG Kwok-hung's speech but I am still

very disappointed after listening to him. Today, I am not going to make use of SZETO Wah to attack LEUNG Kwok-hung and I just want to touch upon some fundamental arguments and principles about how to conduct ourselves.

In respect of political differences, a person can speak ill of another person as much as he likes. Similarly, all of us will express different positions and ideals in the course of debate. Nevertheless, we should not take advantage of the illness suffered by an elderly person to attack the political stance of another party. He said that Uncle Wah has not straightened out his thinking or he has lost his mind because he does not support a referendum, he makes compromises, engages in closed-door politics, or even supports under-the-table deals. Hence, he doubts if Uncle Wah "has cancer in his brain". Mr LEUNG Kwok-hung made clamorous remarks with a group of young people. Should he ask himself if his deeds will affect young people? For young people in Hong Kong, including those outside the Legislative Council, when they very often see Honourable Members smearing others, using verbal violence to attack other people, they will become very excited and delighted. However, will this do Hong Kong any good?

Why are so many Hong Kong people feeling discontented today? Many young people are discontented with the Government, the current situation and the SAR Government. Some middle-aged people also feel discontented. These discontents can very easily be directed to oppose a constitutional reform, to demand for genuine universal suffrage and the immediate abolition of all functional constituencies (FCs). It is not difficult to get the fire started because of their discontentment and rage. But, where will this lead to? That is something that we would not want to see. We love Hong Kong, and I believe that all Democratic Party members and Honourable colleagues present feel the same way. We do not want to see there are only attacks and violence in Hong Kong all the time. Certainly, by violence, I do not mean throwing incendiary bombs, and I trust this will not happen. Yet, someone tossed bits of paper and spilled water on Albert HO, and something hit CHEUNG Man-kwong's head outside this building yesterday. If this situation continues, someday people may throw knives, or they may take any other actions, we just cannot control people who are impetuous. Is that what we would like to see? Yet, it seems that our Honourable colleagues are happy to make this happen.

They should ask themselves, if their family member is sick and their political opponents attack him on his sickness, saying things like being sick in the brain, what will they do? Have they ever thought about that? What are the values of humanity? I think that is the most important and fundamental thing. To our surprise, the democratic camp has come to such a stage, they even convened a press conference, saying repeatedly that the responsibilities did not lie with them; they were not the ones who caused the division, it was the Democratic Party that engaged in politics behind closed doors and made compromises with those people, shirking all responsibilities. Have they asked themselves what impacts they have brought to our society and political environment?

Certainly, a political party must try to retain votes and if it can seize others votes, all the better, thereby they can secure more seats in this Council. Nevertheless, it is odd that while they want to get more people join this Council, they constantly challenge the rules of this Council; I sometimes suspect whether they are deranged. In my opinion, those who have successfully joined this Council should obey the rules. They can do certain things without reservation but I trust that there are certain limits, right?

Albert CHAN said yesterday that traces could be found and he kept on saying that we betrayed so and so, he directed against people of the Democratic Party because he was once a member of the Democratic Party. I certainly understand his personality well, basically his credibility is low. He should not forget that he nominated Donald TSANG in 2005 and participated in the small circle election of the Chief Executive. At that time, LEE Wing-tat who represented the Democratic Party, asked for nomination from Honourable colleagues, but Albert CHAN refused to nominate LEE Wing-tat of the Democratic Party, but instead nominated Donald TSANG who was a government official at that time to stand for election as the Chief Executive. That happened in 2005, was that a very long time ago? How could he explain that? Traces can be found, and these are the incidents I have found to illustrate the matter to Honourable colleagues.

Concerning small circle elections, during the Legislative Council Election more than two years ago, Alan LEONG and I stood for election in Kowloon East and Andrew TO represented the League of Social Democrats (LSD) to stand for

election. However, he unceasingly and violently attacked Alan LEONG, claiming that he betrayed democracy by participating in a small circle election. Yet, the two of them jointly organized a referendum this year.

Speaking of politics, I have a clear view, but I find certain things always remain unacceptable. There was a *de facto* referendum and we are going to have a *de facto* direct election. It is "*de facto*" in both cases, how come we are scornfully attacked for this *de facto* direct election? I have explicitly stated from the very beginning that I did not support a *de facto* referendum. I have also made the point very clearly within the Democratic Party. Nonetheless, have I given Mr Alan LEONG any assistance? I have. I have checked the records of the number of votes in this referendum, and I found that many votes came from the district where I had an office. He got many votes and many votes came from the districts where District Council members from the Democratic Party participated in the electioneering activities. I think we treated him fairly ..... I did not support a referendum but I respected Mr LEONG who belonged to the democratic camp. Moreover, as it was a direct election, I rendered my support. My supporters (Sau Mau Ping neighbours) asked me, "We listened to you this time and voted for Alan LEONG, can we vote for you again next time?" Some neighbours really asked me so. At my Sau Mau Ping office, those elderly people — I am sorry but I know that not many young people gave me their votes (*Laughter*) — they were innocent, they told me that they listened to me this time and voted for Alan LEONG, they asked me whether they could vote for me again next time. They asked the staff at my office very seriously, and my staff could not help opening their eyes wide. My staff told them that they should certainly vote for Fred LI next time; otherwise, just like the case of Regina IP, not returning what she has borrowed. (*Laughter*) This is our real experience, we witnessed with our own eyes. Thus, I will be afraid — I am saying so half jokingly and half seriously. I asked my supporters to vote and I also voted that day.

The problem is that he still abuses us, saying that we hindered him and we failed to offer help. The LSD said so at the press conference held after the election. In the past, "Long Hair" had once described us as an appendix, he said that the Democratic Party was an appendix, which was useless and it caused no harm even if it was removed. Therefore, our assistance and participation was

not considered necessary. We were also abused and attacked when the voting rate was not quite satisfactory, was that fair? I have been putting up with that for a long time. President often emphasizes harmony ..... I am sorry that there was a lack of harmony but we at least tried our best to avoid causing further arguments. Yet, I am full of pent-up anger, and my belly is swelling.*(Laughter)* I think that our respect for others .....

**DEPUTY PRESIDENT** (in Cantonese): Although Mr Fred LI's speech is highly entertaining, please keep quiet and listen quietly when he speaks.

**MR FRED LI** (in Cantonese): I am just speaking from my heart, Deputy President, and I am not making them laugh.

We did things right and wrong in the course of fighting for democracy, right? I was one of the sinners when Ms LAU introduced a private bill years ago. Among the four members of the Meeting Point, I was the one who abstained from votes. Emily LAU hated me so much and the Ant Alliance fiercely attacked us back then. At that time, the Meeting Point had been under great pressure. As some members left without voting, we had to bear the responsibilities and we eventually lost because we lacked one vote. They intentionally left without voting at that time, which screwed things up. Nevertheless, I did not blame them because that was the political reality of the world. Are we not joining hands with Emily LAU today? Traces can be found and we have done something wrong. How can anybody do nothing wrong? We have fought for democracy for 20 to 30 years, but we will be forgiving. Nonetheless, we have now seen that some brothers are not forgiving and they are accusing us, saying that we should be responsible for the division. Is that justifiable?

Last time I did not support the referendum, and I was cursed at full blast on the internet radio. At one time, I had meal upstairs, and I was condemned — I am not sure if I can say out here — I was called "son of a bitch". I have all along swallowed the insult and have not refuted. However, that should not have happened. I was driven beyond forbearance when the "Uncle Wah" incident

took place. I do not think that we were taking advantage of this incident for political gains or for making political attacks, that was absolutely not the case. We were just speaking from our hearts. Why can I not speak from my heart? I might have criticized the LSD and some Honourable Members when I spoke, and it turned out that I could not do so. While they can attack others, we cannot do so. What kind of society is this?

**DEPUTY PRESIDENT** (in Cantonese): Mr Fred LI, I ask you to speak on the motion concerning the method for the selection of the Chief Executive.

**MR FRED LI** (in Cantonese): Actually, what I just said was not unconnected with the motion, *(Laughter)* since the Chief Executive is not directly elected, I will indirectly instead of directly present my views.*(Laughter)*

I do not have naive expectations of this election, and I also do not have naive expectations of the Communist Party. Though it is written on some placards outside the Legislative Council that I have been an undercover Communist Party member for 20 years, *(Laughter)* I can say it out directly, I do not quite believe that the Chinese Community Party is happy to give Hong Kong people democracy; it will not happen. One day when the Communist Party is willing to give us democracy, it means that it is in full control of all elections in Hong Kong, and has exerted great influences. Over the past 13 years, I have seen the establishment of community groups supported by the Central Government in various districts, including Kowloon East and other places. They include various district organizations such as the Kowloon East Chaoren Association. It even wants to penetrate into professional bodies and get control of them. If it can get control in various areas, it needs not fear universal suffrage or direct election, because people whom it trusts will naturally be elected. Trust is the prime concern to the Central Government, trust is more important than competence. If a person is trustworthy, he can be entrusted with all duties for he will definitely notify the Central Government once problems are identified. Hence, competence is not the most important factor. This is my observation.

It seems that we have made compromises today, but I will not be so naïve as to believe think that we can implement universal suffrage just by taking one

step. If we vote down this motion, be it on the formation of the Legislative Council or the selection of the Chief Executive, do you think that FCs will be abolished, and the Chief Executive will be elected by full universal suffrage without a screening mechanism and open for nomination? No, it will not. It is very difficult to ask all FC Members present to vote for the abolition of their own seats. Thus, it will take more time to strive for that. Can we simply reply on street struggle to strive for our aspirations? No, we cannot. For if we resort to street struggle, or even go further to insulting, smearing and tossing things, it will scare off the Central Government who does not want to see all these happen. Hence, things will turn out to be just the opposite of what we wished. For this reason, I am not optimistic. Regarding whether we will really have genuine universal suffrage in 2017 and whether all FCs will be abolished in 2020, I am not optimistic at all. It sounds funny for me to think so, but I can only, under a non-optimistic condition, practically strive for whatever is available, and then we would negotiate and strive for more. We can take to the streets and maintain communication. Why? Now that we can do nothing, we should try every means. After all, we are doing so for the future of Hong Kong; are we striving for some more seats for the Democratic Party? There are criticisms that we gave support just for securing some more seats; but I think that will be very difficult. As we lack manpower and money, how can we strive for more seats? Elections involve a lot of money and resources, yet how can we compete with those who have a continuous supply of resources?

Under these restrictions, we can only strive for the best as far as possible. Honourable colleagues can disagree with our strategies and methods, but they cannot make personal attacks, they cannot abuse our seniors, or even make fun of a person's illness. I think these acts pass beyond the limits; even if I am a so-called moderate person, I find that unacceptable and I must express my opinions.

I so submit.

**DEPUTY PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**DEPUTY PRESIDENT** (in Cantonese): If no .....

(Mr Paul TSE raised his hand to indicate his intention to speak)

**MR PAUL TSE** (in Cantonese): Deputy President, after listening to Mr Fred LI's speech, I think there is hardly anyone else who can make us feel more relaxed. Members have been listening to speeches for two days and this is really a long time. However, I wish to raise some fringe points that may not have been raised earlier. As regards the mainstream views, there is no need for me to say anything further as Members already understand them clearly. However, I wish to take this opportunity to talk about the following points.

The first point, which was also raised by Ms Starry LEE just now and by Mr CHIM Pui-chung yesterday, is the political reality. Many people think that Hong Kong people are aspiring for democracy but in fact, Hong Kong people are not striving for democracy but for democratization. Politically, Hong Kong is not an independent regime, so we can never choose democracy on our own. If our sovereign state, the Chinese Government, is undemocratic, it is not possible for us to demand democracy. We can only demand democratization, which is a matter of degree and there is a great difference. If a company is jointly owned by its employees, they can choose to adopt the "one-person-one-vote" model to decide the direction of the company according to the number of shares they hold. However, if you are not the boss of the company, even if the boss is highly democratized and listens to the views of managers and employees on every matter, ultimately, it is the boss who makes the decision and the employees cannot have any say. For this reason, the difference in this word makes a big difference and we must not fancy that Hong Kong can have democracy at this stage. This is not possible and we can only try to democratize as far as possible.

If we look at the drafting of the Basic Law during the transitional period, insofar as the general constitution and regime are concerned, the part that was most controversial and most difficult to design was the two sections on the executive and the legislature. If we look at Hong Kong's Basic Law now, the least controversial part is, quite the opposite, this part. Why? This is because the regime in Hong Kong's colonial era has been transplanted in its entirety to be

implemented in Hong Kong for 50 years without any change. By transplanting this regime, it is destined that Hong Kong cannot lightly exceed the bounds on many issues in this area. This is also another political reality and Members must not forget this point.

Deputy President, the second point that I wish to talk about is ultimate universal suffrage. Many friends keep talking about ultimate universal suffrage but what does ultimate universal suffrage mean? This really gives people a good laugh. I agree very much to the saying of Mr SHIH Wing-ching in a commentary a few days ago. He pointed out that there was nothing as the ultimate in democracy. Who dares say that the universal suffrage he talks about is ultimate? To say so is downright naïve. This concept of being "ultimate" is just like the Polar Star. People look at this star from different places and they can all see its lights. All of us will move towards the same place, proceeding according to our location, background and culture. However, there is no such thing as the ultimate. If someone thinks that he is the spokesman for "the ultimate", he is deluding himself and others.

There is no such thing as good or bad in a democratic system — the ultimate is non-existent, and so are the good and the bad — what is appropriate or inappropriate are the only concerns. We have to judge whether something is appropriate at a certain point of time according to the circumstances, the background and the history. We must no longer delude ourselves or others and insist that something is acceptable only if it is "the ultimate". If we always search in this way, this is somewhat like men and women seeking to get married. I have heard some people say that if they cannot find a suitable partner, they will never get married. In that case, I must congratulate him because he will never be able to get married, since there will never be the most suitable partner.

I believe that many Honourable colleagues would not disagree that one advantage about Hong Kong is that ever since the era of British-Hong Kong colonial rule, Hong Kong has all along upheld the values protected and safeguarded by other democracies, such as the rule of law, a probity system, the freedom of speech and more importantly, the freedom of the press. The only setback is the absence of democracy because Hong Kong was a colony. Some people often say that they want to make more money in order to pursue worldly

pleasures and happiness, yet some religious or wise people know that the pursuit of happiness does not always rely on money. If presently, we can gain insight into certain matters, we can find happiness as well. Some people may criticize me for saying so, but I wish to point out that Hong Kong already enjoys some of the rights protected under the democratic system. Democratization can only help us further reinforce these rights. Of course, it is preferable to have democratization but if we have to sacrifice all other values in order to strive towards this so-called ultimate universal suffrage, is it worthwhile to do so? Members have to reflect on this point.

Many Honourable colleagues will also understand, for what we do or discuss in this Council, how important will that be. Frankly speaking, the Government is more concerned about press headlines than issues raised by us, even for thousands of times. So what is the big deal with a motion? If the motion is passed, so what? That is of no significance. Hong Kong society does not depend on so-called democracy to take forward various reforms. We are just part of society, do not think we are so important that we as a part can accomplish everything.

Deputy President, just now, I said that we have to look at the background of each system; when Honourable colleagues spoke yesterday and this morning, I find that very often, they like to cite some lines from poems, be it English or Chinese ones, in their speeches. This may be attributable to the present practice of our state leaders. At the beginning or at the end of their speech, people like to cite some lines from poems. Why? Because we are Chinese and this is our system and culture. China does not just denote a nation state or a group of people, such as the United Kingdom or other western countries; China also denotes a deeply-rooted culture spanning more than 2 000 years; it is a society and a country. There are certain things that we cannot escape from. We cannot banish all our attributes or the roots that we are connected to at one go. A democratic system is not a kind of sentiment, nor is it a system designed in a vacuum.

Democracy cannot be separated from one's background. The background of Hong Kong, its colonial era, the background of the Chinese people and the cultural background with a history of over 2 000 years, all these will affect our

way of thinking, practices, mindset and orientation. Why do we call the Chinese Authorities "Grandpa"? Because in China, the concept of the family cannot be separated from the country, and this concept has extended for thousands of years. If we hastily transplant the development of the West in the past 200 years or so to China, the Washington Consensus and Washington model have, frankly speaking, been proven to be infeasible in the current situation, and modifications and improvements are needed. At present, we also have the Beijing consensus and Chinese model. Owing to the development in recent years, particularly after the international financial turmoil in 2009, people started to re-examine whether the western model adopted at present is really the best one. Is there any better — sorry, I do not mean good — rather, is there any other model more suitable for Hong Kong, China and the whole world, particularly for developing countries? This is something we have to reflect on.

Deputy President, I once gave an example but was criticized by Mr Andrew CHENG. I said that if the Vatican, as a sovereign state, is asked to change gradually from a country of Catholicism to a democratized one; and the powers will no longer be in the hands of the Pope or the Cardinals, and the Pope will be elected by "one person, one vote" and a gradual transition should be made, will this institution still have a very strong religious characteristics and the Church will still be in great power at the initial stage? I think the power would not be devolved to the Italians at one go. Although they are separated from their fellow Italians only by a border, it is still not impossible for the people in Rome to vote for the Pope immediately. That would not be possible. This is precisely a matter of the roots and history.

For many years, Hong Kong has been a capitalist society under a capitalist system, what is the most important thing for us? I ask Members to take a look at the Basic Law. At present, the number of members of the Election Committee for the Chief Executive is equally divided among four sectors. Only one sector is taken up by people who are truly from the political circle, the other three sectors are for people from the business, social and religious sectors. Only in this way is a society fully represented. Hong Kong society is not merely composed of people who talk about politics, there are many other types of people. Why do we not try to understand these historical factors instead of just query about the bias towards the business sector? In fact, we should not think in this

way. If Hong Kong is to be designed in a vacuum, it can be start everything afresh; if Hong Kong has no historical legacy, we can do so. However, this is not the case for Hong Kong has, after so many years, been developed into a highly capitalist society.

Just now, Mr Alan LEONG asked why Mr QIAO Xiaoyang subsequently added another comment, saying that capitalism had to be preserved for 50 years. This is only natural because the Basic Law also says so. It states from the outset that capitalism rather than socialism shall be practised in Hong Kong. This being the case, why is this not the factor that we are most concerned about? We cannot say that at present, we only make a small step forward rather than a full opening up, that the market is still dominated by the business and professional sectors, so the situation is not ideal. Such a saying has little regard for the reality or politics. At the same time, that is an over idealized understanding of politics and far from pragmatic. It remains at the stage of a dreamer rather than a reformer.

Be it for individuals, political parties or society, all political development has to be gradual and orderly, otherwise, as a number of Members pointed out just now, chaos seen in new democracies would occur because the changes come too quickly and people are dissociated from their original roots, yet these roots are very important. In contrast, as Hong Kong is a small place and we have some capital and "fats" to live on, we can still survive despite the internal discord. Frankly speaking, to the general public, apart from watching a grand show, they also have to make a living and work hard to support their families. Had it not been the extensive coverage of the mass media, they would not have been very concerned about constitutional reform. Separately, even if there were no constitutional reform whatsoever in Hong Kong, does one mean that Hong Kong would crumble tomorrow? That would not happen, and everyone would continue to go to work as usual.

Hong Kong is a very realistic society. We should not think that this is the most important core issue for Hong Kong just because we are in the midst of it. This is not the fact. This is also precisely the reason for my initial reservation about constitutional reform. Why should there be any reform? Is the *status quo* not good? We can certainly make changes if they are good ones but what if

they are not? In our Basic Law and in many Western countries, including the Eastern European countries that we visited recently, a mechanism of a two-third majority is also in place on democratic progress. Why? Because the requirement of passage by a two-third majority can ensure that changes would not be made easily, trouble would not arise easily and things cannot be changed easily. For anything that is good or bad, subjective or objective, a broader consensus can be established. If a two-third majority is needed, so be it and if something cannot be passed, so be it. This does not matter and it is not absolutely necessary to pass something. Do not think that we are obliged to pass anything. In fact, this is no big deal and nothing will happen. However, if all of us are pleased to do so, it does not matter either. Even if the proposal is not passed, we will still continue with our lives. We will continue to go to work, continue to make money, continue to take care of our families and in fact, this is no big deal.

Deputy President, an Honourable colleague talked about one generation plants the trees in whose shade another generation rests — it seems that it was Mr CHEUNG Kwok-che who said this — of course, I understand this rationale. Now, we are not setting out to make new invention because many things were designed long ago. I only wish to add a point, that is, politics is changing all the time. It is transient and keep changing all the time, there is no such thing as absolutely ideal and absolutely correct. Some Honourable colleagues said that our present proposal is even worse than that in 2005. Buddy, think of the situation in 2005 and the situation now. Let us not look too far and we only have to look at the present situation to get an idea. Due to the so-called action-reaction, there is now great verbal, physical or cultural violence and Hong Kong society can feel some impact. Due to this impact, even the Democratic Party also thinks, "In the past, it was us who made others feel the pressure but now, in a reversal of the roles, we are the ones to feel the pressure, so it is time for us to change."

This is very simple. Society is changing all the time and we should no longer compare the present proposal with the one in 2005 to see if it is desirable or not. The more practical and feasible approach is to consider the present package and proposals as they are and do not compare them with anything else. As in the example given by me about men and women seeking to get married, if we compare a 20-year-old pretty girl — or a handsome man to avoid being named

sexual discrimination — with someone who is 60 years old, of course, we would choose differently. At different time, the conditions will be different too. Therefore, we cannot compare the present proposal with that in 2005. We should compare it with all existing options and the options to be implemented. This course of action is more practical; otherwise, it will be like getting fish in the air.

I remember that it is probably Mr LEE Cheuk-yan who made the remarks and I also agree with him, that is, how good is the present proposal? What actually has been added? Are things not just the same? Only another 100 people will be added to each sector. The present situation is just like having a pot of soup. Due to a sudden increase in the number of customers, there is not enough to go around, so more water is added, just like adding oil to water — sorry, I should say that after adding water, more people can drink the soup but basically, nothing has changed.

This is also the case for the present proposal. In terms of quality or quantity, in fact, there is little change but there are many merits. If we do not move in any way, whether the credibility of the governance of the Hong Kong Government, the concept of gradual and orderly progress, whether or not we can pacify ..... some Honourable colleagues opposing the proposal are worried that should this proposal be passed, the tension in this regard will be eased and neutralized and this is where the controversy lies. In fact, they do not want to see that the present tension created — be it the support for the referendum or the number of votes — be defused all of a sudden, then everyone will return to their normal lives and neglect this matter. This is what they are worried about.

In the final analysis, this is where the problem lies. Do not accuse others of being bent on controlling the outcome of elections before they are willing to take forward constitutional reform. If we ask ourselves, all people would want the future changes to be favourable to themselves or to their political parties and all people think this way. Therefore, let us call a spade a spade and we have to admit certain things candidly. I think that would be more practical (*The buzzer sounded*) .....

**DEPUTY PRESIDENT** (in Cantonese): Your speaking time is up.

**MR PAUL TSE** (in Cantonese): ..... direction of reform. Thank you, Deputy President.

**MS AUDREY EU** (in Cantonese): Deputy President, first, I wish to respond to your speech. You said that we had once supported the "one-person-two-votes" model similar to the present one. Deputy President, at that time, 21 Members of the pro-democracy camp signed except Ms Emily LAU, who considered the model too conservative, and thus did not sign. Mr Ronny TONG also raised this point in his speech. Last Sunday, when I was a guest of the City Forum, Ms CHAN Shu-ying also mentioned this point, saying that we agreed to the "one-person-two-votes" model at that time. In fact, these two models are very different. The two votes that we advocated were votes in direct elections, one vote is to return a seat in geographical constituencies through a simple majority system and the other is to return a seat on a territory-wide basis through a proportional representation system. We have never agreed to the "one-person-two-votes" model in which the other vote is for functional constituency (FC) seats. Our objective is to abolish FCs, so there is a great and material difference between the two models. We do not agree to move towards elections with nominations made by small circles.

Deputy President, let us go back to the core of today's subject. Recently, the Hong Kong public have all seen the publicity on "Act Now", the Chinese version of which is "起錨", meaning "weighing anchor" in English. Many Honourable colleagues have also adopted the analogy of "weighing anchor". In the past, people compared Hong Kong to a sailboat and today, the Chief Executive compares Hong Kong to an ocean liner. He said that this ocean liner has to "drop anchor", meaning to break down. Deputy President, I agree very much with this point.

However, when senior officials of the SAR Government took to the streets to tell the public to "Act Now", members of the public were all at a loss and they asked, "Act on what?" In fact, the problem is that the wrong targets have been chosen. They keep saying to the public that they have to act now and keep telling the pro-democracy camp that they have to act now. In fact, it is necessary for the SAR Government to convey the fact that this ocean liner has indeed broken down, but who caused the liner to break down? It is not the Hong Kong public, nor is it the pro-democracy camp in the legislature but the Central

Government, the SAR Government and the many vested interests in the pro-establishment camp that caused the liner to break down. Today, we are not trying to fight over who can get the seats, who can get more seats or which party or grouping will get the advantages, as Mr Paul TSE claimed. What we are campaigning for is universal and equal suffrage in which everyone can take a part, rather than elections that continue to be dominated by small circles of vested interests.

Therefore, if the SAR Government says that we have to act now, I call on it to address the right targets. In fact, the announcements of public interest (APIs) of the Government have reflected the thinking of the SAR Government. In one of its APIs, a couple was dancing and the lady, like the Hong Kong public, wants very much to dance her own steps by following the music — one, two, three, four, five, six, seven — but the man, just like those in power, always wants to dance in the pattern of one, two, three and one, two, three, pulling her back and making her stay at the same spot. Therefore, do not blame the Hong Kong public and do not blame members of the public who wish to have democracy. In fact, such is the mentality of those in power. They say that you have not yet grown up, so you should not get there in one go. In fact, this is not to get there in one go. With all the procrastinations thus far, there is not even any gradual and orderly progress.

In another API, the SAR Government treats Hong Kong people as a girl who has not yet graduated from school and who is still going to school. She wants a dress for her graduation ceremony. The API says that one has to believe in "mom" and believing in "mom" can have things done. After watching these two APIs, I really do not know what the SAR Government considers the public to be. How can it treat the Hong Kong public as a girl who wants a dress for her graduation ceremony, and then say that universal suffrage and democracy are just ideals, all we should do is to believe in the Government? This kind of thinking is completely outdated and putting the cart before the horse. Nowadays, the Government must have faith in its people, particularly given that the SAR Government likes to praise us for being rational and pragmatic, but once the issue of democracy and universal suffrage is broached, it would say no, that we still cannot have them, that we are not mature enough and have to trust that the Government will design things for us. The Government's APIs reflect its wrong thinking.

Just now, I heard Mr Paul TSE and before him, Mr Fred LI speak and I began to understand a little why some people say that nowadays, the Democratic Party has turned into the pro-establishment camp. In fact, I respect the Democratic Party very much and I also understand that today, it has made its own choices. When Mr Albert HO spoke, he said that they would continue to strive for universal suffrage in 2017 and 2020 but we have also heard the speech delivered by Mr Fred LI just now. Although he made us laugh, I think he was just trying to give us some relief from the pain. At the end, he said he really did not believe that there would be universal suffrage in 2017 and 2020, so we should take whatever was on offer. When Mr CHIM Pui-chung and Mr Paul TSE spoke, they said, "Hong Kong is not independent, so we cannot be our own masters and we are only talking about democratization. There is no such thing as ultimate universal suffrage, so we should take whatever is offered."

Therefore, having heard Mr Fred LI and Mr Paul TSE speak, I began to understand a little why some people say nowadays that the Democratic Party has become one of the pro-establishment camp. They have accepted what has been offered. They said, "Do you believe in all the things those people say? They say that there will be universal suffrage in 2017 and 2020 and do you believe in that? In fact, there will not be, so we should take whatever is offered." I think this is the reason for the differences nowadays. Mr Paul TSE said there is no such thing as the "ultimate" but I believe in the promises of the Basic Law. Articles 45 and 68 point out that we will ultimately attain the goal of universal suffrage and there is a definition of universal suffrage. Mr Paul TSE, there is an international standard. Of course, the SAR Government said that it would not follow the international standard but we are talking about an objective evaluation, not a dream. I think herein lies the greatest difference between those who will vote against and those who will vote for the motion. I want to insist on this point, not because I am obstinate but because I have looked at past history.

As regards their call on me to trust the Government, I have read the letters of the Ministry of Foreign Affairs published in the *People's Daily* of 1 March 1993, which disclosed the details of the negotiations between China and the United Kingdom. It quoted the letter as saying to this effect, "the British side asked the Chinese side if it can guarantee that there would be universal suffrage after 2007 in Hong Kong." When replying to the British side, the Chinese side said that the Central Authorities did not have to give any guarantee because this

was a matter within the autonomy of the SAR and the SAR would have the say. I have also read a report in the *People's Daily* dated 18 March 1993 on its interview with Mr LU Ping. Mr LU Ping said, "Ultimately, the goal of election of all Members of the legislature by direct elections will be attained in Hong Kong and the Chief Executive will also ultimately be returned by universal suffrage." Mr LU Ping said, "The Basic Law has laid down clear provisions on the number of directly-elected seats in the first three Legislative Councils. There will be 20 in the first Legislative Council, 24 in the second and 30 in the third, that is, half of the total of 60 seats. As regards how the legislature should be formed after the third Legislative Council (that is, after 2007), it is entirely up to Hong Kong to decide by itself. So long as a two-third majority of Legislative Council Members give their endorsement and the Chief Executive gives his consent and the decision is reported to the Standing Committee of the National People's Congress for the record, it will do and there is no need for the Central Government to give its consent. How Hong Kong will develop democracy is entirely a matter within the autonomy of Hong Kong and the Central Government will not interfere with it." Deputy President, we are asked to trust the Government, are we not? Just now, when Mr CHAN Kam-lam spoke, he said it was necessary to make gradual and orderly progress instead of getting there in one step.

This booklet in my hand, published by the Party School of the Central Committee of the Communist Party of China, tells me about all these. This booklet is a gift from Ms Maria TAM and is now included in the Basic Law. What does it say? What is gradual and orderly progress? It means that there shall be increments in the proportion of directly-elected seats. However, what happen now? First, the three-step mechanism spelt out by LU Ping became a five-step one after the interpretation of the Basic Law by the NPCSC in 2004. It is stated clearly herein that gradual and orderly progress refers to increments in the proportion of directly-elected seats after 2007. Subsequently, due to the decisions made by the NPCSC on two occasions, we got stuck, no progress could be made and the proportion of directly-elected seats could not be increased either. Originally, three political parties said that there should be universal suffrage in 2007 and 2008 and at that time, the Civic Party had not yet been established. Subsequently, it was said that universal suffrage would be introduced in 2012. CHAN Kam-lam said that we could not get there in one step in 2012 because society would be unstable. Now, Mr CHAN Kam-lam, we are not talking about

2012, rather, we are talking about whether there will be universal suffrage in 2017 and 2020. What is the greatest difference? Nowadays, it is said that we have to compromise. I do not take issue with this and it is not true that I am not willing to compromise. However, the greatest problem with this District Council proposal ..... Deputy President, just now, I heard you talk about how we can work on ways of enlarging FCs when you were giving your speech. What did Mr Allen LI say in his article? He said that the introduction of direct election into FCs would be a major change, that is, these five newly-added so-called "super DC member" seats represent a move towards FCs and that they are even greater and enlarged. This is wishful thinking, believing that doing so would lead to direct elections but of course, this would not. First, the right to vote and the right to nominate have not been clearly spelt out. Would there be five districts or one district? What is the ceiling of the election expenditure? If it is set at \$10 million, it would be practically impossible for ordinary people to contest the seats. If the people elected are representatives of political parties, they will again vote in accordance with the decisions of political parties. Does one mean that incidents like Mr Andrew CHENG withdrawing from the Democratic Party would happen every day? Members can consider this: are we straying from the timetable that we should originally follow? Are we deviating from the definition of universal suffrage? Are we legitimizing FCs even further? These are issues that we must consider. If it is said that we must think pragmatically, I think what is called pragmatic thinking is not to believe that there will be universal suffrage and that we should not even believe in the proposals relating to 2017 and 2020 because we have been deceived so many times. Do not believe in anything any more and just take whatever is available.

I understand and appreciate this kind of mentality but I think that there ought to be someone who is willing to say that what we are striving for is neither unreasonable nor getting to our goal in one go, nor will it cause social instability. Do not blame the social divisions or the agitation of the public on some people, saying that they are opposing merely for the sake of opposing. In fact, there is far too much evidence in history to show that the Government does not honour its words. The public insist that the Government has to keep its promises. Why is it said that some people oppose for oppose sake? We are only pointing out that the Government is lying and treating the public as if they were kids who have not yet graduated from school, telling us to keep on believing. We are just pointing out that this cannot take us to genuine universal suffrage in 2017 and 2020 and will not take us to the outcome of abolishing FCs. There are still many blanks

and details on which no clear account has been given. At this stage, when so many things have not yet been sorted out, we are unwilling to compromise and this is not an unreasonable course of action.

Going back to the selection of the Chief Executive, this proposal is even worse than that in 2005. What did Mr Paul TSE say? He used the analogy of a woman seeking to get married. He said that she has waited until she is getting old, so does she want to wait any longer? I think this analogy is neither fish nor fowl and it is also an insult to Hong Kong people. A lot of women do not necessarily have to get married and Mr Paul TSE also knows some of them, does he not? *(Laughter)* Therefore, nowadays, will this really lead to universal suffrage or the election of the Chief Executive by universal suffrage? On increasing the number of members of the Election Committee from 800 to 1 200, I find it very laughable to listen to that publicity ..... Mr Ronald ARCULLI said that increasing the number of people from 800 to 1 200 was terrific. These 800 people account for 0.0002% of all 3 million voters and by increasing the rate to 0.0003%, are these people widely representative? This is by no means the case. There are four sectors in the Committee and three of them belong to small circles. Originally, it was said that all District Council members would be included but this time, only 75 will join the Election Committee, so this is a retrograde step for democracy.

Last time, when Mr Alan LEONG ran in the election, what was our greatest difficulty? The greatest difficulty is to find people who were willing to run in the election. He had to find people who were willing to take the brunt. They had to say that their aim in running in the election was to nominate someone who had no chance of winning at all but this would offend all the powerful and rich people. It was very difficult for us to implore other people to run in the elections. Now that the Election Committee will be expanded, the degree of difficulty will increase because we have to implore more people to run in the elections. Last time, it was after a great deal of effort that we succeeded in imploring seven representatives from the engineering sector to run and they all won with the highest number of votes but first of all, we had to find seven people to do so. Now that the number of Election Committee members from the Engineering functional constituency will be increased from 20 to 30, the difficulty will even be greater, will it not? Therefore, this is by no mean genuine democratization, rather, it has given us a lot more difficulty.

We can see many problems. For example, Mr QIAO Xiaoyang said that no matter how this 2012 proposal was amended, it cannot be held up to comparison with that for 2017. Some people say that this represents gradual and orderly progress and if we support it, it would be easier to elect the Chief Executive by universal suffrage in 2017. Now, we cannot even say so. In the past, Mr Jasper TSANG — the President — said that if we supported this Election Committee and the expansion of the Election Committee, in future, it would become the Nomination Committee in 2017 because reference would be made to its composition. However, Mr QIAO Xiaoyang told us that we should not think this way because it would be necessary to start from scratch. Even though so much effort has been made, this proposal would only increase the difficulty in making nominations because the number of people will be increased, so the support of more Election Committee members will be needed to secure nomination and the entry ticket to run in the election.

In addition, this proposal does not serve to pave the way for the election of the Chief Executive by universal suffrage in 2017 in any way. In these circumstances, Deputy President, we in the Civic Party cannot support the resolution concerning the selection of the Chief Executive. Thank you, Deputy President.

**DEPUTY PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR WONG YUK-MAN** (in Cantonese): Deputy President, today, the position of the League of Social Democrats is very clear and already known to all. For this reason, we are not going to explain our position any further.

I have heard many Honourable colleagues speak. In fact, in the past two days, I have been reflecting on what is meant by "radical", "moderate", "verbal violence" or "social disharmony". I have been thinking about this for a long time. Browsing through the books written in the past, I found that all these subjects have been dealt with before. Recently, an elderly person reminded me, "Yuk-man, you can publish a book in English with the title 'I Told You So' for the book fair."

Since the early 1980s, I have been commenting on politics and at that time, China and the United Kingdom were having negotiations and we belong to the democratic and pro-reunification camp. Our position was that no concession could be made on matters of sovereignty but there had to be democracy. Many people seated here were our allies at that time but now, they have all left, have they not?

Today, I have prepared a speech entitled "Comrades, today, we go our separate ways!". Let me talk about this article first.

Deputy President, five years ago, when Mr Albert HO of the Democratic Party spoke agitatedly in this Chamber in opposition to a constitutional proposal that ran counter to public sentiment, he said, "If a politician cannot stand on high moral grounds and pass judgments on decisions of immense historical significance or make important political decisions, then he will only be relegated into a mere politico and he will be mocked in contempt. He will never hope to become a statesman.".

In the face of a method for the selection of the Chief Executive that is even more deplorable than the proposal in 2005, the Democratic Party has decided to follow another course and it has stated clearly that it will vote for it. In this Chamber, Mr Albert HO and the Democratic Party headed by him no longer "stand on high moral grounds and pass judgments on decisions of immense historical significance or make important political decisions", so "he will only be relegated into a mere politico and he will be mocked in contempt". Given such an end, I am filled with feelings of all sorts. In order to gain support for the "revised District Council proposal", the Democratic Party can go so far as to gladly accept a proposal on the method for the selection of the Chief Executive that has no ultimate goal. Deputy President, may I ask if this is not turning against the 280 000 voters who voted for the Democratic Party in the 2008 Legislative Council elections?

If the Democratic Party is a political party still adhering to the beliefs of democracy, it must follow the so-called responsibility ethics that is fundamental to the politics under a democracy and abide by the promises it made to voters. The reasons for the Democratic Party's opposition to the constitutional proposal in 2005 were very clear. According to Mr LEE Wing-tat, when the

pan-democratic camp took part in the Legislative Council elections in 2004, it proposed the very clear platform of supporting the introduction of dual universal suffrage in 2007 and 2008. Not long ago, Ms Emily LAU was still exhorting vociferously, until her voice was hoarse, in this Chamber that no concession whatsoever could be made in striving for dual universal suffrage in 2012.

I must point out solemnly that if the Democratic Party cast a vote in support of a constitutional proposal that has no ultimate goal for universal suffrage, I am sorry to say that it is really a breach of trust and justice. It has accepted the enlistment by those in power and it no longer belongs to the pro-democracy camp!

One comment made frequently by the Secretary for the Constitution and Mainland Affairs, Mr Stephen LAM, is that the pro-democracy camp is asking for an increasingly high price in respect of constitutional reform. However, the opposite is true and the Democratic Party, after deciding to oppose the five-district referendum, has repeatedly softened its political stance and lowered its asking price.

The Democratic Party convened a general meeting in December last year, it voted against participating in the five-district referendum, and stressed the stance of insisting on the introduction of genuine universal suffrage and the abolition of functional constituencies. It stated that non-participation in the five-district referendum was only a difference in strategy rather than in principle. The vice-chairman of the Democratic Party, Ms Emily LAU, even declared that she opposed the referendum because the topic of the referendum did not include the subject of "dual universal suffrage in 2012" that she supported, so it was difficult for her to lend her support in her personal capacity.

After the five-district referendum campaign, the Alliance for Universal Suffrage and the Democratic Party held the so-called ice-breaking meetings with Mr LI Gang, the Deputy Director of the Liaison Office of the Central People's Government, in succession. Mr LI Gang pointed out that the Democratic Party was chosen as the party to communicate with because "the Democratic Party does not agree with the referendum and supports rational communication.". Obviously, this is the key to the so-called ice-breaking meetings because the Chinese communists think that the Democratic Party, in refusing to take part in

the referendum and declining to take a radical line, has pioneered a rational and moderate road of communication. Its efforts should hence be commended. In fact, this is also in line with the established strategy of a "united front" of the Chinese communists.

One of the major demands of the Alliance for Universal Suffrage, the core members of which are from the Democratic Party, was that a roadmap should be confirmed in the form of a legislative record. Subsequently, the Alliance took the first step by backing down and demanding an oral statement on a roadmap on universal suffrage instead. Then, it backed down again by not demanding any roadmap on universal suffrage any more. When the Democratic Party met LI Gang, it made three demands and declared loudly that all three demands must be met; in the end, it just accepted whatever was offered.

As such, the Democratic Party has already retreated in matters of democratic principles and it has deviated greatly from its election pledges. What we want to ask is: since the method for the selection of the Chief Executive is a step backwards when compared with the proposal in 2005, why does the Democratic Party support it? Is it because the Chinese communists have accepted its revised proposal as a condition of exchange?

A veteran member of the Democratic Party, SZETO Wah, stated clearly when interviewed by the "Open Line Open View" programme of the Radio Television Hong Kong on 3 August 2009 that, in the consultation forum on constitutional reform organized by the Democratic Party, he "supported carrying out referendum by means of resignation and he also took the opportunity to propose his list of the five persons to resign". This move had heated up the discussion on the *de facto* referendum. On 6 August, SZETO Wah was interviewed on the telephone by a programme of the NOW television. He tried to persuade the Chairman of the Civic Party, Ms Audrey EU, who still had doubts about the five-district referendum. SEZTO Wah said, "At present, the law does not provide for a system of referendum and our proposal to make a by-election serve as a referendum can be regarded as a form of opinion poll. If we get a complete victory in the by-election and the number of votes garnered is very high, although the Government does not do anything, public opinion will be reflected and this will create tremendous power.". So, "Uncle Wah" encouraged us to do it quickly.

Three weeks later, the attitude of "SZETO the old man" had an abrupt volte face, holding that the proponents should not act on momentary impulse and resign for the sake of resign. Subsequently, he even reneged on his words, and argued that in proposing a list of five persons to resign, he only intended to elicit discussion on the referendum, he did not mean to support the referendum and should not let the League of Social Democrats seize the moral high ground. The comments made by him during the media interviews in early August was widely circulated on the Internet, to this, "SZETO the old man" does not want to recall and has totally forgotten about them.

In May this year, in the run-up to the referendum, SZETO Wah said publicly that he would not vote on that day. Of course, we find his actions difficult to comprehend.

In an article published on 22 June 2010 by an authoritative political commentator, Mr LAM Hang-chi entitled "Campaigning for Democracy within and outside the establishment — Looking at unity and divisions", a passage in the conclusion reads, "Although the pan-democratic camp has the same goal of lobbying for the introduction of a roadmap for universal suffrage, various factions can no longer co-operate because quite a lot of people harbour the doubt that the Democratic Party and Beijing have made secret deals. This may not necessarily be true but because of the excessive concessions made by the Democratic Party, it has reneged on its pledges made to voters in the elections. Coupled with the fact that the words and actions of a senior member of the political party, SZETO Wah, who appears to make his words the rules of his party, are increasingly like people in the liberal faction within the Chinese communist party who had to go on exile on account of the 4 June massacre, it is inevitable that suspicion has been aroused."

Inspired by the article written by Mr LAM Hang-chi, I recall the great upheavals that happened in China during the late spring/early summer 21 years ago. At that time, an old man in politics, who made his words the laws of the country and hold himself up as the example for posterity, ordered to open fire to suppress the patriotic pro-democracy movement launched by students in Beijing. The 4 June tragedy indirectly contributed to the rise of the predecessor of the Democratic Party — the United Democrats of Hong Kong — and also boosted the determination of Hong Kong people in striving for democracy. However,

today, there is another political old man in Hong Kong who made his words the laws of his party by agreeing to pledge loyalty to the murderous regime and as a result, the Chinese communist regime did not have to spare any efforts in disintegrating the pro-democracy camp.

KANT, the philosopher, wrote a passage to describe a so-called "paternal government". He said, "A government might be established on the principle of benevolence towards the people, like that of a father towards his children. Under such a paternal government (*imperium paternale*), the subjects, as immature children who cannot distinguish what is truly useful or harmful to themselves, would be obliged to behave purely passively and to rely upon the judgment of the head of state as to how they ought to be happy, and upon his kindness in willing their happiness at all. Such a government is the greatest conceivable despotism, that is, a constitution which suspends the entire freedom of its subjects, who thenceforth have no rights whatsoever.". Therefore, when "Grandpa" blows the whistle, everyone has to kneel.

From the elaboration on paternal government by Kant, not only can we find the explanation for the politics with Chinese characteristics for a long period in the past, we can also observe the beginning of such a trend in Hong Kong. A 79 year-old man, together with the six-member constitution team of the Democratic Party, have been involved in dark-room politics with the Chinese Communist Party and have betrayed voters. They think that they can decide on how all people of Hong Kong can pursue democracy. Such "ultra wrong" behaviour of the Democratic Party has enabled Donald TSANG to "Act Now" but Hong Kong is stalling as a result.

As early as two years ago, I have already published an article entitled "The pro-democracy camp has no capital to remain undivided". In it, I quoted the remarks made by HSU Hsin-liang when he withdrew from the Democratic Progressive Party in 1999, "(in *Putonghua*) Comrades, here, we go our separate ways because I want to continue to go forward!" I am afraid the League of Social Democrats will also be compelled to part with the politicians who are wearing the skin of democracy because we want to continue to go forward. My words two years ago have turned out to be prophetic.

Maybe SZETO the old man would say, "If heaven wishes it to rain or your mother to remarry, there is no way to stop either of them". Maybe he can go on to say, "If our paths are different, we cannot make plans together". Today, in this Chamber, it is with a heavy heart that I am saying these words of separation. Of course, I agree with the comments made by Mr Alan LEONG but I also steadfastly believe that we should be united on account of the common ground rather than being on common ground for the sake of unity.

On this road of political resistance, some people will surely become deserters in the face of battle; some will defect from the righteous side to the dark side; and more people would be opportunists who reap benefits and yet pretend to be decent. Today, the Democratic Party, which has been travelling on this road of political resistance for more than two decades, is betraying trust and justice, so the responsibility for the split in the pan-democratic camp does not lie in the League of Social Democrats. We still insist on defending our dignity and will not try to achieve the end by improper means. As Lu Xun said, "Somewhere between the two remains one soldier; Shouldering a lance, alone, and wandering".

After the passage of the constitutional proposal, the pan-democratic camp will split up formally and the League of Social Democrats, which insists on "no confrontation, no change", will surely be isolated and marginalized. However, "only without fear of isolation can one be independent", so the League of Social Democrats and its supporters will "abandon all illusions and prepare for struggles" by holding its ground firmly and continuing to wage struggles for democracy together with Hong Kong people.

Thank you, Deputy President.

**DEPUTY PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR WONG SING-CHI** (in Cantonese): Deputy President, today, I have many doubts and worries. Having heard the speech given by Mr WONG Yuk-man just now, I feel that given Mr WONG Yuk-man's knowledge, rhetoric and power of expression, he can convince many people, so there is no need to mobilize

members of the public to wage violent struggles and resort to raillery in the legislature. I admire Mr WONG Yuk-man's power of expression and if we continue to discuss in this way, I believe the Legislative Council would secure greater public support and the truth debated by us will also become clearer.

I heard Mr LEUNG Kwok-hung say just now that criticism against his barb at Mr SZETO Wah that cancer cells had spread to his brain were political attacks. I do not quite understand why inveighing others aloud in the street, criticizing others aloud and even cursing others of having cancer in their brains do not amount to political attack, while speaking the truth and criticizing some people for attacking others verbally are political attacks? Why have we lost sight of the truth? Why are people who speak the truth being accused of making political attacks? Why can someone who made comments on other people's state of health be regarded doing the reasonable thing? Why are our act of stopping people from making such malicious comments that no human beings should do so, be regarded as doing the wrong thing?

In the process of striving for a revised constitutional reform proposal, the Democratic Party did not cover up the exchanges and negotiations with the Chinese side. Although there are things that I do not quite understand, I learnt about the greater part of the process of negotiation in the Democratic Party. Our Chairman, Mr Albert HO, continually disclosed the details of their negotiations to members of the Party and we even had open discussions on a lot of comments and views. I do not believe that the Liaison's Office did not discuss with the trio in the League of Social Democrats and that no officer from the Liaison Office has ever got in touch with them .....

**MR LEUNG KWOK-HUNG** (in Cantonese): Deputy President, I wish him to clarify. How does he know? There really is not any .....

**DEPUTY PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, you have already spoken, so you do not have the right to clarify. Please sit down.

**MR LEUNG KWOK-HUNG** (in Cantonese): This is not right. I now say aloud that people from the Liaison Office have never got in touch with me.

**DEPUTY PRESIDENT** (in Cantonese): Please sit down. Mr WONG Sing-chi, please continue.

**MR WONG SING-CHI** (in Cantonese): This is precisely where the problem lies. If someone brings any accusation against the League of Social Democrats (LSD), they will surely deny it. I am not saying that this is definitely the case, but I just do not believe that no one has approached them. If they make any clarification, I will have to think about whether I would believe them. If I do not believe no one has approached them, can I say Mr LEUNG Kwok-hung, that is, "Long Hair", is lying? Certainly not, because I do not have any evidence to support my accusation. That is precisely why Mr LEUNG Kwok-hung rose all of a sudden and said, "Is there anything wrong? You have no evidence to support your accusation against me." However, this is exactly what he did.

All the details of the negotiation process between the Democratic Party and the Central Authorities are actually open, and there is no question of any secret or under-table deal. However, the trios of the LSD have accused us, in the absence of evidence, of orchestrating a conspiracy. Deputy President, if they accuse us of betraying the people of Hong Kong in our fight for universal suffrage this way, it is like my bringing an accusation against Mr LEUNG Kwok-hung, and he rose suddenly just now to say that I did not have any evidence to support my accusation. Are the two cases the same? I am not saying that they have any secret deal with the Central Authorities. All I am saying is that I believe some people from the Central Authorities have approached them, just that they have not disclosed it or have even denied it, but I do not believe them. Can I do so?

There are comments that the Democratic Party has betrayed the people of Hong Kong and has broken its promise of fighting for democracy because it has been won over by the Central Authorities in their united front work. Today, I can tell Members frankly that we have not broken our promise. Albert HO and LEE Wing-tat have said so, and all members of the Democratic Party know that we have not broken our promise. However, perhaps the trios of the LSD do not

believe it because they have a conspiracy theory, and so they think we must have broken our promise.

Speaking of the split-up within the pan-democratic camp, if we follow the logic of the LSD's conspiracy theory, we can think of a dozen reasons to support the idea that the LSD is sent by the Central Authorities to harm the unity of the pro-democracy camp because the strategies being adopted by the LSD are exactly the same as those adopted during the Cultural Revolution a few decades ago. I can presume that Mr WONG Yuk-man keeps writing books for the same reasons as MAO Zedong did back then. He is trying to influence the thinking of young people with his writings, so that they will rush forward like Red Guards did and attack people of their choice at any time. I think this is definitely probable.

Members of the pan-democratic camp have a common goal and vision, but an enormous divergence in direction has emerged because of the differences in strategies. Can this divergence in direction be explained by a conspiracy theory? I can tell Members that I can definitely think of a dozen directions. However, I do not believe that there is a conspiracy because I can see that Mr LEUNG Kwok-hung has done a lot for democracy and human rights in the past. I think this conspiracy theory does not hold water because we do not have any evidence to support it. However, how could the trios of the LSD bring an accusation against the Democratic Party in the absence of evidence, thinking that a conspiracy is involved in getting progress towards universal suffrage? They should not think that negotiation is an easy feat.

I hope our discussion today will be about our concrete views on this constitutional reform package. Actually, we think we can discuss the definition of democracy. Obviously, concerning this package, which is the outcome of our fight, even Martin LEE admitted that the democratic element is enhanced. May I ask Honourable colleagues who oppose this constitutional reform package what they would do if they vote down the package to enhance the democratic element of our constitutional system? What concrete measures will they take? Will they keep on fighting and keep vetoing all packages until universal suffrage is implemented. They would veto any package for 2016, and they would also veto any package for 2017 if universal suffrage is not implemented; and they would do the same with any package for 2020 if universal suffrage is not implemented. If this is how fighting for democracy should be, then I am really at a loss. They

would not accept anything now before us, and the only thing they would accept is the ultimate package. If an ultimate package is not available, they would veto anything otherwise. Following this logic, there will never be any ultimate package in this world.

However, if the present package of the Democratic Party is passed, I think we will not only take a step forward but will also continue to move on. As we all understand, most functional constituency (FC) Members are selfish. They are selfish because they are elected by their FCs. If they wish to be elected again in the next election, they have to fight for the interests of their sectors. It is impossible to require them to bring an end to their existence on their own initiative. What we can do is only to infuse FCs with democratic element and include in them more Members with public recognition in order to split up and abolish FC seats. I do not see that FC Members will agree to abolish their seats. With the exception of CHEUNG Man-kwong or CHEUNG Kwok-che or even Margaret NG, I think FC Members will not agree to it. Just like Mr WONG Yung-kan, who was elected by a hundred or more electors, I am sure he will not agree to it.

Under this circumstance, if Members still insist on vetoing any package which does not include the element of universal suffrage, I can say for sure that democratization will definitely not be put into practise in 2017 and 2020. Regarding this District Council (DC) package in which five additional DC seats are proposed, many people say that it will rationalize FCs. If this package can rationalize FCs, and if other FC seats are also allowed to be elected by over 3 million members of the public, just as in the case of these five DC seats, I am sure FCs will be abolished sooner or later.

Under the current DC package, the five elected Members have to be nominated by 10 or 20 DC members. It is more difficult than obtaining the nomination of 100 or even 1 000 members of the public. Therefore, Members returned under the DC package will ultimately think that it is better to allow the seats to be returned through election by universal suffrage than maintaining the DC package, under which they will be subject to other people's control. Therefore, how can one say that the DC package will ultimately rationalize FCs? If FC Members can broaden their electoral base to 100 000 to 200 000 electors, they will give up FCs sooner or later and seek the nomination of 20, 30 or even 100 or 1 000 electors in the community, which is easier than obtaining

nomination in the small circle of their FCs. This way, they can give up FCs. However, this is not the case now. Some FC seats are not only nominated but also elected by a small circle. That being the case, how can they seek nomination in the community? This is out of the question. Therefore, they will continue to stay in the FCs, thereby causing FCs to exist forever and ever.

We have thought about it for a long time. We do not want it to turn out this way, and we really hope that universal suffrage will be implemented in 2012. Not only we but also the LSD and the Civic Party think likewise, and I have not dismissed their stance of fighting for the implementation of universal suffrage in 2012. In the 2008 Legislative Council election, I believe all political parties and Members from the pro-democracy camp did not believe that universal suffrage would be implemented in 2012, yet we still included this as part of our political platform — the Civic Party did not. Now, we know it is out of the question, and so we take a step forward. Why did they say we have broken our promise? Everyone knows that we have not done so. In accusing us of breaking our promise, not fighting for this cause and not putting in our utmost effort, are they deceiving the public?

I hope the people of Hong Kong, in particular the young people who are gathering outside the Legislative Council Building, will not be influenced by radical remarks, and I hope they will listen carefully to the speeches of every Member. They should exercise their independent thinking and consider what kind of a place we would like Hong Kong to become. I believe if this group of radical people gathering outside the Legislative Council Building will run in DC elections or even join political parties and continue to do their utmost to fight for the rights and interests of the public in their political career, they will take the same path as the Democratic Party does.

Deputy President, the Democratic Party is in a very difficult situation now because we have to appeal to people's reason. It is easier to appeal to their passion because in that case we only have to express our passion without thorough consideration. What an easy task it is to express opposition without proposing any package for taking a step forward.

Deputy President, I believe the Democratic Party will continue to fight for this cause and face up to any difficulties. The Democratic Party will have no

regret even if it will suffer a crushing defeat in the 2011 and 2020 elections. Thank you, Deputy President.

**DEPUTY PRESIDENT** (in Cantonese): Does any other Member wish to speak?

**MR KAM NAI-WAI** (in Cantonese): Deputy President, I have not prepared any script for the debate on the constitutional reform package, and neither did I intend to speak. Many Honourable colleagues mentioned yesterday and today that they were heavy at heart. Last night, Albert HO, Chairman of our political party, insisted on facing the public by leaving at the main entrance adjacent to the Statue Square. When I was leaving with him to keep him company, many members of the public chided us and threw objects at us. That made me sad. I was sad not because we ..... As our Chairman has said, fighting for democracy and universal suffrage and the right for Hong Kong people to govern Hong Kong have been our goal for years, but we have never thought that we would be chided this way by people sharing the same goal with us. I told myself that this is understandable. Actually, I do not agree with WONG Sing-chi that the crowd outside is radical. They are so furious that they have to direct their anger at someone because they are dissatisfied with the system and the fact that efforts to improve the system have proved to be futile so far.

(THE PRESIDENT resumed the Chair)

President, in the general meeting of the Democratic Party on Monday, a few hundred members took part in the voting on whether or not to support Legislative Council Members of our party to vote for the constitutional reform package. That day, I cast an opposing vote and I disagree that the Democratic Party should support this constitutional reform package. Some people asked me why I did so. I have analysed two issues. First, it is the issue of what political line we should take. How should the Democratic Party proceed in the future? Should we continue to adopt the clear political line of being an opposition party or should we change our line to negotiation and compromise? I think this change in political line should take time to allow members of the public to

understand and accept it. However, I think this change has been so hasty that members of the public feel that we have changed our line too fast.

Second, I think in a democratic campaign, public participation is vital, in that it enables the public to realize that the campaign requires the involvement of more people. I think if we vote for the constitutional reform package, many members of the public may be disappointed at the campaign, and those who were actively involved in the past, particularly some civil society groups, may also be disappointed.

I would like to quote from an article entitled "Neither angel nor devil" published in the *Hong Kong Economic Journal* yesterday by a group of young academics. The article mentioned that during the liaison between the Democratic Party or the Alliance for Universal Suffrage and the representatives of the Central Authorities on the direction of constitutional reform, the inception process of the package was not in line with the public's expectation for democratic participation, which has caused the society, in particular, young people, to lose faith in the package. This is one of the reasons why I think the Democratic Party should not support this constitutional reform package. Therefore, I cast an opposing vote at the general meeting that day.

However, this article also mentioned "neither angel nor devil" because the Democratic Party's revised package neither provides sufficient evidence to support that full universal suffrage will definitely be achieved, as the Government has said, nor provides sufficient evidence to support that the package will do serious harm to future generations, as the objectors have said. The revised package is neither angel nor devil: the reason why it can be interpreted in various ways is because there is much room for possibilities. In our view, whether the package will ultimately be a "transit stop" that can gradually lead to the implementation of universal suffrage still hinges on the subsequent development in society. The community should not make long-term predictions lightly based on the present package. This viewpoint is similar with the previous analysis made by members of my party and myself.

My analysis is the same as those made by many people in the past. If democracy is not practised in China, it can hardly be practised in Hong Kong. We do not have a crystal ball, so we do not know the development after this package has been negated or passed. Certainly, many people may be very

happy. For example, I have heard some members of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) say that they also wish to pursue the approach of "one person, two votes" and apply it on functional constituencies (FCs) in the future so that members of various FCs can nominate their own candidates and members of the public can elect the Members on the basis of "one person, one vote". I have also heard Miriam LAU, Chairman of the Liberal Party, say something similar just now. Of course, people may analyse this package in different ways, but I think the major factor is the future development of China. If there is no democratic development in China, we may not be able to practise democracy even if we have shouted ourselves hoarse.

Certainly, as I have just said, this package has actually caused the pro-democracy camp ..... just now many Honourable colleagues have asked who should be held responsible for the split-up. Mr WONG Yuk-man has also asked the same question. Members are putting the blame on each other. As a newcomer to this Council, I think in moving towards democracy, we cannot afford any split-up, as Mr WONG Yuk-man said just now. In the face of the communist regime and such a huge apparatus, can we afford to split up? We would fall into their trap if we do. As we all know, the proportional representation system, which is a good means to bring a split-up among us in the pro-democracy camp, is adopted in Hong Kong now. This has caused us to use different means to secure various seats and the support of different communities. It is precisely this mode of election which will cause a split-up within the pro-democracy camp, and Members have witnessed that this has previously happened to the Democratic Party. As Members may recall, this mode of election has resulted in internal competition among us, the Young Turks, in our political party. Therefore, we cannot afford a split-up. If we from the pro-democracy camp continue to act this way, we will only find ourselves in a dead end.

Now, do we need to adopt a multi-pronged approach? Do we have to make a bigger cake, as Mr LIAN Yizheng said, to allow different people to have different supporters and the pro-democracy camp to absorb more supporters into its spectrum? Is this how we should proceed in the future? I hope people who support the LSD will analyse the situation together with us. Although I have taken part in the democratic movement for years, I am a newcomer to this Council, and my views carry little weight. I hope those members of the public

who chided us yesterday had meant to spur us on. I hope they will continue to fight for democracy.

This morning, I heard Mr CHAN Kam-lam say that we have many internal conflicts and we have spent a lot of time on them. May I ask Mr CHAN — perhaps the DAB also knows the answer — whether he thinks the discussion on constitutional reform will be over and be done with when this package is passed today? Honourable DAB Members, you attach great importance to communication, and you always tell us that you have a channel for direct communication with "Grandpa". While it took us tremendous effort to make an ice-breaking journey, a direct communication channel is available to you. If you could really relay the views of Hong Kong people to them and tell them that we hope to come up with a final solution to the issue of universal suffrage, after the passage of this package, we would not have to discuss this issue again in 2014 and 2018 and engage in disputes once every few years in the coming decade. The problem cannot be solved this way, and that is why the pro-democracy camp hopes to have an ultimate package for universal suffrage.

I would like to go back to the point I mentioned just now, that is, the point that we cannot afford a split-up. Yesterday, when I heard our comrade in arms, Mr Andrew CHENG, say that he would withdraw from the Democratic Party, I was certainly sad. The withdrawal of our comrade in arms has aroused all sorts of feelings in me, being a newcomer to this Council, at this historical moment. I would reiterate that we cannot afford a split-up. In the Democratic Party, what we cherish most is the free will of every member. My views may be different from those of WONG Sing-chi or those of the chairman of the party, yet I can exercise my free will and independent thinking. However, there is discipline and team spirit in our party. If the Democratic Party is so badly divided that it does not conduct itself in a way that a political party should, how can they continue to fight for this cause for the people of Hong Kong? Anyhow, although I do not agree to the decision made at our general meeting, I will follow the voting decision of the Democratic Party. I hope Members will remember that we have been fighting for democracy for a long time, and we have great determination to persevere.

One of the slogans in my election campaign was "Never give up fighting for democracy and the implementation of universal suffrage". I hope various political parties and groupings in this Council will put aside their preconceived

ideas, and I hope Members, be they from the DAB, the pan-democratic camp or various political parties and groupings, will work together. This way, we will be able to achieve "All-Party consensus", as mentioned by Emily yesterday. If we can reach a consensus in this Council, we will be able to help Hong Kong people resolve the issue of implementing universal suffrage expeditiously without causing any internal conflicts. I hope Members will take this step forward, which is vitally important. Thank you, President.

**PRESIDENT** (in Cantonese): Does any other Member wish to speak?

(No Member indicated a wish to speak)

**SECRETARY FOR JUSTICE** (in Cantonese): President, some members have, in their speeches, queried whether the contacts and communication between Members in the pan-democratic camp and the Liaison Office of the Central People's Government in the Hong Kong Special Administrative Region (the Liaison Office) on constitutional reform will shake the foundation of "one country, two systems". Here, I would like to analyse with Members the legal provisions and framework applicable to the SAR nowadays.

Members are fully aware that under the Basic Law, the Central Government, the SAR Government and the Legislative Council all have their own constitutional roles to play in deciding constitutional development in Hong Kong.

According to Annex I and Annex II of the Basic Law, if there is a need to amend the method for selecting the Chief Executive and the method for forming the Legislative Council for the terms subsequent to the year 2007, such amendments must be made with the endorsement of a two-thirds majority of all Members of the Legislative Council and the consent of the Chief Executive, and they shall be reported to the Standing Committee of the National People's Congress (NPCSC) for approval or for record.

Members are also aware that in 2004, the NPCSC (which is the highest power centre of the State) made interpretations regarding the two electoral methods set out in Annex I and Annex II by stipulating a "five-step

mechanism" for the legislative process, which Members are all familiar with. Perhaps let me talk about them quickly:

- (1) The Chief Executive shall make a report to the NPCSC and ask the NPCSC to decide whether or not there is a need to amend the two electoral methods;
- (2) a determination shall be made by the NPCSC on whether or not the two electoral methods need to be amended;
- (3) the motions on the amendments to the two electoral methods shall be introduced by the SAR Government to the Legislative Council, and be endorsed by a two-thirds majority of all the Members of the Legislative Council;
- (4) consent shall be given by the Chief Executive to the motions endorsed by the Legislative Council; and
- (5) the relevant bill shall be reported by the Chief Executive to the NPCSC for approval or for the record.

Of course, I understand that when the NPCSC made this decision, there were many different voices and disagreements in society. However, we all know that this interpretation was made in accordance with Article 158 of the Basic Law and the Court of Final Appeal also pointed out clearly that the power of the NPCSC in interpreting all provisions of the Basic Law was beyond doubt. In fact, this legal principle and legal procedure have become the undisputed legal framework in Hong Kong and have been adopted ever since.

Members will all remember that in 2004, the former Chief Executive, Mr TUNG, was the first person to activate this process of a "five-step mechanism" and submit a report concerning the elections in 2007 and 2008. On 26 April 2004, the NPCSC made some decisions, including the decisions that universal suffrage will not be introduced into the election of the Chief Executive; the election of all Members by universal suffrage will not be introduced into the Legislative Council and the principle of functional constituency seats and directly-elected seats accounting for half of the seats respectively will also remain unchanged. After making this decision, the proposal put forward by the SAR

Government in 2005 was not passed, that is, the support of a two-thirds majority in the Legislative Council could not be secured.

In 2007, the Chief Executive, Mr Donald TSANG, again activated this five-step mechanism and activated the amendment procedure in respect of the two electoral methods for 2012. In December 2007, the NPCSC made the Decision of the Standing Committee of the National People's Congress on Issues relating to the Methods for Selecting the Chief Executive of the Hong Kong Special Administrative Region and for Forming the Legislative Council of the Hong Kong Special Administrative Region in the year 2012 and on Issues relating to Universal Suffrage (the Decision) to address the issues in this area and Members are all familiar with this Decision, which includes the timetable on universal suffrage obtained by us and the decisions that universal suffrage will not be introduced into the election of the Chief Executive; the election of all Members by universal suffrage will not be introduced into the Legislative Council and the principle of functional constituency seats and directly-elected seats accounting for half of the seats respectively will also remain unchanged. This means that if we want to increase the number of seats in the Legislative Council in 2012, according to the Decision, it is not possible to do so without increasing the number of functional constituency seats. Earlier on, some Members have mentioned this legal requirement and various newspapers, including those that supported the *de facto* referendum, also pointed out that they accepted the reality of this legal framework. I understand that friends in the Democratic Party, the Alliance for Universal Suffrage and even friends in the Civic Party also accepted this legal framework as the basis of our constitutional development. All along, as I said, this legal framework is the ultimate basis for constitutional development.

President, it was in this context that some Members of the pan-democratic camp requested to get in touch with the Central Authorities in relation to the issue of constitutional development — I stress in relation to the issue of constitutional reform, that is, as I pointed out just now, the Central Authorities has the constitutional power and a role to play — they proposed that contact be made with the Central Authorities in the hope of breaking the impasse. In the end, through the SAR Government, they received a positive response from the Central Authorities. I believe that the facts are now set before us and the majority of the public are happy to see them. I personally also do not think that there is any violation of the "one country, two systems" principle in this process.

Of course, Members can choose not to accept this legal framework and reality and as their strategy, they can also choose to challenge and make inroads into this framework. However, those friends who accept and respect this legal framework and reality, including Members across various political parties and groupings in this legislature, all hope that they can strive for more democracy and welfare within this legal framework and some people even had to make sacrifices for the sake of achieving a greater degree of democracy and securing greater welfare for Hong Kong. In this context, today, if we brand these people as undermining the "one country, two systems" principle or even as betraying trust and justice, I think this is not fair.

Thank you, President.

**PRESIDENT** (in Cantonese): I now call upon the Secretary for Constitutional and Mainland Affairs to reply. This debate will come to a close after the Secretary has replied.

**SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS** (in Cantonese): President, I am very grateful to the various Members for expressing so many important views in this meeting spanning two days. I will do my best to respond to these views but I will not be able to respond to every single one of them.

Mr Albert HO recapped the communication process with representatives of the Central Authorities over a period of time in the past. In his speech, he said he was not very confident that they would be able to attain their vision of implementing universal suffrage in 2017 and 2020. I would like to tell Members present that many of us from this term of Government had to engage in liaison with the Beijing Authorities on the transitional arrangements for Hong Kong and matters relating to the implementation of the Basic Law after the transition over the past two decades or so, that is, over a quarter of a century, before and after the reunification in 1997. Our experience was very clear, and that is, as long as there is communication and co-operation, we can achieve something for Hong Kong. For example, a couple of years before 1997, we were able to handle the issue of setting up the Court of Final Appeal through the Sino-British Joint

Liaison Group. We enacted the relevant legislation before 1997 and officially initiated the operation of the new judiciary after 1997.

Secondly, a financial crisis broke out in Hong Kong during the few years after 1997, that is, between 1997 and 2003. Subsequently, as Hong Kong was a member of the World Trade Organization (WTO), Hong Kong and the Central Authorities have entered into CEPA, that is, the Mainland and Hong Kong Closer Economic Partnership Arrangement, after China's accession into the WTO in accordance with the Basic Law. I would also like to mention a third point, and that is, since we began to address the issue of constitutional development in 2004, we have decided on the timetable for universal suffrage in 2007. Therefore, we will be able to achieve results through co-operation, communication and interaction with the Central Authorities.

Both Mr WONG Sing-chi and Mr Fred LI said in their speeches that the arrangement of "one person, two votes" is a concrete achievement of democratization.

Mr Ronny TONG pointed out that some people might worry whether our present decision would, contrary to the original intent, delay the process of democratization in the future and rationalize functional constituencies. In this regard, we will continue to examine these issues and forge a consensus in the coming seven to 10 years in accordance with the Basic Law and the Decision on Issues Relating to the Methods for Selecting the Chief Executive of the Hong Kong Special Administrative Region and for Forming the Legislative Council of the Hong Kong Special Administrative Region in the Year 2012 and on Issues Relating to Universal Suffrage (the Decision) adopted by the Standing Committee of the National People's Congress (NPCSC) in 2007. If the Central Authorities intended to delay this matter, and so did the Government of the Hong Kong Special Administrative Region (SAR), a timetable for universal suffrage would not be drawn up in 2007, and Members would not have to strive to forge a consensus for the democratization of Hong Kong along the line of the "one person, two votes" package.

Mr CHEUNG Man-kwong highlighted his experience over the past few months. I strongly believe that all political parties and groupings, including the Democratic Party, will be able to affect the actual arrangements for selecting the Chief Executive in 2017 and forming the Legislative Council in 2020 by

universal suffrage as long as they are willing to continue to engage in communication and dialogue in the days to come.

Ms Emily LAU spoke of her mental journey. She stressed that the Democratic Party made this arrangement out of a spirit of selflessness. I believe in her words and I respect them.

Both Mr Frederick FUNG and Dr Joseph LEE expressed their support for this package. I respect the open attitude adopted by them over the years and I would also like to respond to Mr Frederick FUNG's remark relating to "curing a dead horse as if it was alive". Having served in the Government for so many years, we may form this kind of attitude in many cases if the relevant policy is not "alive" enough. However, I do not agree to Mr Frederick FUNG's remark that the timetable of or the expectation for selecting the Chief Executive in 2017 and forming the Legislative Council in 2020 by universal suffrage is a "dead horse". Actually, it is not a "dead horse" at all. President, I think the passage of the 2012 package will give more life to the timetable of 2017 and 2020, which is already a concrete one.

Mr LEE Wing-tat raised a concrete question, and that is, after the implementation of the proposal for the Election Committee with 1 200 members, what electoral method will be adopted for electing the total of 117 members in the fourth sector, that is, the 75 additional seats of representatives of elected District Council (DC) members allocated to the political sector together with the existing 42 representatives of elected DC members? Will a bloc vote system or a proportional representation system be adopted? The SAR Government adopts an open attitude in this regard. In introducing local legislation, we will listen to Members' views before making any decision.

Mr IP Kwok-him said that after the DC elections in 2003, the number of DC seats taken by his political party had decreased. When the SAR Government put forward the DC package for 2007 and 2008 in 2005, they supported it although they had considerable reservation about it. Similarly, although they have certain reservation about our present proposed package, which also attaches great importance to the participation of elected DC members in the electoral systems of the Chief Executive and the Legislative Council, they are still willing to support it, having regard to the overall situation of democratization in Hong Kong. Their readiness to make great effort for Hong Kong has been noted

and greatly appreciated by the SAR Government. As the representative of the DC functional constituency (FC), Mr IP Kwok-him recapped the contribution made by appointed DC members over the years. The SAR Government certainly fully recognized their contribution.

Mr WONG Kwok-hing delivered a rather detailed speech, and we greatly appreciate his insight. He pointed out that after this "one-person-two-votes" package had been accepted by the SAR Government, public opinion polls, comments made by academics, including press commentaries, all pointed to the direction that people are positive about this package and are ready to accept it, and it was also proposed that the society of Hong Kong should pursue this positive cause. This package and consensus are indeed not easy to come by. Mr WONG Kwok-hing also mentioned the 1.6 million signatures collected from hundreds of organizations by the Alliance for Constitutional Development earlier, that is, during the SAR Government's consultation exercise. I totally agree that they have boosted the confidence of the community that Hong Kong people and the whole society are willing to see the rolling forward of the constitutional system. Last weekend, another organization organized a gathering of 120 000 people in the Victoria Park to express their support for constitutional reform. This campaign has achieved certain effect in society.

Mr CHAN Kam-lam, I have seldom heard you deliver such a sentimental speech. I totally agree that in striving to achieve universal suffrage and progress in the democratization of Hong Kong, we have to be rational, adopt the right pace, be confident and draw up the right strategies.

Mr Jeffrey LAM, over the past, you and your colleagues have formed the Constitutional Reform Synergy, and Secretary for Justice WONG Yan-lung and I have attended activities organized by it. Apart from the Constitutional Reform Synergy, which has been promoting the democratization of Hong Kong, I have also noticed that the Alliance for Universal Suffrage has also made contact with the Constitutional Reform Synergy and other political parties and groupings, including the Liberal Party, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) and other political parties and groupings. I think it is desirable for political parties and groups to engage in such kind of interaction. To put it in a straightforward manner, some representatives of the pan-democratic camp used to ask me, both inside and outside the Legislative Council, why the SAR Government did not make more effort by requiring the

voluntary abolition of the FC seats. The situation is better now because they can have direct dialogue with you and can receive your views directly. They will understand better that it is actually not a simple task to forge a consensus.

Mrs Sophie LEUNG specifically reminded us that we have to give regard to the participation of the younger generation in this process. We promote universal suffrage and the democratization of Hong Kong for the good of the future of Hong Kong, and the future belongs to the younger generation as they are the future masters of society.

Dr Raymond HO said the Professionals Forum hopes the SAR Government will establish a new platform to continue to deal with issues concerning the constitutional development after 2012. We will certainly encourage related discussions. Up till now, however, the 2012 package, which the third-term SAR Government is authorized to deal with, is still our focus. Nevertheless, we will consolidate and summarize the valuable views and all the proposals on the process of democratization put forward by Members in the future for consideration by the next-term Government.

Mr CHIM Pui-chung's speeches have always been lively. This time, he has made an important summary and said that the "one-person-two-votes" package and the fact that the constitutional system can roll forward in 2012 are beneficial to Hong Kong and the nation. I have to add that we should treasure them as they are not easy to come by.

I am grateful to Prof Patrick LAU for conducting three public opinion polls within his industry. Besides, a few Members representing FCs have also conducted consultation by adopting different approaches. While some of them have conducted electronic consultation, others have conducted consultation using hardcopy surveys. No matter which approach they adopted, these public opinion polls can allow Members to understand the latest trend of public opinions in the industries, thereby enabling this Council to give adequate consideration to the views of the public and various sectors in the voting, which is vitally important. Therefore, I am also grateful to Mr Paul CHAN and other Members for making such great effort.

Mr Paul CHAN specifically mentioned his personal opinion that we should maintain the nomination threshold for candidacy in the Chief Executive election

at the ratio of one-eighth (originally, he hoped that it could be reduced to one-tenth). Although we will maintain the existing ratio, that is, one-eighth, we will still make sure that the 2012 Chief Executive election can allow competition, and we hope that relevant arrangements will be made. We strongly believe that this election will be competitive.

Dr Priscilla LEUNG specifically mentioned the resignation of Members returned from five geographical constituencies yesterday and reiterated her thought that under the Basic Law, a referendum should not and shall not be held. The SAR Government certainly thinks that the Basic Law does not provide for any referendum mechanism, and we have already undertaken earlier to review the Legislative Council Ordinance to find out which provisions should be amended to avoid any arbitrary resignation of Members to initiate a by-election. The public do not support such a move.

Ms Miriam LAU has just entered the Chamber, and I have also paid close attention to her speech. She specifically mentioned that the Liberal Party was very concerned about constitutional development and had conducted a relevant public opinion poll a few months ago. During the Government's consultation exercise, they also provided a submission. I paid close attention to their public opinion poll and they did gauge the public's views on "one person, two votes". The findings of a number of public opinion polls have indicated that the proponents outnumber the opponents. I am grateful to their concern and encouragement in this regard. I would also like to take this opportunity to let Ms Miriam LAU know that regarding her repeated request for us to consider expanding the electoral base of her FC, that is, the Transport sector, we will actively consider any concrete views put forward by her.

Both Ms Miriam LAU and Dr LAM Tai-fai asked me whether the provision in the relevant local legislation which stipulates that the Chief Executive should not have any political affiliation should be removed. I would like to tell Members that we have considered this issue in the review of each Chief Executive election. Up till now, however, we can see from the findings of different public opinion polls that the public actually hope that the Chief Executive does not belong to any political party or grouping, so that he can balance the views of various political parties and groupings and govern Hong Kong in the best public interests. In the long run, however, we certainly have to

examine this provision in the process of moving towards the election of the Chief Executive by universal suffrage.

Mr Paul TSE specifically mentioned today that in taking a step further towards democratization, we have to bear in mind that many institutions are already in place in Hong Kong and many constitutional arrangements are conducive to the democratization of Hong Kong. Hong Kong is a free society which upholds the rule of law. There is not only a clean Government but also an independent judicial system, and the whole society of Hong Kong is also very transparent. What we are still lacking now is a consensus on how universal suffrage should be achieved. The fact that we have reached a consensus on the present 2012 package has laid down a sound foundation for it.

I would like to refer to Miss Tanya CHAN's speech today. She talked about the democratization of Hong Kong and the democratic movement in China. I would like to respond to Miss Tanya CHAN that over the years, I always think that the community of Hong Kong has a high sense of civic awareness, and what we lack is a consensus among political parties and groupings. Certainly, it is very difficult to forge a consensus among political parties and groupings, which shows that there are different views in the community on democratization and the process for achieving universal suffrage. Therefore, forging a consensus through communication and interaction is in line with the demand and interests of Hong Kong as a whole.

Mr Alan LEONG recapped his candidacy for Chief Executive in the 2007 election. My simplest response to Mr Alan LEONG is that his speculation was wrong. In proposing to increase the number of members of the Election Committee from 800 to 1 200, we have already taken into account the fact that the number of representatives of the pan-democratic camp in the professional sector, the social services sector and the political sector will also increase as a result of such an increase. Therefore, the Government is very confident that representatives of the pan-democratic camp should be able to hold candidacy in the Chief Executive election in 2012, which will be competitive.

Mr LEE Cheuk-yan specifically asked why we did not propose increasing the number of members of the Election Committee to 1 600, as proposed in 2005. Our rationale is that the timetable for universal suffrage was not available in 2005. Now, there is a timetable for universal suffrage and the Election

Committee to be formed in 2012 must maintain a balanced participation of the four sectors, so that when the Election Committee is transformed into the nominating committee between 2012 and 2017, there will be balanced participation of the four sectors in the nominating committee. By then, the candidates for the office of the Chief Executive will have to face over 3 million registered electors of Hong Kong and the Chief Executive will be selected through universal suffrage. Therefore, our thoughts and situations today are different from those in 2005.

Mr CHEUNG Kwok-che also asked whether it would be more difficult to become nominated when the nomination threshold is raised from 100 people to 150 people. Actually, it will not. As I have explained to Members just now, I believe supporters of the pan-democratic camp have a certain level of representativeness in the four sectors.

Ms Cyd HO asked yesterday why we could not enact local legislation before amending Annexes I and II to the Basic Law. I am afraid by doing so, we will put the cart before the horse because we should amend the provisions in Annexes I and II in accordance with the Basic Law before enacting local legislation in accordance with the Basic Law.

Mr Albert CHAN does not support the addition of five FC seats. He queried whether it is a substantial improvement in democratization. However, if the candidates are nominated by over 400 elected DC members and over 3.2 million electors will participate in the voting, why is it not a democratic election? Come to think about it, when the five representatives are to be elected by 3.2 million registered electors, each representative will have obtained hundreds of thousands votes. It is a very clear mandate. However, the Government certainly understands and accepts that Members may hold different views on constitutional development.

Mr LEUNG Kwok-hung revisited the issue of the resignation of Members returned from five geographical constituencies and the so-called "referendum". He said 500 000 people supported the candidates from the Civic Party and the League of Social Democrats. This is certainly true, but it should also be borne in mind that 2.8 million registered electors chose not to participate in this by-election. Regarding how we would respond to the demand of the 500 000 people, the Government will certainly face it proactively, and the five

representatives elected by the public can vote in accordance with the Basic Law here in this Council today.

Ms Audrey EU has paid close attention to the Government's television (TV) announcements in the public interest (API). Ms Audrey EU is very smart because she is a Senior Counsel with many years of experience. However, she has mixed up the roles in the TV API. Actually, we are only saying that if we go back to the first step after taking the first, second and third steps in the "five step mechanism", as in the dance shown in the TV API, there will not be any progress in democracy. Therefore, the gentleman in the TV API does not denote the Central Authorities. We express our idea this way to illustrate that when we have reached the third step in the "five step mechanism", we must secure the support of a two-thirds majority of all the Members of the Legislative Council for this package before we can finish the dance. So, there may be some misunderstanding about it.

Ms Audrey EU has also taken some Members' remarks out of context. She made use of the remarks made by Mr Paul TSE and Mr Fred LI and said that Mr Fred LI seems to be not very confident about the implementation of universal suffrage in the future while Mr Paul TSE has said that it is not democracy but liberalization. Ms Audrey EU also said that she has finally come to understand that universal suffrage will not be implemented. However, I am sorry to say that she has totally misunderstood it. Whether or not universal suffrage can be achieved does not hinge on the remarks made by individual Members because Articles 45 and 68 of the Basic Law stipulate that the ultimate aim is that universal suffrage be achieved in the election system of Hong Kong, and the 2007 NPCSC Decision has also made the timetable clear, that is, the timetable of selecting the Chief Executive in 2017 and forming the Legislative Council in 2020 by universal suffrage. Mr QIAO Xiaoyang, Deputy Secretary-General of NPCSC, also said in his remark made on 7 June that the essence of the right to vote is to ensure that everyone shall have the right to equal suffrage. Universal suffrage means the right to universal and equal suffrage, and the right to vote allows for the imposition of reasonable restrictions in accordance with the law. These reasonable restrictions, which are universal and equal and can only be imposed in accordance with the law, are in compliance with the international standard of universal suffrage.

Finally, I would like to respond to Mr WONG Yuk-man that there is no need to talk about whether any political party or grouping has kept asking for better terms today. What we are talking about today is consensus rather than terms.

Therefore, President, I would like to make three points as a conclusion. First, if this package is passed today, the number of members of the Election Committee for the Chief Executive election in 2012 will be increased from 800 to 1 200. This way, the representativeness of the Election Committee and room for political participation in Hong Kong will be increased. Second, the passage of the package will pave the way for the formation of the nominating committee for the Chief Executive election in 2017. Third, if the amendment to Annex I to the Basic Law is passed today, we will have greater confidence that universal suffrage will be implemented in selecting the Chief Executive between 2012 and 2017.

Dr PAN Pey-chyou said we are in the same boat, and Dr LAM Tai-fai also mentioned the Noah's Ark and double kayaks. I think the purpose of conducting the voting today is to enable the "cruise" of the democratization of Hong Kong to set sail. Therefore, I very much hope Members will support the moving forward of the constitutional system in 2012 and support this motion.

Thank you, President.

**PRESIDENT** (in Cantonese): Before I put the question to you, I wish to remind Members that, under Article 7 of Annex I to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, this motion requires the endorsement of a two-thirds majority of all the Members of the Council.

**PRESIDENT** (in Cantonese): I now put the question to you and that is: That the motion moved by the Secretary for Constitutional and Mainland Affairs be passed. Will those in favour please raise their hands?

(Members raised their hands)

**PRESIDENT** (in Cantonese): Those against please raise their hands.

(Members raised their hands)

Mr Albert CHAN rose to claim a division.

**PRESIDENT** (in Cantonese): Mr Albert CHAN has claimed a division. The division bell will ring for three minutes.

**PRESIDENT** (in Cantonese): Will Members please proceed to vote.

**PRESIDENT** (in Cantonese): Will Members please check their votes. If there are no queries, voting shall now stop and the result will be displayed.

**PRESIDENT** (in Cantonese): The voting result: 46 Members voted for the motion, 13 Members voted against it .....

(Mr Albert CHAN and Mr LEUNG Kwok-hung rose)

**MR ALBERT CHAN** (in Cantonese): Shameless, shameless .....

**MR LEUNG KWOK-HUNG** (in Cantonese): President, I have to .....

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, please sit down. I have not finished announcing the voting result yet.

**MR WONG YUK-MAN** (in Cantonese): A new political party is now formed .....

**PRESIDENT** (in Cantonese): Mr WONG Yuk-man, please sit down at once.

(Mr WONG Yuk-man kept on yelling)

**PRESIDENT** (in Cantonese): Mr WONG Yuk-man, please sit down at once.

Mr Albert HO, Dr Raymond HO, Dr David LI, Mr Fred LI, Mr James TO, Mr CHEUNG Man-kwong, Mr CHAN Kam-lam, Mrs Sophie LEUNG, Dr Philip WONG, Mr WONG Yung-kan, Mr LAU Kong-wah, Mr LAU Wong-fat, Ms Miriam LAU, Ms Emily LAU, Mr Timothy FOK, Mr TAM Yiu-chung, Mr Abraham SHEK, Ms LI Fung-ying, Mr Tommy CHEUNG, Mr Frederick FUNG, Mr Vincent FANG, Mr WONG Kwok-hing, Mr LEE Wing-tat, Dr Joseph LEE, Mr Jeffrey LAM, Mr Andrew LEUNG, Mr CHEUNG Hok-ming, Mr WONG Ting-kwong, Mr CHIM Pui-chung, Prof Patrick LAU, Mr KAM Nai-wai, Ms Starry LEE, Dr LAM Tai-fai, Mr CHAN Hak-kan, Mr Paul CHAN, Mr CHAN Kin-por, Dr Priscilla LEUNG, Dr LEUNG Ka-lau, Mr WONG Sing-chi, Mr WONG Kwok-kin, Mr IP Wai-ming, Mr IP Kwok-him, Mrs Regina IP, Dr PAN Pey-chyou, Mr Paul TSE and Dr Samson TAM voted for the motion.

Mr LEE Cheuk-yan, Dr Margaret NG, Mr LEUNG Yiu-chung, Mr Andrew CHENG, Ms Audrey EU, Mr Ronny TONG, Ms Cyd HO, Mr CHEUNG Kwok-che, Mr Alan LEONG, Mr LEUNG Kwok-hung, Miss Tanya CHAN, Mr Albert CHAN and Mr WONG Yuk-man voted against the motion.

THE PRESIDENT, Mr Jasper TSANG, did not cast any vote.

THE PRESIDENT announced that there were 60 Members present, 46 were in favour of the motion and 13 against it. Since the question was agreed by a two-thirds majority of all the Members of the Council, he therefore declared that the motion was endorsed by a two-thirds majority of all the Members of the Council.

**PRESIDENT** (in Cantonese): Motion concerning the Amendment to the Method for the Formation of the Legislative Council and its Voting Procedures.

I now call upon the Secretary for Constitutional and Mainland Affairs to speak and move his motion.

**MOTION CONCERNING THE AMENDMENT TO THE METHOD FOR THE FORMATION OF THE LEGISLATIVE COUNCIL AND ITS VOTING PROCEDURES**

**SECRETARY FOR CONSTITUTIONAL AND MAINLAND AFFAIRS** (in Cantonese): President, I hereby move that the second motion standing under my name on the Agenda, that is, the Motion on the Amendment to the Method for the Formation of the Legislative Council, be passed.

The Government moves that the Motion on the Amendment to the Method for the Formation of the Legislative Council be passed. Subject to endorsement by the Legislative Council by a two-thirds majority of all Members, the "(Draft) Amendment to Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China Regarding the Method for the Formation of the Legislative Council of the Hong Kong Special Administrative Region" ((Draft) Amendment to Annex II), which is annexed to the motion, will be submitted to the Chief Executive for consent and thence for reporting by the Chief Executive to the National People's Congress Standing Committee (NPCSC) for record.

According to the (Draft) Amendment to Annex II, the fifth term Legislative Council in the year 2012 shall be composed of 70 members as follows: 35 Members returned by functional constituencies (FCs) and 35 Members returned by geographical constituencies (GCs) through direct elections. This arrangement can provide more room for members of the public to participate in politics, with more Members serving the public and it also complies with the relevant provisions of the Decision of the NPCSC in 2007 on the half-and-half ratio between Members returned by FCs and Members returned by geographical direct elections, which shall remain unchanged.

Regarding the five additional FC seats, the SAR Government has all along abided by the principle of not creating new traditional FCs. The Chief Executive also announced on Monday that the SAR Government had accepted the "one-person-two-votes" proposal. Once the motion is endorsed by the Legislative Council, the SAR Government will make the arrangements by way of local legislation:

- (1) Candidates for the five new FC seats will be nominated by elected District Council (DC) members. They will be elected by all registered voters who currently do not have a right to vote in FCs, on a one-person-one-vote basis; and
- (2) the original DCFC seat will be returned through election from among elected DC members.

Under this arrangement, every voter will have two votes in the 2012 Legislative Council elections, one for direct elections in GCs, and the other for FCs. We believe this proposal will enhance the democratic elements of our elections and pave the way for universal suffrage in the future. Last Monday, the Secretary for Justice explained clearly the grounds for the SAR Government's view that the proposal is compatible with the Basic Law and the Decision of the NPCSC.

Following the passage of the motion by the Legislative Council, the SAR Government will also put forth proposals on the abolition of the DC appointment system and consult the Legislative Council and the public.

President, I notice that the public opinion surveys conducted by various organizations this week indicate that more than half of the public considers that the Legislative Council should pass this proposal. I implore Members to support the motion.

**The Secretary for Constitutional and Mainland Affairs moved the following motion:**

"Pursuant to Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, the Interpretation by the Standing Committee of the National People's

Congress of Article 7 of Annex I and Article III of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China of 6 April 2004, and the Decision of the Standing Committee of the National People's Congress on Issues relating to the Methods for Selecting the Chief Executive of the Hong Kong Special Administrative Region and for Forming the Legislative Council of the Hong Kong Special Administrative Region in the year 2012 and on Issues relating to Universal Suffrage of 29 December 2007, the " (Draft) Amendment to Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China Concerning the Method for the Formation of the Legislative Council of the Hong Kong Special Administrative Region and its Voting Procedures" appended to this Motion is hereby endorsed by this Council by a two-thirds majority of all Members. "

Annex

(Draft) Amendment to Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China Concerning the Method for the Formation of the Legislative Council of the Hong Kong Special Administrative Region and its Voting Procedures

The fifth term Legislative Council in the year 2012 shall be composed of 70 members, and the composition shall be as follows:

Members returned by functional constituencies	35
Members returned by geographical constituencies through direct elections	35"

**PRESIDENT** (in Cantonese): I now propose the question to you and that is: That the motion moved by the Secretary for Constitutional and Mainland Affairs be passed.

**CHIEF SECRETARY FOR ADMINISTRATION** (in Cantonese): President, first of all, I have to thank Members who voted for the Motion on the Method for

the Selection of the Chief Executive, thus clearing half of the fog blocking our way to dual universal suffrage. As I said in my first speech, you have made history. Regarding those Members who voted against the motion, I am disappointed but I still hold the hope that you can change your stance on the second motion and become a party to making history.

The proposal on the method for forming the Legislative Council in 2012 has significantly enhanced the democratic elements. Under the Decision of NPCSC in 2007, the half-and-half ratio between Members returned by FCs and Members returned by GCs through direct elections shall remain unchanged. However, with the five new district-based seats returned through direct elections and the five new DCFC seats, the number of seats having an electorate base of over 3 million voters will increase to about 60% of all seats.

After going through the "five-step mechanism", the proposal has to be implemented by way of local legislation. Under our original proposal, the five new DCFC seats are to be elected from among elected DC members. Recently, in response to the clarifications on legal issues and changes in circumstances, we have decided to adopt the "one-person-two-votes" proposal. Under this concept, the five new DCFC seats will be nominated by elected DC members and then elected by 3.2 million voters through "one person, one vote". Compared with the existing arrangement of only 230 000 voters having two votes in their hands, the 2012 proposal will enable the other 3.2 million voters to also have two votes each. This change can further enhance the democratic element in the electoral method for the Legislative Council in 2012. This is the greatest progress in democracy possible within the framework laid down by the NPCSC Decision.

With reference to the latest public opinion surveys, this adjusted proposal gained widespread public support. In fact, earlier on, various "one-person-two-votes" concepts have been put forward by many organizations and people, including some pro-establishment political parties and Members. Having clarified the legal issues and dispelled the concerns, finally, the proposal can see the chance of being endorsed by two thirds of all Legislative Council Members. This is the result of mutual understanding and accommodation, a manifestation of having regard to the overall situation and the spirit of democracy.

We understand that many people have negative views of FCs and demand that all FCs be completely abolished when full universal suffrage is implemented for the Legislative Council election.

On this issue, the SAR Government has stated its stance a number of times, that is, the existing FCs are not in line with the requirements of universality and equality. When dealing with the electoral methods for forming the Legislative Council in 2016 and 2020, more in-depth discussions on this issue can be held in the community with a view to seeking wider consensus.

The proposal submitted to the Legislative Council for deliberation and voting today is a framework document. Regarding the specific electoral arrangements, after the proposal is passed, we will listen to the views of various political parties and groupings and Members in the Legislative Council and put forward proposals on local legislation when the Legislative Council resumes in autumn this year. I am happy to reiterate here that the electoral arrangements for the new DCFCs must be reasonable, fair and allow various political parties and groupings to participate in adequately competitive elections.

As a transitional proposal, the 2012 proposal has made significant progress in democratization compared with the existing electoral arrangements for the Legislative Council. The passage of the proposal can enable us to discuss on a higher platform the electoral methods for the Legislative Council in 2016 and the arrangements for universal suffrage in 2020. From any perspective, the passage of the proposal will only promote instead of hindering us in achieving universal and equal universal suffrage for the formation of the Legislative Council.

President, earlier on, during a home visit in Tsuen Wan, I met a Mrs LAM who supported constitutional reform. She said to me, "Constitutional reform is too difficult for me to understand. I am not a politician. Anyhow, progress must be made."

What Mrs LAM said was common wisdom. I believe this also represents the heartfelt wish of the majority public: Take one step and you will find a wide horizon.

With these remarks, I recommend this proposal to Members. I also implore Members to support it in order to clear the other half of the fog, so that constitutional reform in Hong Kong can step onto the sunny avenue towards democracy.

**PRESIDENT** (in Cantonese): I cannot see any "Request to speak" button pressed by Members. *(Laughter)*

(Mr Ronny TONG raised his hand to indicate his wish to speak)

**MR RONNY TONG** (in Cantonese): President, originally, I really did not wish to speak, *(Laughter)* but I know that many Honourable colleagues have many other things to attend to outside and they may be fielding questions from reporters, so they do not have the time to raise their hands here. For this reason, I have raised my hand to request to speak, so as to play for time.

President, in fact, on the question of to speak or not to speak, in the past few days, people around me, such as my assistants and people who have been helping me have all given me the advice that I had better not speak and even if I do, I should refrain from talking about this so-called "one-person-two-votes" DC proposal. They said that it was not a question of "going to the smart side" and asked me why I should make things difficult for myself or for my comrades in the Civic Party. Even this morning, I still received emails from my volunteer workers and friends through the Internet. They said that the speech I gave yesterday had aroused the great wrath of a lot of young people outside, causing an uproar among them. Even the Executive Committee of the Civic Party had to deny that I was speaking on behalf of the Civic Party. Some Executive Committee members also said privately to reporters that Ronny TONG had better withdraw from the Party.

President, during the debate in the past two days, I have heard many Honourable colleagues speak, particularly friends from the Democratic Party. The speech given by Mr Andrew CHENG and of course, that of Mr James TO, evoked a lot of feelings and thoughts in my mind. At the same time, I also found that many Honourable colleagues had spoken from the bottom of their

hearts and this made me look at them in a new light in the future, no matter they support or oppose this motion.

However, President, I must admit that I do not have the courage of Mr Andrew CHENG but at the same time, I am more optimistic than him. I think that no matter how the voting results come out today, our work hereafter will still be the same and I still hope that we can strive hard together. However, since I have to vote according to the decision of the Party, I cannot remain silent because if I do, my views on the constitutional system of Hong Kong and the campaign for democracy may be misunderstood. President, most importantly, I think that politicians must be true to themselves, no matter how their position may be faulted by those around them.

For this reason, President, I hope my speech today will not take too much time but I must voice my views concerning this so-called "one-person-two-votes" DC proposal because I do not agree that it is a crap proposal. I also said yesterday that this is by no means a perfect proposal. If we had a choice and if we had enough political power, I would not have accepted this proposal either. However, politicians must face the political reality. Without doubt, to me, friends in the Alliance for Universal Suffrage or the Democratic Party, this proposal is a small achievement made after a long period of endeavours. Judging from the actual democratic progress made and from an entirely objective and neutral viewpoint, I cannot agree with anyone labelling this proposal as a retrogression in democracy, or a proposal that can come easily but is difficult to rid of.

This is very simple. First, I must point out that the democrats are united in the goal of abolishing the FCs and two unfair aspects most frequently faulted by people are: First, the inequality of votes. This refers to the fact that there are over 3 million voters in Hong Kong, but it turns out that there are over 200 000 voters with "one-person-two-votes" and a small minority even have "one person, three votes". However, the great majority of voters in Hong Kong can only have "one person, one vote". This is the first extreme inequality in the system. The second inequality is that FC Members — I must point out clearly that I do not mean all FC Members but most of them — are elected by small circles and they are accountable to the business sectors and various sectors. No matter if they

really serve the interests of the business sector, to Hong Kong people, ultimately, they do not represent the wishes of Hong Kong people.

At present, the DC proposal put forward by the Alliance for Universal Suffrage and the Democratic Party has, insofar as this kind of inequality is concerned, changed this greatest weakness faulted by people. First, the "one-person-two-votes" arrangement will be extended to all voters in Hong Kong, that is, to over 3 million voters. That means close to 3 million people can get more than one vote and they will be given one more choice. President, given this vote, they can vote for the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) or the League of Social Democrats (LSD) and the choice is theirs. This is also a most fundamental element of democracy. I cannot see why it is said that giving Hong Kong people one more vote is an undemocratic direction. In the past few days, I have asked friends around me if they think that giving them one more vote is desirable. They all said unanimously, "I want it. I may not know how to use this vote, or I may not vote at all. But when I know that I have such a right, I feel that I am equal to other people." This is making progress in democracy and no one can deny this. No matter how you rail, swear or curse other people, you cannot negate this progress in democracy.

Second, when these 3 million voters vote, they will not vote for Legislative Council Members who are only loyal to the business sector or certain sectors. No matter if you call these five Legislative Council Members "super DC representatives" or "FC Members", it is only a name. In reality, they have to be accountable to 3 million voters. I do not quite understand why, in the debate yesterday, the pro-establishment camp said that these five seats would all be won by the democrats and why the pro-democracy camp said that these five seats would be clinched by the pro-establishment camp because they lacked expenditure and could not organize election campaigns, so the DAB would surely snatch everything.

President, why do we have to look at it in this way? Why can we not believe that our voters have great enough wisdom to choose Members whom they believe can represent them? President, we must not forget one point, that is, the voters in Hong Kong are highly rational and clever and they know how to divide votes by themselves. By dividing votes I mean various political forces in the

Legislative Council are all subject to mutual checks and balances and this is also a manifestation of the principles of democracy. Therefore, from this angle alone, throughout all this, I have never been convinced that this is a retrogressive proposal for democracy. Of course, many people in the pro-democracy camp have shouted until their voices are hoarse, saying that endorsing this retrogressive proposal may make it impossible for us to get universal suffrage in the future. There are other people who said that these are FC seats that can be created easily but are difficult to dispense with, or that it would rationalize the existence of FCs. President, I can by no means subscribe to these views either.

First, we cannot belittle ourselves, thinking that our future efforts and the commitment and perseverance of Hong Kong people for democracy would allow FCs to remain in Hong Kong indefinitely. As regards the prospect of rationalizing the FCs or that it is easy to create but difficult to get rid of them, and that it would be impossible to abolish these five seats, I think that this is negative thinking. In fact, there are always two sides to every matter. You can say that this glass is half full, and you can also say that this glass is half empty. If some people say that these seats are easy to create but difficult to get rid of and that the existence of FCs will be rationalized, they can only see that the glass is half empty.

President, if this motion is passed, we will immediately — when I say "we", I hope all people in the pro-democracy camp would be included — immediately strive to remove the constraint of nomination by DC members in the next election. This is also pointed out clearly by the Alliance for Universal Suffrage in its roadmap. Now, we have secured "one-person-two-votes" and it the next constitutional review, we hope that the electoral mode of "one-person-two-votes" would no longer be subject to any constraint of nomination by any sector or FC, so that it can be transformed into a mode of universal suffrage. Of course, our ultimate aim is to extend the "one-person-two-votes" electoral method and an election method without any restriction on nomination to half of the seats in the Legislative Council. In that event, this would be the ultimate mode of universal suffrage that we wish to attain. Therefore, this is not a proposal that rationalizes FCs or creates them but cannot remove them easily, rather, it is a proposal that has pushed open that door a little bit.

In the next step, we have to kick this door open, and we have to break away from the constraints of this undemocratic system. President, even though we cannot attain the ultimate mode of universal suffrage immediately, I still firmly believe that this system will change the political scene in the Legislative Council. The parliamentary culture of Hong Kong people will also be changed completely. We only have to think about this: After these five colleagues, whom some Honourable colleagues call "super DC members" have joined the Legislative Council, they have to be accountable to all members of the Hong Kong public. Therefore, they can immediately show all Hong Kong people wherein their differences from Members of traditional FCs lie. Their targets of accountability and their orientation in the Legislative Council would be totally different from that of Members of traditional FCs. Together with the five newly introduced directly-elected Members, they will exercise appropriate checks and balances, so that the political power of Members of FCs would be curtailed. This is also an important step in moving towards universal suffrage.

Lastly, I must talk about the issue of a roadmap. I also said yesterday that this direction and concept of "one-person-two-votes" — President, I am talking about the direction and concept, not the DC proposal — was the goal of Members of the pan-democratic camp when they put their names on the consensus proposal in 2007 and also our goal in 2009 as well as the goal of the Alliance for Universal Suffrage this year. Now, we are following the roadmap drawn up by ourselves. We do not need the Central Authorities to give us a roadmap. We only have to implement our own roadmap and we are already moving towards universal suffrage. President (*The buzzer sounded*) .....

**DR LEUNG KA-LAU** (in Cantonese): President, here, I will give an account of the reasons for the way I voted just now and my voting intention later. As to the process of my consultation within my sector, two weeks ago, I sent my newsletter, including my personal analysis and a letter, to all doctors and dentists registered in Hong Kong, inviting them to cast their votes by mail, or preferably, to vote online because if they do so, I can formally tell Members the result of the voting here. So far, 2 500 doctors have cast their votes, accounting for 19% of the sector. The turnout rate is higher than that of the previous by-election last time. Among them, 60% expressed support and 40% opposition. Therefore, I will vote for the two motions today.

In the past two weeks, I have noticed a change in voters' wish. At the early stage of the consultation, there were 200 people who supported the proposal more than those against it. Then, the votes against it caught up with those for it and about a week ago, the voting result was about half-half. Some people have not yet cast their votes because I have told them that they could make a decision at the last moment. After the Government had announced on Monday that amendments would be made, the situation began to change significantly. Let me make a brief analysis: 40% of people still decided not to give their support even after learning that the Government had announced a new proposal; another 40% still support the passage of the proposal no matter what; the remaining 20% become very crucial votes in the middle and they will decide whether or not to lend their support depending on the contents of the final proposal introduced by the Government. Put simply, my colleagues think that there is a marked improvement in the proposal this time around and therefore, they decided to support the government proposal. Theoretically, the two motions on the selection of the Chief Executive and the formation of the Legislative Council should be dealt with and voted on separately. However, it seems that most of my sector colleagues have a very clear sense of like and dislike. If they choose to give their support, they will support both motions at the same time; and if they decide to oppose, they will oppose both motions at the same time.

I have to declare here that I dare not say my voting intention can represent the entire medical sector because in fact, there is still a very big difference between 60% and 40%. Members have to note that 40% of them still express their opposition even now. They may be supporters of the LSD or the Civic Party. This may be good news to them.

Regarding these two rather different views, how should I make a balanced analysis? Of these two groups of people, one group mainly thinks that FCs merit preservation and can be improved. In order to improve FCs, most people agree that their electorate bases have to be expanded, so that they can balance various interests in the community in a rational manner. However, how can one expand the electorate bases? One point is very important, that is, we have to be people-oriented. One has to emphasize the individual interests of voters rather than the interests of any group or corporation.

According to the conclusion drawn by the Panel on Constitutional Affairs earlier on, the Government would consider expanding the electoral bases of some FCs but they are confined to the number of corporate voters only. However, this will give rise to a major problem because in fact, large corporations in Hong Kong are operating various kinds of businesses. There may be 100 companies operating different kinds of businesses under them, so they can easily hold more than 100 votes, thereby giving rise to unfairness. I also do not think the existing FC system can be improved by increasing the number of corporate votes. Moreover, many of my sector colleagues support abolishing FCs. However, the abolition of FCs has to go through a process. It is not possible for us to demand the disappearance of all FCs overnight or suddenly say ..... they cannot disappear in 2012, nor can we demand the complete abolition of all FCs in 2016. This cannot be possibly done.

As such, will the new DC proposal give rise to an "easy to create but difficult to remove" situation? We can analyse further and see what the resistance to the abolition of FCs is. According to my observation, for FCs with a larger number of voters, the resistance encountered would be less, for example, the Education FC, the Welfare FC and the Health Services FC. Mr Paul CHAN has also agreed to support the abolition of FCs, including the Medical FC to which I belong, in 2020. Put simply, less resistance will be encountered in the case of FCs with a larger number of voters. As to whether or not the revised package will be here to stay and very difficult to get rid of in the future, I think this will not happen because the resistance usually comes from voters instead of Members. If a certain Member has over 3 million voters behind him, he would not oppose the abolition of a revised DCFC. In fact, it is more difficult for a Member to run for a DCFC seat than in direct elections. This is because he must first of all do this work in his local district properly before he can become a DC member and secure nominations. After that, he may have to get 400 000 or 500 000 votes. If he can manage to do that, he can also surely win in direct elections. Therefore, DCFC Members probably will not oppose the abolition of FCs. However, he must still run in the election with over 3 million voters and he will not get the nomination in a bottleneck situation.

Some Honourable colleagues mentioned that adding 10 directly-elected seats or *de facto* directly-elected seats can dilute traditional FCs. I think this is a very naive proposition. Although 10 seats will be added, Members must not think that one can get all the 10 seats. According to the current analysis of

voter's intention, the result is 6:4 usually. In other words, even the winner can only get 60% of the seats. Even if one wants to dilute the traditional FCs in this way, the situation of two thirds of the Members supporting the abolition of FCs would never occur in the legislature. Therefore, to dilute FCs in this way will never succeed. Even if the seats were increased to 1 000, the dilution would never be successful.

Therefore, according to my analysis just now, if Members want to abolish FCs, the only way out is to expand the electorate bases of existing FCs. Only in this way can the resistance to the abolition of FCs be reduced.

I have already talked about the different views of two groups of people. Members will find that they have a highest common factor and their direction is the same, that is, to expand the electorate bases of FCs. Whether one supports abolishing or improving existing FCs, the direction is actually the same, that is, to expand the electorate bases of FCs. As to the question of whether FCs should eventually be abolished or improved and preserved in the future, we can plan further in the future. Insofar as expanding the electorate bases is concerned, we can start working on it now. There is no need to amend the Basic Law and this proposal can be dealt with together with the proposal of increasing the number from 30 to 35 because the Government can even increase the electorate base from 400 voters to 3 million voters. Therefore, the work of expanding electorate bases can be dealt with here. We only need half of the Legislative Council Members to pass this when enacting local legislation later to deal with it through local legislation.

I must also point out that the Government has cited a research report published by the Bauhinia Foundation Research Centre, which says that 60% of Hong Kong people — first of all, I have to point out that the claim of the Bauhinia Foundation is rather misleading — the Bauhinia Foundation says that since 60% of Hong Kong people do not agree that changing corporate votes to directors' votes or individual votes can enhance the credibility of FCs, the conclusion they drew was that the public does not agree with doing so. However, the question is in itself misleading because the research did not say whether this 60% of the public do not agree that such an effect can be achieved or they do not agree with doing so. I believe that the great majority of people would not object to doing so, even if they do not agree such a result can be

achieved as they do not believe in this, since there will still be a chance of getting this result by doing so.

In addition, the Government often says that we have not yet established a consensus, so implementation is difficult. I wish to point out that a consensus is actually not necessary and it is also very difficult to reach a consensus in this world because there will always be people who are unwilling to do so. However, we can start with today. If FCs are willing to do so, they can go ahead and leave it if they are not. As regards the question of how to proceed, they can consult members in their respective sectors by themselves. Those who would like to expand their electorate bases can do so. They can even bring up for discussion whom they would like to nominate. I believe Members will not raise any objection because no matter how, they are your voters. Also, Members returned by direct elections will not raise any objection either because these moves have nothing to do with their demands. So long as FCs prefer to do so, their electorate bases can be expanded. No matter how many FCs are willing to do so, they can do so. No one will stop them. However, we will face a problem: If this can be done in 2012, what about 2016? In fact, in the future, some people may suggest starting to gradually abolish those FCs the electorate bases of which have not been improved. In this way, the matter will become simpler.

I rank the fifth in the Medical FC. In other words, I probably will have to wait. This is a divisive tactic, that is, FCs with a large electorate base would not mind abolishing FCs with small electorate bases, or to improve them by means of merging, and so on. For this reason, I said just now that even if FCs were to be abolished, a strategy and a process would be required. We cannot expect everything to disappear at once come 2016. If so, a great deal of resistance will be encountered. On the contrary, if we try to expand as far as possible the electorate bases of FCs, the resistance will be less. In particular, when the electorate bases of some FCs are particularly broad and some are particularly narrow, the difference between them will be more marked. This is my suggestion.

Lastly, I wish to talk about the roadmap. In fact, after all ..... I am somewhat too involved in my occupation. I once told Members about my experience as a doctor. It is actually very difficult for us to assure a patient of the effectiveness of medical treatment before a surgery as there are many

uncertainties in life. Even if we demand that the Central Government gives us an assurance, those in power now in the Central Government cannot tell whether or not they will still be in power in 2012. In fact, sometimes, it is difficult to give any assurance. But it does not mean that we should not do anything because no assurance has been given. Simply judging from the present trend, I can also predict the outcome even though I do not know what the result will be. I can estimate what may happen and make arrangements accordingly. On all matters, just as I said before, be it the improvement of FCs or their abolition, the Medical FC to which I belong will also make preparations for two scenarios since the opinions of my voters are still half-half. Therefore, if the electorate bases of all FCs are expanded, both my sector and I will consider it to be the greatest gain and I believe the majority public will agree. Moreover, all those people who want to preserve FCs will not object to that either. Besides, the Medical FC will not be affected for the time being because we have currently quite a large number of voters. Of course, when other FCs have successfully expanded their electorate bases to 20 000 or 30 000 people, I have to consider how to find more people to join my camp, for example, friends practising Chinese medicine. I do not mean that I support doing so. Some friends once raised objection. However, if this situation really arises and each FC has tens and thousands of voters whereas the Medical FC has only 13 000 Western medicine practitioners and the number of its voters is the smallest, in that event, I have to think of a way to increase the number and boost my strength.

Lastly, I would like to remind friends in the pan-democratic camp that, just as Mr LU Ping once equated universal suffrage with direct elections, and I have also heard several Members make the same point, it is stated in the Basic Law that universal suffrage and direct elections can be construed as two different things. If full direct election cannot be achieved, the proposal to have DC Members elect Members from among themselves put forward by the Government also appears to be a proposal on universal suffrage, so it deserves our careful attention.

President, I so submit.

**MS LI FUNG-YING** (in Cantonese): President, there is this famous saying, "To make the impossible possible", which probably is an apt description of the recent constitutional reform package. Though we still do not know whether the amendment to the method for the formation of the Legislative Council in 2012

would be endorsed eventually, the developments in the past month have greatly increased the chances of its endorsement. It is the co-ordinated efforts of the Central Government, the SAR Government, political parties/groupings with different stances and the public that bring this ray of hope for the passage of the constitutional reform package, and this achievement has not come by easily. I hope this ray of hope will help Hong Kong carry on with its constitutional development and finally lead us to the way out for implementation of dual universal suffrage.

There are two similarities between the 2012 constitutional reform package and the proposals for 2007 and 2008. Firstly, both packages cannot meet the expectations of the majority public. Secondly, different public opinion surveys show that both of them fail to win the support of a two-thirds majority of citizens. However, regardless of our views on the 2012 constitutional reform package, personally I think the criterion for supporting the package is that it will help Hong Kong move towards universal suffrage. More importantly, I think the current constitutional reform package, which is different from that of 2007 and 2008, is built on the foundation of healthy interactions between the political dissidents and the Central Government. Today, we shall vote not only to show our stances on the constitutional reform package, but also on these hard-earned healthy interactions.

I think the revised package before us now is more progressive than the original one. According to the definition stated in the Legislative Council Ordinance, the function of DCs is to advise the Government on district administration and to promote district development. The original constitutional reform package, which merely increases the number of seats for the DCFC but retains the method of returning the Legislative Council seats by election among DC members, would inevitably change the nature of DCs and result in the addition of more political considerations to the original target of simply promoting district development. This could have a great impact on the operation of DCs and I do not think that it would be conducive to district development.

During the discussion on the constitutional reform package, I found that while the SAR Government was ready to accept different views and the Central Government prepared to adopt a broader interpretation of the NPCSC Decision on Hong Kong's constitutional development in 2007 and 2008, local politicians with different political stances were also prepared to compromise. All these

have brought about the improvement of the original constitutional reform package. The revised package would not only increase the democratic elements in the Legislative Council election, but also greatly reduce the impact of the DCFC on DCs' promotion of district development. When the Legislative Council seats for the DCFC are returned by all voters who currently do not have the right to vote in FCs instead of by DC members, DC members would no longer be the determining factor in the competition for Legislative Council seats, and the DCs would be able to maintain their function of serving the districts. I think such an arrangement is conducive to district development in Hong Kong.

Recently, two giant posters have been posted at the MTR station outside the Legislative Council Members' Entrance. The posters, which say that "Say no to the constitutional reform and veto the totally wrong proposals", is very eye-catching. Actually, in the process of promoting the constitutional reform, the Government has taken the initiative to face the public. However, its "Act Now" campaign has aroused many controversies in society. I have a query. Had the Government only wanted to encourage the public to show their concern and express their opinions on the constitutional development in Hong Kong, it should have started its "Act Now" campaign during the constitutional reform consultation to encourage the public to voice their views, instead of launching such a large-scale promotion programme to seek public support at a time when the constitutional reform package was almost a done deal and the Legislative Council, as the representative of the public, was about to vote on it. Since the launch of the "Act Now" campaign, I have observed that the Government, apart from seeking public support, has not given much concrete explanation on the constitutional reform package, not to mention the dramatic development which led to the substantial change in the package, or the question about whether the supporters of the original package should support the revised package now. As the "Act Now" campaign has not even given the public a clear picture of what they are requested to support, then what reference value would such support have?

Since half of the Legislative Council seats are returned by direct elections and some of the Members from FCs are elected by voters of their own sectors on a "one-person-one-vote" basis, voters will do their part to show their preferences in the election of these representatives of public opinion. Having set the course for the constitutional reform package, what the Government should have done was to seek the support of Legislative Council Members.

President, although Chief Secretary for Administration Henry TANG highly commended the Government's "Act Now" campaign in his speech yesterday, I still doubt its effectiveness. In fact, the campaign can be considered a failure as the original package that it recommended to the public was not accepted ultimately. Of course, he can say that it is successful because, compared with the original constitutional reform package, the Government's current package will stand a greater chance of being endorsed by the Legislative Council.

However, regardless of the Government's comments, what I have seen is that the Government's enthusiasm has not only intensified social contradictions and social division but also led to many hostile confrontations. I think the Government should conduct a comprehensive review of both the positive and negative impacts of the "Act Now" campaign later so as to find ways to heal the bleeding wound as soon as possible.

President, I respect those people who stick to their principles. However, I do not think that today's voting is a fight between the principled and the unprincipled because Hong Kong citizens all share the same principle, which is the early implementation of dual universal suffrage. Now our difference is the difference between those who refuse to trust and others who want to build up mutual trust. Today, we have again come to this critical moment in history. In terms of constitutional development and political ecology, Hong Kong has all along been carrying a heavy historical burden. Do we want to tighten this historical knot? Or we would rather untie the knot to find a way out? The key to the door is in our hands. I would like to give my sincere respects to the colleagues in the Democratic Party, who are braving the sadness of history and the storms coming from different directions to open up a new road for Hong Kong's future. I trust history will do them justice. President, I support the current constitutional development package.

**MR LAU WONG-FAT** (in Cantonese): President, Laozi's "TAO TE CHING" says that "The journey of a thousand leagues began with what was under the feet"<sup>(2)</sup>. This saying, which has been enlightening the world for more than 2 000

---

(2) TAO TE CHING, Foreign Language Teaching and Research Press

years, means that even a journey of a thousand miles starts from the very first step. It implies that success is the sum of many small efforts.

It is also appropriate and enlightening to apply this famous quote to the constitutional reform in Hong Kong. In fact, it is always difficult to carry out constitutional reform. Forging a consensus among various sectors and different political parties/groupings on such a controversial issue is definitely like fishing from a tree. Fortunately, we all share the same goal, which is dual universal suffrage for the Chief Executive and Legislative Council elections. Besides, the NPCSC has also made a solemn decision on this issue. As long as we move forward in the right direction, we will surely reach the finish point.

Of course, the key to success is that we cannot stop. If we stop, the constitutional development would not be able to move forward, and our society would face more contradictions and internal arguments. In this case, the goal of dual universal suffrage would be very hard to achieve.

There is a Chinese proverb that says "Give knaves an inch and they will take a yard", which originally carries a negative meaning. But I think if you use it to describe the constitutional reform in Hong Kong, its meaning will become positive. In the course of constitutional reform, we have to fight for every inch of progress as each and every inch can add up to a yard. This "give an inch and take a yard" approach not only complies with the principle of gradual and orderly progress stipulated in the Basic Law, it can also help us resolve the quagmire of empty talk.

President, regarding the constitutional development, I always advocate that all sectors in society should be less self-centred, more tolerant and giving regard to the overall situation so as to ensure steady progress for the constitutional reform. It is gratifying to note that after five years of stagnancy, Hong Kong's constitutional development has finally reached a turning point. Thanks to the co-ordinated efforts of the relevant officials, parties/groupings and individuals, we have eventually worked out a new electoral proposal for the DCFC under the principle of mutual understanding and accommodation. This timely compromise proposal, which has been accepted by the Central Government and the Hong Kong Government, are also widely supported by the public as well as most of the political parties and groupings. It can be envisaged that the

obstacles which hinder the passage of the 2012 constitutional reform package will be removed.

President, the ship of the constitutional reform is going to weigh anchor and sail to the destination of dual universal suffrage. Stormy weather might be inevitable on this journey. But as long as we can work together to ride out the storm, our ship, braving the winds and waves, will surely tide over all difficulties and reach the destination.

With these remarks, President, I support the package.

**MR VINCENT FANG** (in Cantonese): President, what we have seen outside the Legislative Council Building in these two days inevitably makes me think of a few questions: In fact, what are we going to discuss in this Chamber today? Why has it led to confrontations, serious conflicts, hostilities and such disharmony in society? Of course, we all know that it is all about democratization.

I am not capable of citing quotes like some colleagues, who mentioned the ancient Greece in the fifth century and searched for the origin of the word "democracy". As far as I know, the word "democracy" means that "people are the masters", while "a democratic political system" is a system under which "the people take some kind of collective actions to reach a political decision". In other words, it is opposite to authoritarianism and hegemonism. It means that every people and "the group of people" elected by the people should be respected. Regardless of the method of election, this group of people should command our respect, and every representative of the group, including their characters, right of speech, right of expression and beliefs, should also be respected.

There was no such thing as a unanimous political belief in history, and even today, it is also the same. Therefore, we all hope that our beliefs will become the mainstream ideologies. I am a businessman. If I want to sell my products, marketing and promotion efforts are definitely needed. But if my products are bad in quality, it would be very difficult to promote them.

Similarly, if you want to promote your political beliefs, you have to do your best to show others the merits of your beliefs as this is the only way to convince your target audiences. You should not resort to shouting, hostility,

violence, raiding and gagging. In fact, what is the difference between this and authoritarianism?

President, I have made my introduction so long because I hope all of us, including those inside and outside the Council, regardless of their political views and beliefs, will express their opinions in a peaceful way with a view to convincing people by reasoning and virtue. I really do not want to see this collective political mechanism, that is, this Council, become a venue for demonstrating violence, shouting and preventing people from expressing their views. Otherwise, it would be a tragic decline of the political mechanism in Hong Kong.

President, I speak in support of the amendment to the method for the formation of the Legislative Council. But this is not because I am a member of the pro-establishment camp, nor because I agree with the contents of the amendment. Actually, I have joined the Legislative Council for six years. Compared with colleagues from the so-called "opposition camp" at this meeting, I have even more often shown my disapproval of the Government's proposals. My major concerns are the contents of the proposals and the overall interests of Hong Kong.

I support the 2012 constitutional reform package because I agree that Hong Kong's constitutional system needs to be reformed. Though the 2012 package is not a perfect proposal in terms of contents, at least it has taken the first step to move towards democratization. Regardless of my expectations on the constitutional system in the future, I agree that we have to take the first step. After that, we can sit down to discuss the enhancement of the system. The constitutional development should not continue to be stuck in an impasse due to arguments over the minor details.

With regard to the constitutional reform package, the biggest argument centres around the preservation of FCs. As I have said in this Council, though I was elected as a Member through an FC election, before joining the Council, I did not have any strong feelings towards FCs, and I also agreed that the development of the Legislative Council should gradually move in the direction of universal suffrage. Of course, this is because I was impressed by the Liberal Party's success in the direct elections in 2004.

However, having served in the Council for six years, I began to understand that the original intent and actual purpose of establishing the FCs is to allow the representatives of different sectors and professions to advise the Government on issues in which they are well versed. For instance, the wholesale and retail sector to which I belong is definitely concerned about the domestic market, the performance of the local economy and the job market because we have a workforce of nearly half a million people. As for the legal sector, instead of protecting their own interests, they certainly have to uphold the spirit of the rule of law and judicial independence.

Unfortunately, in order to achieve their goals, some people try to distort the original intent of establishing the FCs by saying that we are only representing the interests of a small group of people and have helped bring about the collusion between the Government and business. I absolutely do not agree with this. Over the past six years, most of the colleagues returned by FCs and I have absolutely not helped bring about the collusion between the Government and business. On the contrary, our work and performance have fully reflected the function of FCs.

In spite of the criticisms, the value of FCs is recognized by many people. A critic's review says that "Although the performance of some lawmakers returned by functional constituencies is not satisfactory, it does not mean that there is something wrong with this system. Similarly, some doctors do not have good medical skills, but does it mean that we have to abolish the medical faculties? Therefore, if some lawmakers from functional constituencies fail to perform satisfactorily, what we should do is to improve the election mechanism with a view to having more good Councillors." President, I absolutely agree with this viewpoint. Hence, I support expanding the electorate base of FCs.

In fact, not only Members returned by FCs do not perform well, some Members returned by direct elections are also the same. Usually, Members returned by direct elections spend most of their time on taking care of their supporters, and they seldom pay attention to the issues of the non-supporters' concern. This is not a problem of any individual persons, but just something to do with the electoral system.

To achieve sustainable development in Hong Kong, we cannot only see the preferences of the local communities as the blueprint. We must have international outlook and pay attention to the macro environment as well as the macro factors that facilitate the sustainable development of the economy, because enterprises must continue their business to preserve employment, and this is very important for the stability and prosperity of society. I admit that the FCs might be particularly concerned about some kind of issues, but Members returned by direct elections also have their own preferences. In this regard, while performing our respective duties, we can co-ordinate with each other to make our work complementary, just like the four types of a car which support each other to make sure that the car can run smoothly. This is also the way to ensure the stability of society and smooth operation of the Government.

I would like to ask the colleagues who keep on accusing the FCs if your performance is convincing enough to make us believe that Members to be returned by universal suffrage would all cater for the overall development of Hong Kong and be able to convince the business sector as well as the masses that it is safe to put Hong Kong's future in your hands. Regrettably, you fail to give me confidence.

By the summer recess, I will have joined the Legislative Council for six years, during which I have participated in formulating many laws and deliberating some controversial political and economic issues. In the process of legislation, I have had some unforgettable experiences which gave me a deep impression that the Government, with neither caution nor vision, only makes window-dressing efforts in carrying out consultation. Considering legislation a routine job, it ignores its impact on society and economy. However, why can all the laws be enacted? It is all because of the support from the Members returned by direct elections. You only need to say "for the interests of the public", your promise to the voters can then be honoured. The introduction of a total smoking ban, the termination of the live poultry trade, the nutrition labelling, the purchase of swine flu vaccine and the imposition of levy on plastic bags are the examples, and the same thing also applies to the imposition of waste electrical equipment levy, which will come into effect soon. However, who have to pay for the expensive chickens and the vaccines disposed of at landfills? It is the citizens. We are businessmen and no one wants to do business at a loss. As our cost has increased due to the government measures, what we can do is to pass it onto the consumers. However, what we have done to protect the interests of consumers

and the competitive edge of Hong Kong are criticized by others as collusion between business and the Government.

We do not possibly all share the same political views, and nobody has requested us to make compromises. Besides, the existing constitutional system has given us enough room to express views and seek support. Since the issues of concern to Members returned by direct elections are not exactly the same as those of Members from FCs, we all make efforts to work on issues of our own concern, and this has become a driving force for social development as well as an important factor for the success of Hong Kong.

In fact, the amendment to the method for the formation of the Legislative Council in 2012 to be passed today has already destroyed the balance of the Council. Although the five new seats for DCs are FC seats, the approach is a *de facto* direct election. After the passage of the amendment, the Legislative Council seats returned by direct elections as well as those for FCs are expected to keep on increasing in an unbalanced proportion. Will this be a good thing or bad thing for Hong Kong? If I stay in Hong Kong to develop my career, I would try hard to retain the FCs. It has nothing to do with interests. In fact, just like many Hong Kong businessmen, I have my core business on the Mainland. I work for Hong Kong simply because this is my home, and as a Hong Kong citizen, I have a passion for this place.

This time the Government has introduced the "Act Now" slogan for the constitutional reform. Though I am not familiar with the new trends, my interpretation of "Act Now" is: "Game over! Quit now". If we continue to allow those irrational arguments to hinder our social and economic development, and if the Government continues to adopt an indecisive attitude in the implementation of policies due to its concern over the so-called "public opinion" in every single issue, or if Members keep on attacking each other for their respective interests, it would mean that the success of Hong Kong has really become history, and we would no longer have to worry if the national policy is favourable to Shanghai or Shenzhen because we have already brought destruction upon ourselves. By then, Hong Kong would see another "Act Now" campaign of a larger scale and with a deeper impact, which is the "Quit Now" operation of the businessmen.

President, what I want to say is that the legendary success of Hong Kong is the achievement of Hong Kong people, but this achievement could also be destroyed by ourselves. So Honourable colleagues, what role are you playing? Please think about it seriously.

I so submit. Thank you, President.

**MR CHEUNG KWOK-CHE** (in Cantonese): President, the amendment to the method for selecting the Chief Executive in 2012 has been passed today, which means that the Government has not heeded public opinion to withdraw the 2012 revised package. Actually in these two days I have made it very clear that if we delay the vote, the public would have about three months to discuss the issue. As the Council will be in recess during this period, the voting can be postponed to October when the Council sits again. In fact, strictly speaking, it would be postponed for about one month only. However, the Government insisted on its own way and turned a deaf ear to the public views, which I think is really regrettable.

Today the final moment to vote on the constitutional reform has come. I think the Government has secured enough votes for endorsement of the package. However, I can tell the Government clearly that I will vote against the amendment to the method for the formation of the Legislative Council. I hope Members will understand that I am not opposing for the sake of opposition. I oppose it for it is a matter of principle and promise.

The Government has all along been refusing to say in what way universal suffrage will be implemented and at what time the FCs be abolished. If no promise can be made in response to these two critical questions, voters in my sector and I will definitely not accept the proposals.

Regarding the arguments over the abolition of FCs, it is even more disappointing that Mr QIAO Xiaoyang, Deputy Secretary-General of the NPCSC pointed out earlier that the existence of FCs was not totally contradictory to the implementation of universal suffrage. Besides, he explained that the system of universal suffrage should not only be compatible with the executive-led political

system in Hong Kong, but also had to cater for the interests of all sectors of society and facilitate the development of Hong Kong's capitalist economy.

In fact, the existing FCs are excessively conducive to the development of capitalism. As a result, the wealth gap is widening and the demands of the grass-roots citizens are never met with reasonable responses. It is the ridiculous mechanism of FCs and separate voting that has led to the Government's bias in favour of the large consortia and big tycoons in the implementation of policies. As for the rights and interests of the disadvantaged, they are just considered as favours and handouts to be given. As long as the FCs exist, this deep-rooted conflict can never be resolved.

Some people may ask, "CHEUNG Kwok-che, you clamoured for the abolition of FCs on the one hand and competed for the Legislative Council seats through the elections of FCs on the other. Does it mean that you were trying to gain double benefits?" Honestly speaking, I have so far represented the Social Workers' General Union to compete for the Legislative Council seats for the social welfare sector twice and each time I took part in the election with a very clear election platform, which was the abolition of FCs. This is also the stance of the social workers in our sector, and this stance of ours is very clear.

Therefore, I joined the Legislative Council not only because I wanted to work for the social workers and seek benefits for the disadvantaged, but I also had another important goal, which was to fulfil my election promise of convincing other FCs to work with us for the abolition of FCs. In this regard, today I cannot break my promise to the voters and make a casual decision to change my stance.

Furthermore, regarding the "one-person-two-votes" DC proposal which has become the focus of attention this time, I personally agree with the point that it would slightly increase the democratic elements in our system because those who originally do not have the right to vote in FCs would be allowed to elect their Legislative Council Members from the DCs.

On the face of it, when the more than 3 million voters can each have one more vote in their hands, there is no doubt that more democratic elements would

be seen. But at a deeper level, it would actually rationalize the existence of FCs. As the saying goes, "It is easy to invite a guest but hard to ask him to leave". When the number of Members returned by FCs keeps on growing, it would become much more difficult to abolish FCs in future. Do we agree that all FCs seats in 2020 should be returned by elections on a "one-person-two-votes" basis? I believe the general public, from now on, should start to consider the issue seriously and voice their views.

Moreover, regarding the newly added DC seats, the general public would neither have the right to nominate candidates nor be eligible to take part in the elections. The more than 3 million voters would only have the right to vote instead of all the election rights. This is obviously a screened election, and it is also the biggest defect of the revised package.

Some Members who have joined the Alliance for Universal Suffrage (the Alliance) are suspected of playing smart or even accused of being politically immoral when they decided to vote against the reform package after the Government's acceptance of the proposal on DC elections by universal suffrage. I would like to point out that among the three requests made by the Alliance, which include the abolition of FCs, the lowering of the threshold for the Chief Executive election by universal suffrage and the implementation of the revised DC proposal, the Government has only accepted one of them, and it is not exactly the one recommended by the Alliance.

Realizing that the Government might accept one of the requests, the Alliance had some discussions on the issue and finally agreed that we should first take a small step forward and put aside for the time being the requests for the abolition of FCs as well as the lowering of the threshold for the Chief Executive election by universal suffrage. Of course, the Alliance understood that there was not much time for consideration. Therefore, we fully respect the final decisions made by individual organizations after their own discussions.

I would like to make it clear to all of you that social workers will not easily give up their aspiration for democracy. Even if the current package is endorsed, we will persist and try our best to fight for a real universal suffrage. You may ask, "Do you not think that you social workers are too stubborn?" In fact, it is

our stubbornness and insistence on the principle of doing the right thing that make us a group of responsible social workers.

Lastly, I would like to talk about one point. I have received some emails and messages since this morning, requesting me to talk about this issue, on which I should have expressed my views earlier. I would like to say a few words to Mr LEUNG Kwok-hung. The speech that Long Hair delivered this morning made me feel uncomfortable. Though I respect Long Hair's stance, I can never agree with it. We can criticize a person's stance, but we can never make a person's health the topic of your comments. Uncle Wah, that is, Mr SZETO Wah is our predecessor in the labour and social movements. His insistence on democracy has gained our respect and set a good example for us to follow. I hope LEUNG Kwok-hung will do some soul-searching. Besides, I wish Uncle Wah good health, hoping that we can see the blossoming and fruition of democracy together.

President, I so submit.

**MR LEE CHEUK-YAN** (in Cantonese): President, first of all, I would like to make a clarification. In response to my earlier comment about the Chief Executive, Stephen LAM has just now explained to us why the 2005 constitutional reform package was not rehashed. I have to clarify for fear that the public will misunderstand I wish he had rehashed the 2005 constitutional reform package. I said the current package was worse than the 2005 package. I did not say that I wished he had rehashed the 2005 package. Frankly, I am not interested in how the small-circle election is repackaged or mended. Presently, the most important point is, when there is really a nominating committee in 2017, whether this election will be an election with a low threshold. Of course, to settle the issue once and for all, basically there should not be any nominating committee at all. However, the lowest and the minimum demand on the Chief Executive election is that, at least, we should have an election with a low threshold. Thus, just now I was not demanding to mend the 2005 package, or to rehash the 2005 package in the current 2012 package. That will be meaningless. What we have all along been demanding is resolving the issues of 2017 and 2020.

I am speaking to oppose the current method of forming the Legislative Council. People may ask, since the Confederation of Trade Unions (CTU) is a member of the Alliance for Universal Suffrage (the Alliance), why does the CTU oppose it? Shouldn't the Alliance vote in favour of it unanimously? As Mr CHEUNG Kwok-che said just now, the Alliance has made three demands. First, the "one-person-one-vote" system should be adopted in the revised DC package, so that all will be able to participate in the election. Second, a low threshold should be adopted in the election of the Chief Executive in 2017. Third, to ensure the implementation of genuine universal suffrage, a pledge to abolish FCs in 2020 should be made. Insofar as the CTU is concerned, among the three demands, the most important one is the abolition of FCs.

Let us recap some history. We have arrived at this moment when we, in fact, can retreat or wait no more. As Members may recall, we had originally demanded to implement dual universal suffrage in the 2007 and 2008 elections. Dual universal suffrage was delayed to 2012 then. Now our demand has even been retrogressed to implementing genuine universal suffrage. To where can we retreat now? Our demands for dual universal suffrage to be implemented in 2007 and 2008, and then in 2012, had been smothered twice in the fashion of a crushing blow by way of a resolution adopted by the NPCSC.

Why are there so much resentment and anger in Hong Kong today? It all boils down to the fact that the people of Hong Kong have never been respected. When we put forward our demands and express the voices of the people, the NPCSC smothered them by way of a resolution. Now, we have no alternative but to accept. However, can you tell me whether it will be genuinely implemented in 2020 and 2017? We have only these two demands. Can they not be realized? We have already taken a retrogressive step to the point that we have almost given up the timing demand, that is, we have given up immediate implementation in exchange for the pledge of genuine universal suffrage. I am not even talking about the 2012 election. Despite the fact that basically all of us have all along been striving for dual universal suffrage in 2012, we have given up this demand in exchange for the pledge of genuine universal suffrage, but it seems we will not be successful. If our hope for this is dashed, the CTU has no alternative but to say we cannot support it. We will oppose this.

Yesterday I heard Chief Secretary Henry TANG ..... I hope I will not quote his words wrongly, perhaps it was spoken by the pro-establishment camp. He said that the Chief Executive had been very busy recently, and that he had spent 70% of his time on constitutional affairs. According to him, if the Chief Executive did not have to spend 70% of his time on constitutional affairs, he would have done more for the economy and people's livelihood. Wouldn't it be better if he had done so? These words really made me feel they were trying to deceive people. They were not spoken by you. It doesn't matter. In brief, someone had spoken those words. If the Chief Secretary has shaken his head, I will not accuse him wrongly. Yesterday I heard someone say that the Chief Executive had spent 70% of his time on constitutional affairs, which resulted in him not having time to deal with the work related to the economy and people's livelihood.

Frankly, even if he has time to deal with the economy and people's livelihood, what has he actually done? The legislative exercise on the minimum wage has been delayed for two years. Matters related to low-income families and transport subsidies are something that can be easily dealt with. Yet they have been delayed. We have many demands, such as those related to universal retirement protection, improvement of the Mandatory Provident Fund, minimum wage, and standard working hours, and so on, which were put forward before the disputes on the constitutional reform package. To use the wordings of the Chief Executive, they were put forward when he was not busy at all. Since he did not have to spend 70% of his time on the constitutional reform back then, why has he done nothing?

Why have so many demands of the public in respect of the economy and people's livelihood not met? This takes us back to the issue of politics. The answer is simple. Because the Government is basically biased in favour of the consortia, and there is collusion between business and the Government. Why is that so? It is driven by the political system to do so. The Chief Executive, elected by a small-circle election, is forced to let his bottom command his brain. He must act in the interest of giant consortia. In addition ..... assuming that one day the Chief Executive behaves in an abnormal manner and acts with a heart all of a sudden — I certainly feel that he is really heartless in normal circumstances — when he behaves in an abnormal manner and puts forward a proposal to the Legislative Council with all sincerity, since half of the Members are returned by FCs, and with the mechanism of separate voting, the proposal will only be stifled all the same. Thus, we need to make changes to the system now.

Why have our current economy and people's livelihood fallen into such a poor state? Why is the well-being of the people not taken care of? This is attributable to our proposals being stifled by the political system. It is absolutely clear that the system of FCs is a flagrantly wrong and unjust system. In trying to defend the system just now, Mr Vincent FANG said he had opposed many proposals. It is true that he opposed the proposal of the environmental levy on plastic shopping bags. He also opposes the Trial Recovery Programme for Electrical Appliances soon to be implemented. Why? It is because being a Member returned by the retail sector of the FCs, he has to oppose these proposals. The retail sector will also oppose the nutrition labelling scheme, which he has also mentioned just now. What is wrong with the nutrition labelling scheme? However, insofar as the retail sector is concerned, he has to oppose it.

So we can see that Members returned by FCs are not making contribution from professional aspect. As a matter of fact, they are only defending their own interests. They are 100% defending their own interests, doing a very good job in this regard. Thus, we must note and remember this. We must not think that Members of FCs are making contribution. They are only protecting their privileges and interests, and the interests of their sectors. Why are they doing this? Because they wish to be re-elected. The electoral system requires them to protect the interests of their sectors. It is just as simple as that.

He also cited the medical profession as an example just now. According to him, there are doctors of excellent medical skills and doctors of poor medical skills; it is groundless to negate the entire medical system just because there is a doctor of poor medical skills. I hope that Members of the FCs, particularly the Member representing the medical and nursing profession, will forgive me for citing another example, and that is, the system of FCs is equivalent to the auctioning of organs performed by doctors, who use excellent medical skills to extract organs and sell them. I have no intention of offending the sector of Dr LEUNG Ka-lau. I am only citing an example to illustrate my point. What does it mean by auctioning of organs? It means using excellent medical skills, excellent methods and political means to attain interests for one's sector.

To the CTU, the most important point of all is the abolition of FCs. This is because the CTU, as a workers' association and a trade union, has witnessed the

full tilt of the entire system towards large consortia, resulting in the phenomenon that the fruit of prosperity has never been shared by workers over the past few decades. It is also due to the existing system of FCs that we can never have our plight reversed. We must deliver a very clear message that it has to be abolished.

However, the comment of QIAO Xiao-yang is most disappointing. Why is our concept of universal suffrage in 2020 still so blurred? It is because of QIAO Xiao-yang's comment to this effect: "The emphasis of the concept of universal suffrage is that no distinctions are permitted between individuals in terms of the right to vote on the grounds of wealth, sex or race. Thus, universal suffrage generally means the exercise of universal and equal right to vote." Originally this sounds very pleasant. But the worst thing about this is that he did not mention the right to stand for election. Insofar as universal suffrage is concerned, both the right to vote and the right to stand for election should be universal and equal. And there is another comment which is most ridiculous: "However, according to the general understanding in the international community, reasonable restrictions on the voting rights concerned can be imposed by law." I do not know what "reasonable restrictions" he was referring to, which makes the concept all the more blurred.

I have just heard Chief Secretary Henry TANG say that we must act expeditiously now so that the ship can weigh anchor and set sail. According to him, as half of the fog has cleared, it is the right time to clear the other half now. But where does the problem lie? It lies in the fact that the entire package on the elections in 2017 and 2020 is still blurred. Even if the fog is clear, another will gather. By that time, the ship may have already sailed into the high seas, and the situation will be more dangerous. That is why we hope there is a clear chart, so that we can clear all the fog and see distinctly the destination. Otherwise, what is the point? This is the difference between the Government and us at this moment.

In respect of the DC package, I have to admit, it once gave me some expectations before. As a matter of fact, 3 million people will be able to vote for the five seats. It really represents an improvement. However, as I have just said, it is not the ultimate resolution to the issue. Since this is the case, I think I cannot accept the 2012 package. We have been hoping to accept a basket of proposals that make up the package. Just now some people mentioned their worries that the new seats would rationalize the FCs. I do not share their view

because all along the voters of FCs ..... I share the view of Dr LEUNG Ka-lau, voters will not refuse to let go of the FCs because they are members of the public in Hong Kong too. If there are direct elections, why should they refuse to let go? Unfortunately, the worst part is the traditional FCs, that is, the voters of the FC Members sitting here are unwilling to give up the seats. If you are willing to give up your seats, all the problems will be solved. If all sectors are willing to give up ..... I know that nurses, social workers and teachers are willing to give up their seats. If only your voters are willing to do so, there will not be problems anymore. With respect to the revised DC package, I believe the public is willing to give up those seats. That is why I am not worried.

There is another paradox. According to Elsie LEUNG, the "one-person-two-votes" model is not considered as universal suffrage. Since this is the case, there is no longer an issue here. Please remember, in the future, if there are any nominations for FCs by which Members will be returned on a "one-person-one-vote" model, it will not be considered as universal suffrage. It is clearly stated in this regard. Please put it down on record. In the future, we must not say that there is a model of universal suffrage by which nominees of FCs will be elected by "one person, one vote". It has been clearly stated that this is not considered universal suffrage.

Summing up, the CTU opposes this package because it fails to answer our aspiration of abolishing the FCs. On the other hand, there is an inherent problem for the entire democratic movement. It seems we are starting to disintegrate. Previously we had the strength to fight, but now it has been drained. It will be difficult to have our plight reversed. Just now I heard Mr WONG Yuk-man deliver his speech, which sounded like a declaration of breaking up. Today, I find it tragic when Yuk-man says, "We will not adopt the same ideology in order to achieve unity, and we will not unite together in order to arrive at the same ideology"; while "Uncle Wah" insists "Men of totally different principles can never act together". They seem to say they are not allies journeying on the same road. Under such circumstances, all I can say is "Let us yoke together". The phrase "yoke together" refers to oxen working together to pull a cart. They share the same objective and the same commitment. When they pool their strength together, they will be able to arrive at their destination.

I hope that when the democrats examine the way forward, they will be able to see that we should journey on the same road, and that we should have mutual respect for each other in fighting for the same goal. The CTU will certainly fight till the very end in this battle. I hope that all of us will believe in the power of mankind. Let us persevere till the very end, fight till the very end.

Thank you.

**MR CHAN KIN-POR** (in Cantonese): President, the constitutional development of Hong Kong is related to the overall interest and well-being of Hong Kong. Every member of the public, every Member has his own view on the constitutional reform. However, I believe all of them share a wish, and that is, there will be progress in our constitutional development. Of course, the important thing is how the progress should be made.

Over the years, people of Hong Kong have had many experiences related to the subject of constitutional reform. In fact, the process has reflected various views of various Hong Kong people on constitutional reform. Irrespective of whether they support or oppose the constitutional reform package, they have put forward their philosophies. The value of a democratic society lies in people having opportunities to express their own opinions.

President, I would like to talk about the retention or abolition of FCs, because this issue has all along been a key point in the discussion on constitutional reform.

Members present know very well the historical origins of FCs. In order to enable Hong Kong to continue practicing capitalism, the British Hong Kong Administration created the FCs back then. The system of FCs was created with the intention of enabling different voices of various sectors in society to co-exist in the legislature, so that opportunities of voicing their views would be provided to various sectors and strata of society, with a view to achieving the objective of a balanced participation, as well as a balancing effect in the legislature.

As a matter of fact, this balancing effect carries a deeper meaning. There are many important trades or sectors in Hong Kong. The number of people

engaged in them may not necessarily be substantial, or even amounts to a minority in society. However, they are very important to the economic and social developments of Hong Kong. In other words, to a certain extent, the FCs represent the voices of those from relatively small groups or non-mainstream communities. In fact, to say the least, the existing society can be divided into the business sector and the public. If we do a headcount, it is certain that the number of people of the public will far exceed that of the business sector and the professionals.

Let us ponder on this. If the decision of the Government to introduce or abolish a policy is determined by the number of people who support or oppose the policy, it will be easy for the Government. In other words, the Government implements the policy when the majority of people supports that policy, and abandons the policy when the majority of them opposes it. However, such a decision of the Government may result in the views and rights of those other than the mainstream being overlooked, or short-term interests being catered for at the expense of the long-term interests of Hong Kong.

Many people have criticized the FCs for not being to scratch. Mr LEE Cheuk-yan mentioned just now that the FCs had obstructed the development of Hong Kong. People have often advanced such an argument. Some Members have said that policies such as the minimum wage, the competition law and others cannot be implemented because they are vetoed by the FCs. I wonder if Members have noticed that presently we are incessantly holding meetings to discuss the issue of minimum wage; and more recently, the subject of competition law. We can see that even if proposals are vetoed by the Legislative Council, the Government is still able to implement these policies. Meanwhile, we can also see that the Government has not implemented policies on motions passed by the Legislative Council because our motions have no legislative effect. An example of this is a motion proposed by me. It was related to promoting medical check-ups for the whole community of Hong Kong, which would only cost the Government \$200 million to \$300 million per annum. The motion was passed unanimously, but in the end the Government did not implement the proposal. I had also proposed to promote a new occupational culture campaign, with a view to achieving work-life balance. The motion was also unanimously passed. Again, the Government did not implement the proposal. So, are Members of the FCs mucking things up? I absolutely do not think so.

Mr Vincent FANG mentioned the difficulties faced by the business sector just now. The several proposals he mentioned were all vetoed by us. What did that mean? Had Members of the FCs only evaluated the case from the perspective of his interests and supported him? We had not. We had looked at the facts. Mr Abraham SHEK once proposed a motion concerning property developers earlier. Did we support him? None of us did that because we looked at the facts. Thus, we must not pull wool over the eyes of people outside the Council who know nothing about the truth. We have to be fair.

Moreover, I would like to say, many people think highly of universal suffrage. But when we look at places all over the world where universal suffrage is implemented in European, American and Asian countries, we can find an unemployment rate of over 10% in many of these European and American countries where the disparity between the rich and the poor is acute, and the problem of collusion between business and the government is also serious. Under such circumstances, why can they not resolve these problems? The current unemployment rate of over 4% in Hong Kong has already aroused a lot of discontent from the public. If the unemployment rate reaches 10%, the territory may very likely be turned upside-down. Why? We have to understand the situation and be fair. We have to tell the public that there are inherent inadequacies in the system of FCs. However, a package should be devised first before abolishing the system. I will talk about this in detail later.

I wish to say we must not be deceived, believing that once the FCs are abolished, all the problems will be solved and the whole Hong Kong will be at peace. I absolutely believe this is impossible. If the abolition of FCs can solve all the problems in Hong Kong, I will readily tender my resignation tomorrow. I definitely do not have a problem with that because I can then earn more money. In fact, we have earned less after we became Members. On the contrary, we have to work longer hours. I do not even have time to talk to my children when I am home. My children often complain that I basically have less time at home after becoming a Member. Thus, we must have reasonable arguments. I believe many people have a very clear idea about the usefulness of FCs. But have people come forth to speak from their conscience? Have they spoken honestly to the "post-80s" or other young people? Have they told them the full story?

Some Members say that the FCs should be abolished on the grounds that FC Members in the Legislative Council have not supported the passage of the proposal on minimum wage. I do not know why Members of the FCs in the past did not support the passage. I support it very much. However, when we have to legislate on it, I found that many issues remain unresolved. For instance, how are we going to ensure people with disabilities will not be discriminated? If a minimum wage is prescribed in law, it will be impossible for those with the least bargaining power to find a job. All the elderly will become jobless. Many people have threatened to dismiss all these people. Since this is the case, will the legislation be beneficial to them? Thus, we need time for discussion. As a matter of fact, I think the implementation of a minimum wage is entirely acceptable. However, some people have used the issue to incessantly attack the FCs in newspapers or publicity leaflets. Such an act has made me very angry. Even though I am angry, I will not act like some people do and rant at others, because I respect other people's right to speak. I respect this right. This is what genuine democracy should be. We must not hold high the flag of democracy, but act against the principle of democracy. This is the worst kind of behavior, and they are genuinely the worst politicians.

On the other hand, are incessant disputes beneficial to us? Earlier, a foreign friend of mine came back from Europe. He asked me, "What on earth is going on with the Legislative Council of Hong Kong?" Why did he say that? Because he has just visited Singapore. He said many countries in Europe — he is a senior manager who meets with people of many countries — many people said that due to financial deficits and implementation of the welfare system for many years, European countries had started to tighten their financial control, resulting in people having to pay considerable amounts of taxes. Envisaging that European countries will have to levy heavy taxes, they are withdrawing their capital from Europe and make investments in Asia instead. In Asia, it is natural for my friend to consider whether he should invest in Singapore or in Hong Kong. He told me Singapore offered a lot of advantages. As I have all along proposed that the Government should devote efforts to promoting Hong Kong and attracting investors of other countries to relocate their regional centres to Hong Kong, such that more employment opportunities can be created and the employment problem of young people in Hong Kong resolved, I was certainly not happy to hear that. He listed a number of advantages of Singapore to me. First, the air is fresh. Second, there is political stability. It can be foreseen that all Singaporeans will work in a concerted effort even after 10 years' time. Third,

the Government maintains an extremely good relationship with the business sector. They have reclaimed large pieces of land in Indonesia and Singapore for the specific developments of innovative technology and electronics technology, and are ready to invest billions of dollars in the project.

I felt very distressed. I was a new Member. But I had never imagined that there could be so many disputes in the Council. Had I known this beforehand, I would not have joined the Council. Why did I not spend my time to make money instead of wasting it here in the Council? I really felt distressed. However, after working in the Council for some time, I felt all the more I have to remain in the Council. If the voices of the business sector were not heard, Hong Kong would have encountered greater difficulties. I hope Members will understand that Hong Kong is not as prosperous as many of you have professed. If you really wish to lend a helping hand to Hong Kong, you have to identify ways to stimulate the economy and improve employment, instead of always creating conflicts, such as conflicts among different strata, and conflicts between employers and employees. We have reasons to remain in this Council. I found that some Members have been in this Council for over 20 years, but they have accomplished nothing. If Members who have been here for over 20 years fail to bring improvements to society, shouldn't they resign?

Presently, the Democratic Party has succeeded in fighting for a package. I think this is a great achievement of them. It is also related to the FCs. In my opinion, they have successfully settled the arrangement in respect of FCs, which will be conducive to direct elections. Let us think for a while, if all of these five seats are elected by members of the public in Hong Kong, obviously they will have to ..... I think Ronny TONG is a man of great wisdom. As LEE Cheuk-yan said just now, "let his bottom command his brain". You will surely know the importance of the public in the future. A Member elected from the districts will certainly devote his efforts to conducting district work. As he is elected by hundreds of thousands of people, he will certainly act in accordance with the welfare of the public. Thus, I absolutely refuse to believe he will work for the business sector. But this is exactly what I am worried about. Nevertheless, the Central Government is still willing to compromise, understanding that disputes should not be allowed to carry on in Hong Kong. A step forward should be made for Hong Kong. Therefore, even though my sector may not give its support, I will vote in favour of it. If they are not pleased with

my decision, they can refuse to vote for me next time around. I have no problem with that absolutely.

I have conducted a survey among my sector. Like some other sectors, very few people responded to the survey. This is because various sectors in Hong Kong, particularly the business sector, are not interested in this. However, I will have to tell my supporters and voters that they should not do so in future, and that they must speak for the middle class and the business sector in the days to come. If you do not voice your views, people will verbally abuse you and rank at you. You must not think this really represents freedom. As a matter of fact, it is sugar-coated poison. If we do not have an effective business sector in Hong Kong — a business sector that genuinely fights for the public in Hong Kong, creating more employment opportunities and economic opportunities, what will the public get in the end? The majority of Hong Kong people wish to make a decent living. Can't you let them do so? You must not continue advocating something you know is not right. This will result in many people being deceived indeed.

Let me cite an example. Some people advocated besieging the Legislative Council. I would like to ask Members in this Chamber, have you told your own children to besiege the Legislative Council? If someone were injured in the process, who would be most distressed? Will the person be you, or their parents? Do you know that many of the policemen who are protecting the Legislative Council come from the generation of the "post-80s"? If these policemen are injured, who will be most distressed? It will be their parents and family members. Is there a case where those members of the public or young people of the "post-80s" resort to radical conduct because they know nothing about the truth? Thus, it does not matter what you say in the future, but I hope you will think of both sides. You must not bank on your expertise in a certain profession or your excellent ability in arguments, and speak in complete favour of one single side.

We, who seldom voice our views, do have a fire that burns in our heart. Come the breaking point, we cannot help but voice our views. Sooner or later the silent majority cannot help but voice their opinions. We know clearly that the motions passed in this Chamber may not necessarily be implemented by the Government. We must not put the blame on the FCs only. They are not demons, as described by you.

As a matter of fact, I have done some calculations. There are 30 FC Members. At least more than 20 of them have made dedicated efforts in serving their sectors as well as the society of Hong Kong. When someone put forward some ridiculous views, such as the proposal of "\$20", many of us want to beat him. Will we associate ourselves with him? We will not. We are here to work. Thus, you must not accuse us wrongly. Now that I have finished speaking from the bottom of my heart, I can continue speaking from the script.*(Laughter)* As a matter of fact, I have spoken quite a lot just now.

In fact, "FCs" are just a name. The most important thing is the concept behind it. If we need to implement reforms, we absolutely must not reform the concept which has always been a key to the success of Hong Kong over the years. We need to have balanced participation, and the voices of the business sector. In order to achieve a balance in society, we must keep the voices of the business sector heard. I really cannot imagine a society where only voices from the community can be heard, completely void of voices from the business sector. It is imperative for us to maintain a balance.

Nevertheless, I also think that the existing election method of the FCs is rather unacceptable. I think the Government should seriously review this package and study how best the electorate bases can be broadened. However, I do not agree with LEUNG Ka-lau's comment that it works simply by continuously broadening the electorate bases. We have to understand that this does not pose a problem for the medical sector since the views of the doctors are unanimous. However, in some sectors, for instance, the insurance sector which actually includes insurance companies and intermediaries, there are totally 140-odd insurance companies that have voting rights and they can choose to vote. As a matter of fact, there are 170-odd insurance companies, but only 140-odd of them have registered. There are over 50 000 agents and more than 10 000 insurance practitioners. The total number of people working in the sector is about 70 000. It is not necessarily appropriate if we allow these 70 000 people to determine how insurance companies should operate. Thus, insofar as our sector is concerned, it must be noted that insurance companies form the backbone of the sector. Those agents and intermediaries are attached to these organizations to serve Hong Kong as a whole.

I believe the same problem can be found in many FCs in Hong Kong. What we should really do with these sectors is to explore ways to broaden the

representativeness of the voters. Meanwhile, we must not overlook the fact that someone should be able to voice the views of these companies. For instance, in the insurance sector, half of the sector is composed of insurance companies, even though there are only 100-odd companies. And the other half of the sector is composed of 50 000-odd people. The transition should be a gradual and orderly process. When Hong Kong has reached a mature stage ..... personally, I do not think the "one-person-one-vote" system is the best system. However, it is a recognized system in society as well as the international community. While universal suffrage has been implemented in other places for over 100 years, we have only implemented the system for over a decade. It will take some time for us to have a gradual transition to the system. I think the most important objective in the adoption of this system is to elect excellent talents. If the system is ineffective to the extent that those elected are always chided by the public, it will only result in good talents refusing to stand in elections. Under such circumstances, no matter how many elections take place, only rotten apples will be elected through the system. Even if 7 million people are able to cast their votes, they will only be electing rotten apples. So what is the use of it?

Moreover, we need to have voters of quality. If voters do not know what kind of people they need to vote, and vote instead for those who only know how to chide others, it will end up we hearing those elects chiding people all the time. We have to make clear of the situation. When there are people of calibre in society, who are prepared to commit themselves, irrespective of whether they have incentive, or whether they wish to work for the well-being of Hong Kong — when we have these people of high calibre available for to public as choices, and when the voters are also sure of what kind of people they need to vote — it is only then can we genuinely implement the system of "one person, one vote".

President, I so submit.

**DR PRISCILLA LEUNG** (in Cantonese): President, we are discussing today the method for the formation of the Legislative Council. I believe I have said more than once on public occasions that I have all along not been particularly keen on the DC proposal in the original package. I also pointed out at the time my worry about the bias for their own small constituencies of the Members returned by a

FC with the largest electorate base in the Legislative Council. I have kept raising this point in many of my speeches.

However, regarding today's revised DC proposal, I think if this proposal can enable candidates to go through the baptism of universal suffrage, my original worry about Members returned by the five newly-added seats only concerning themselves with a particular street or a particular constituency should become unnecessary. I have also mentioned that given the experience in the past two years, I think Members of the Legislative Council are not in a position to criticize the DC members. It is because the Legislative Council has often given people an impression of being very much like a "market" where some Members are just shouting at the top of their voices. We do not think our status is any higher than that of DCs. When I paid visits to the districts, some DC members asked me to request Honourable colleagues not to always look down upon DC members. They are elected by people and they are also part of the electoral system. I think we should respect these DC members who are with the fundamental stratum, who have gone through the baptism of election, and who are also serving the people of Hong Kong.

President, regarding these two motions, I wish to talk about the way of thinking. I heard Mr LEE Cheuk-yan mention just now Dr LEUNG Ka-lau's remarks about the extraction of organs. I think it is really horrible because I am very scared of hearing about incidents in the hospital. When Prof Patrick LAU was about to leave the Chamber, I asked him particularly about Dr LEUNG Ka-lau's proposal of demarcating bigger constituencies. He said he did not agree with it for during the run-up to universal suffrage, it was preferable to abolish the FCs. Mr LEE Cheuk-yan just now talked about many of their aspirations. I also think that they have their own ideals and blueprints. But should all of these be achieved at one go? I believe we cannot help say something about the model of thinking in the pursuit of constitutional reform.

When we criticize the work of the Government, we should also bear in mind that there are actually merits in it. I remember that when I was a student, the pet comment of Andrew WONG was that the Hong Kong Government in the past was muddling through, that is, whenever a problem arose, it took one step and wished that the composition of the whole picture would come up soon. However, not everything can be dealt with in this way, in particular, constitutional affairs. When I first spoke this morning, I pointed out we should bear in mind that under the policy of "one country, two systems", Hong Kong

should, in the first place, understand that our partner has experienced numerous political ups and downs. Given its past experiences, I believe it has a lot more fears for major political reforms than Hong Kong people. Therefore, it is prepared to see Hong Kong maintain the *status quo* while it honours its pledge in the Basic Law to carry out constitutional reform and achieve democracy and universal suffrage. A number of academics in the Mainland, including those who are close to the official and top-level leaders, have admitted in their writings that democracy is good. However, can we prove it? It is also their wish to see if things will turn better after Hong Kong has taken the first step. We must bear in mind that when we request the policymaker to let something go at one go, it dares not do so. However, it has not refused to do so either. Why? Perhaps after the first step is taken in 2012, if the people of Hong Kong prove that we can perform well in 2012, in terms of the education level, the quality of the voters and candidates, and the foundation of society as a whole — I will discuss these later — I believe it will definitely progress towards our goal. However, we must understand the mindset of the policymaker. If you say, "No, we demand he makes all the pledges now", you will probably not get a single candy in the end. However, if we are prepared to take the candy one by one, we may get all the candies on the way to this goal.

I am an optimistic pessimist. I think we should not be too naïve, saying at present that this ideal will definitely be achieved. It is because it requires effort. I have also often repeated that even though the Decision of the NPCSC states that the Chief Executive can be elected by universal suffrage in 2017, and many people therefore say that it will definitely be implemented, I was the first to point out that even if it said we "could", we still had to make every effort to prove Hong Kong's ability to do so. We are now given a testing ground. When we Members wish to run in elections by universal suffrage, the first step is to run in the DC elections. I am prepared to take the DC as a testing ground. Exactly can we professionals run in elections? We should see it as a testing ground and then try our best to make it. The impact thus created is unpredictable.

Besides the people of Hong Kong, many people in other places are also watching how Hong Kong fares. Therefore, I think this is a matter of mindset. We should not be so greedy, demanding the other party to make a pledge right now. And, if he fails to do so, we will give it all up. I believe not a single

policymaker dares make a pledge immediately, promising to give you all you want. It is because he actually faces numerous restrictions in policymaking.

In today's discussion on the electoral package for the Legislative Council, a number of people have mentioned the "one-person-two-votes" proposal, like James did yesterday. Exactly where has it come from? Many people have mentioned the "one-person-two-votes" proposal. I have looked up many past records. What I want to say is, the "one-person-two-votes" proposal put forward by me and the one by the pan-democrats both have similarities and differences, and reflect the consideration of political reality. Admittedly, in the three steps proposed at the time, that is, in the consultative document on constitutional reform prepared by the Government in 2007, the "one-person-two-votes" proposal recommended by us was quoted. But at the time, it was not the current DC model. Two professors and I — ZHENG Chi-yan and Leonard CHENG, one is a professor of politics and the other a professor of economics, and I am in the discipline of law — put forward such a proposal after studies. We proposed at the time that in 2012, the base of the FCs should first be expanded without any increase in the number of FC seats. By 2016, the "one-person-two-votes" proposal could be considered. But we meant at the time "one-person-two-votes" in traditional FCs. The pan-democrats or the Alliance for Universal Suffrage have proposed to allocate all the newly-added FC seats to DC members. From the academic point of view, we did not agree to it at the time. I mentioned the reasons at the beginning of my speech. We had concerns from a different point of view. Why should all the newly-added seats be given to the DC? Why should it be made the largest FC, and even possibly the most powerful FC in the Legislative Council? However, we just discussed politics from an academic point of view at the time. I have also noted that in this consultative document in 2010, my written recommendations have again included this proposal. The Government has quoted our proposal. It has quoted the proposal of "1+30" but not the "one-person-two-votes" proposal. Last time, the Government did not quote the "1+30" proposal. I hope that this is a step forward. Last time, the proposal of "one-person-two-votes" seems to be a bit far-reaching. However, this time, the proposal of "1+30" has been quoted.

Regarding my proposal of "1+30", I must also put some footnotes to it. At the time, we proposed a timetable of implementing "one-person-two-votes" in 2016, that is, every member of the public could choose to vote in any of the FCs, and a reasonable delineation would be specified. If the 2016 arrangements run

smoothly, universal suffrage would be adopted in all the FC elections in 2020, just like the DC proposal this time. What were the principles considered at the time? We thought that Members returned by FC elections — I have heard it in the Legislative Council many times, like what Mr CHAN Kin-por said earlier, they have been driven to frustration after being "trampled" all the time — I think they should not be belittled in such a manner. Actually, they have professional knowledge that is found lacking in many Members returned by geographical elections, such as knowledge in insurance, engineering, architecture, and so on. I think they can bring their extensive expertise into full play.

However, when we need to change, should the FCs be abolished at once? Again, this involves great difficulties in politics. They have got 30 votes in their hands, right? They have to face their voters, too. Therefore, I hope that we can advance step by step until we all agree that the voters and candidates in Hong Kong are well-prepared. The implementation of universal suffrage then will surely see a success.

We can now see that the DC proposal is set as an example. I really think that this is a super FC. A candidate will be elected by the votes of over 3 million people. The mandate given to him will be higher than that of Members returned by geographical direct elections, as well as that of the Chief Executive. For this reason, the Chief Executive has to be elected by universal suffrage as soon as in 2017, no matter whether the nominating committee is agreeable or not. Why? The future impact brought by the candidates of these five seats may be an enormous change. Thus, I will not look at the issue from some people's point of view, discussing whether the Democratic Party has sold them out. Instead, I can foresee a change. As we are aware, this change involves not only the people engaged in politics in the Legislative Council, but also the voters. We have all along thought that democracy and universal suffrage are good. However, the quality of voters, and the importance they attach to their own votes where experience, selection and understanding are involved are most crucial. Thus, after experiencing the election of these five FC seats by 3 million people, I believe all the Hong Kong people will go through the baptism of universal suffrage, which is unprecedented. I hope that Members can give it a thought.

Thus, it will totally change the political ecology of Hong Kong. I told my friends in the business and the professional sectors to get well-prepared. After such an experience, how can things be turned back? In fact, it is easier to run in the geographical direct elections, right? Therefore, universal suffrage is really a road of no return. As far as I understand the two systems, and the road we take, the final destination is definitely universal suffrage. Therefore, the FCs must get ready. They may have to face universal suffrage two terms from now in 2020. I said a few months ago that we should not be too optimistic about the implementation of universal suffrage in 2020 because it was only said that we "could" do so. However, along the present course, I believe it is most likely that a consensus will be forged in 2020. It is because the people and the FC candidates would prefer running in geographical direct elections where the area delineated by geographical boundary is smaller, right?

It is, of course, the wish of the Chief Executive to run in an election by universal suffrage. It is unreasonable to wish that his mandate is even lower than that of these five super FC seats. When universal suffrage is implemented in future, this system is going to change. It is likely that all the seats will be returned by geographical direct elections. Therefore, when we continue on this road, I think we have to grope our way across the rivers. Will it be in a package? Members can think about the impact, which I can well imagine.

When I put forward the "1+30" proposal, I was not a Legislative Council Member. However, I immediately pointed out in the Commission on Strategic Development that careful consideration must be given because we had conducted the study in our capacity as academics. Should we give a thought to the effect of the proposed 30 super FCs? I think this can be open to discussion. It is because some of the FCs may really hope that professional candidates can remain in the Legislative Council to play a certain role. Then the candidates and Members of those FCs have to fulfil the requirements of the specific profession as well as those of the geographical direct elections, which is much more difficult than just running in the geographical direct elections.

Next, I wish to talk about the future. The SAR Government has proposed since 2005 that there must be co-ordination if universal suffrage is adopted in Hong Kong. So how best the political parties in Hong Kong can be enabled to

balance the various interests of Hong Kong is a prerequisite of the utmost importance. And how best the favourable elements of the existing system of Hong Kong can be preserved is our major concern. And, it is hoped that through universal suffrage, some of the unfavourable elements can be improved. People elected by universal suffrage should not focus on their ballot base, posing problems to the system of Hong Kong. The support of all the stakeholders with influence in Hong Kong must be canvassed.

Lastly, I would like to make an appeal here. Emily actually mentioned yesterday an alliance of eight parties. Today, I do not know whether there are still eight parties. I hope that a platform for communication can be established to facilitate direct dialogue. In fact, regarding this constitutional reform package, a number of Members in both the pan-democracy and the pro-establishment camps have frankly exchanged their views on many occasions. They are not in a state of separation as televised. Members have sincerely discussed how to take this step, so as to end the impasse of the constitutional reform in Hong Kong and the suffering of Hong Kong as a whole. Therefore, here I would like to invite those with the sincerity ..... I am aware that the LSD has announced their non-participation. But it is all right. Granting the will, I think the moderate majority in both the pan-democracy and the pro-establishment camps should take the lead (*The buzzer sounded*) .....

**PRESIDENT** (in Cantonese): Dr LEUNG, your speaking time is up.

**DR PRISCILLA LEUNG** (in Cantonese): I so submit.

**PRESIDENT** (in Cantonese): To facilitate the work of the interpreters, Members please refrain from using a mix of Chinese and English in their speeches.

**MR ALBERT HO** (in Cantonese): President, I would like to make use of the time for the debate on the second motion to respond to, in my view, some of the more important points raised by several Members in their speeches earlier.

First, I wish to respond to the points made by Mr Albert CHAN in strongly accusing the Democratic Party of abandoning the political platform of pursuing dual universal suffrage in 2012, breaching integrity and faith and betraying the voters. He used very strong words to attack us. Of course, everyone understands that political parties or political figures must prepare a platform when they run in an election, setting out the targets and ideals they strive for. Everyone will also understand, and voters will also foresee that the pursuit of such targets does not usually meet with success and such ideals are not easy to achieve. I believe everyone will see it with common sense. During the direct election campaign in 2008, we had to face the Decision of the NPCSC made in 2007. Therefore, many voters understood that we were "doing something we knew impossible". On the premise of setting an ideal target, we would continue to strive for other achievable sub-targets closest to this target.

Precisely for this reason, different organizations in the pan-democracy camp subsequently reached a consensus, setting out the pursuit of a roadmap for the implementation of universal suffrage in 2017 and 2020, including the abolition of FCs, the fair and open nomination procedures for the election of the Chief Executive by universal suffrage, and the guarantee of a low-threshold and pre-selection-free system. Strictly speaking, once we agreed to using such a roadmap as our target of pursuit, the accusation made by Mr Albert CHAN of our abandoning the election pledge can logically be founded. However, he never accused us in this way then. Neither did the supporters of the pro-democracy camp. Many people supported our effort in this regard. Even the LSD was willing to hold a *de facto* referendum with the Civic Party that also saw the same as its target. Therefore, it is really extremely unfair for him to accuse us suddenly today of abandoning the election platform concerning 2012 and betraying the voters.

On our support at this stage of the passage of the 2012 constitutional reform package today, and our future pursuit of the target through dialogue, he may have many grounds for disagreement. He may say that the approach is wrong; he may say that we should use our veto today to fight for the most; he may even say that we should force them to produce a timetable at once, or force the NPC to hold a meeting immediately to pass the "five steps". He may hold such views. However, he used the excuse of our breaching the election platform concerning 2012 to accuse us. I repeat, I think it is extremely unfair. This is an act to target at the Democratic Party to express his resentment, some even say

hostility, against the Democratic Party. However, in any case, I only wish to make this exposition today.

Second, I understand why Honourable colleagues in the LSD are extremely dissatisfied with our decision today. I have said repeatedly that Honourable colleagues naturally have their own respectful reasons for their opposition. I will not get angry because they have raised their reasons for opposition or strongly criticized our judgment today. In fact, LEE Cheuk-yan, CHEUNG Kwok-che and some of our friends in the Civic Party have also spoken today. I very much respect their beliefs and insistence. I also very much respect their criticisms of us, though I do not agree with some of their views. What I disagree most is the view that we have abandoned the pursuit of the target of the implementation of dual universal suffrage in 2017 and 2020. We have only agreed at this stage that subsequent to the passage of the motion concerning the 2012 package, the pursuit will continue through the co-ordination of such efforts as negotiation, parliamentary pressure and even social movements.

However, Honourable colleagues in the LSD used very strong words today to accuse the Democratic Party, saying that the Democratic Party should be expelled from the pro-democracy camp, and even that they would sever our friendship forever and part company with us. I can only respond to it with the expression — let nature take its course. Emily has said many times that reluctance always entails great difficulties and will not end in bliss. But I do not want to put it this way, because I always maintain that we will meet one day on the road in future as we walk in the same direction. On the road in future, we do need frequent mutual support. Those to whom I give my support, or those give me support may be strangers. So what? What is wrong with giving support to our fellow travellers, whether out of justice, fairness, or humanistic spirit, interpersonal care? Therefore, if we have the chance of walking together in future, working together for a common goal, I will absolutely not resist it. In any case, I can understand why several Honourable colleagues were so angry today, making those remarks. Therefore, I hope nature be allowed to take its course, and we will meeting each other one day in future.

I would like to briefly respond to Ms Audrey EU on two points. The first point is quite interesting. In fact, I also heard her say at the *City Forum* that as she had confidence in the Basic Law and the pledge of the NPC, she would continue with the pursuit. Members, please note this remark. I do not disagree

because logically ..... I think this remark is a logical proposition. It is because one must have enough confidence before one can go on; if one has no confidence at all, one will give up or quit the game, right? Every one of us should have the basic confidence before we get involved in this. However, if we ponder over this remark, we can see that it absolutely does not represent great or full confidence in the success of the pursuit claimed by Audrey EU. It is, of course, not the case. Had it been the case, she would not have been so angry and frustrated, still considering that many things have yet been made good so far.

It is thus clear that her remark is not much different from that of Fred LI. Fred LI said that he really did not have much confidence. So he got to have some results achieved for the 2012 package in his hand first. Actually, they hold a similar view, but they only express it in a different way. When you ask Fred LI: Do you lose all hope of 2017 and 2020? Of course, he does not. If he does, he will not dedicate all of his efforts to struggling with us in the Democratic Party together, right? Therefore, that remark of Audrey EU's is a logical proposition, not a descriptive proposition.

Honestly speaking, today, we are still full of misgivings about the target of 2017 and 2020. However, such misgivings are not so serious that make us lose all hope. As we are not in despair, we still have confidence in continuing with our pursuit.

Today, at this juncture, at this cross-roads, where do we go from here? Do we have confidence in getting the timetable and roadmap immediately once we exercise our veto? This is, after all, the key question. I can tell Members that, in my view, it is impossible to do so at this stage. It is because no matter what, the Central Government will not, on account of the fight of the pan-democrats (regardless of how fierce the fight is), take the "five steps" immediately to solve the problem we want to solve. Thus, only one point is left. We veto the motion and give it all up. This is a matter of judgment.

Our judgment is: If the motion is voted down, but the so-called "future guarantee" we strive for cannot be secured either (which necessitates the immediate activation of the "five steps"), is negating the motion beneficial to the political ecology for the pursuit of democracy? We have given it much thought. I think the answer is negative. It is mainly because in our society, many relatively silent and moderate supporters of democracy do feel helpless,

weary and disheartened of political disputes. They cannot see a way out. However, if we can tell them that there is a breakthroughs this time and that the 10 newly-added Legislative Council seats will be returned by elections directly participated by the people, they will have a new hope and face a new phase, no longer entangled in a deadlock where everyone accuses each other, which keeps ripping up our society.

Certainly, President, I know we have to pay a high price for this decision of ours. Last night when I stepped out of the Legislative Building, I saw a sea of young faces. These lovely young people attacked us with abusive language in a fierce manner. My heart sank. I very much care for these young people and I understand their heart-filled enthusiasm, and yet they have such misunderstandings about us.

In fact, I believe other than these young people outside, many people in society also misunderstand the Democratic Party. We have to pay the price. This I know. However, at the same time, many of our supporters or those who might not be our supporters in the past have told us through emails, Facebook and voice mails that they think we have done the right thing. Even some ex-civil servants told Emily that they had been quite disheartened at first. However, in their view, the brave step we took today really helps save Hong Kong. They may have overstated our effort, for it may not run to such an extent. However, it shows that they are actually quite anxious, thinking that things should not be messed up anymore. This is really the actual situation.

President, when the Democratic Party makes this decision, utilitarianism is really not on our agenda because I practically cannot sort everything out. LEUNG Kwok-hung once said to me that if we supported this motion, a new political landscape would emerge — He actually has a sharp eye on politics, giving it a most insightful analysis — I very much agree with him. According to the analysis of Mr Joseph LIAN, the political spectrum of the whole pro-democracy camp will be expanded and increasingly stable. However, the delineation between the *avant-gardes* (I do not use the term aggressive as Hong Kong people will not go too far) and the relative moderates may not be very clear. Perhaps the number of *avant-gardes* is more and the number of people on our side is less. This does not matter really. President, I have not given it much assessment. But I am happy to see that the landscape as a whole will be expanded, which is more beneficial to our democratic development. What is

more, it is really great to see that the sense of mutual hostility and resistance with some friends in the pro-establishment camp (I hope they do not mind me using this term) has subsided today as it is inevitable for us in future to persuade them to accept democracy.

Thus, I always hold that cross-party dialogues in the Legislative Council are necessary. Not only dialogues should be held in the pro-democracy camp, but also with the other side. In fact, many of them are very capable of running in elections by universal suffrage. So, I think we have acted right.

Regarding the issue of rationalizing the FCs, I do not wish to add anything as a number of Honourable colleagues have spoken very well just now. In fact, the eyes of the voters are discerning. People returned by *de facto* direct elections will not hold fast to the FCs.

Lastly, WONG Yuk-man said that I have given up the moral high ground. However, I can tell him that I have not done so. Instead, I am standing at an even higher point to look at the development of the overall situation of our country. I can look even higher and farther than he does. I have reasons to believe that it is not easy for Hong Kong to strive for democracy in the present circumstances, and so this strategy of pursuing in stages is employed due to the limitations imposed by these circumstances. However, I firmly believe that the changes in Hong Kong not only carry significance in Hong Kong, but also in our whole country. The course of development in Hong Kong today may be the one for our country tomorrow. Thus, in this mood, I think the advancement of Hong Kong today is an important step to us and our whole country and nation.

Thank you, President.

**MR CHAN HAK-KAN** (in Cantonese): President, we have just voted on the method for the selection of the Chief Executive, taking half a step for the constitutional development. The method for the selection of the Chief Executive has aroused less controversy among the public. However, people have more divided views on the method for the formation of the Legislative Council in 2012, particularly on the election of the five newly-added DCFC seats. President, I felt quite apprehensive and nervous when I walked into this Chamber these two

days. It is because I am aware that my speech today will be recorded in the annals of the democratic development in Hong Kong, and my vote will make a difference to the democratic development of Hong Kong. I am aware that many members of the public, even after 10-odd hours of debate in this Council, have remained by the side of the television, the radio or the Internet to pay attention to or watch our debate, and to wait for our vote. It is because everyone is very much concerned about whether the constitutional development of Hong Kong will move forward or follow the same old course.

President, a road is made by people's steps. The people of Hong Kong have been walking on this road of pursuing universal suffrage for 10 to 20 years. Thanks to our continuous effort, communication and negotiation, today we finally see a clearly-defined timetable and a clear road to universal suffrage. These results are hard to come by. Perhaps one may doubt or consider that this road is different from his ideal one, so he prefers standing still. However, does it mean that because of his ideal and the perfection he pursues, Hong Kong has to give up the present progress in democracy within the reach of Hong Kong people? Is this a responsible act?

President, many justifications have been expressed in society in support of the constitutional reform package, and many Honourable colleagues have spoken on the same earlier in this Council, so, I do not wish to make any repetition. I only wish to say that the two current motions submitted by the Government, as well as the "one-person-two-votes" proposal to be implemented in future through the enactment of local legislation are more democratic than our existing system, and more progressive than the constitutional reform package proposed in 2005. The Central Government has pledged to allow Hong Kong to adopt universal suffrage, and the SAR Government has also exhausted every effort. The constitutional development of Hong Kong is now actually in the hands of every single Member of this Council. If this Council today votes against this constitutional reform package and drops this package, the Central Government and the SAR Government are, of course, helpless. However, I believe the most helpless are actually the people of Hong Kong because they will see that some Members opposing the motion have time and again voted down the package, hindering the democratic development of Hong Kong.

For this reason, I think Members casting a negative vote today have the responsibility to explain to our people: Why do you consider the voting down of this package more conducive to the implementation of dual universal suffrage in Hong Kong? Why do you consider the voting down of this package and the maintaining of the existing electoral system more advantageous to the democratization of Hong Kong? President, these questions have been on my mind recently. I personally think that only the passage of this package can help the democratic development of Hong Kong and answer the aspiration of Hong Kong people.

President, I did not speak on the method for the selection of the Chief Executive in the previous session. But I wish to briefly talk about it now. I said earlier that the views on the method for the selection of the Chief Executive in 2012 were relatively less divided. However, there are strong views in society on the requirement set out in this new package for the Chief Executive candidates to secure the nominations of 150 Election Committee (EC) members, which is a higher threshold than the present 100 nominations. However, actually, the so-called threshold remains at one eighth of the EC members. The new package does not deliberately raise the threshold to limit the number of Chief Executive candidates. Besides, in the future enlarged 1 200-member EC, 117 members are actually representatives of DCs. I noted that the democratic components or democratic elements will then increase, which will require the future Chief Executive candidates to cater more to the public and win over more public opinion.

President, regarding the Legislative Council elections, everyone's focus is on the five newly-added DCFC seats criticizing them as a regression in democracy. However, according to the Decision of the NPCSC made in 2007, if the number of directly-elected seats in the Legislative Council is to be increased, the same number of FC seats must also be added. To enhance the democratic element, the SAR Government has agreed to allocating all these five newly-added seats to the DCs. And these five newly-added FC seats, of which the candidates will be nominated by DC members, will be directly elected by the 3.2 million people in Hong Kong by "one-person-two-votes". In future, although the ratio of the seats returned by geographical direct elections and those returned by FCs remains at 35 to 35, the number of Members directly elected by the people will actually increase to 40; and the percentage of directly-elected Members will rise

from the present 50% to close to 60%. Thus, I cannot see any justifications in support of the allegation that this proposal is a regression in democracy.

Although these five newly-added DC seats are defined as FC seats, these five newly-added seats will be directly elected by the 3.2 million voters who do not already have a FC vote. I call it a *de facto* direct election. They have to cater to and be accountable to 3.2 million voters. The support and the number of votes they receive will be greater than those of the directly-elected Members returned by geographical constituencies like us. Their representation and selection are no longer confined to a small circle.

President, I have visited some schools and participated in some youth group activities lately. A number of young people took the initiative to come up to me and discussed with me the direction of the constitutional development of Hong Kong. Many of them told me that they were prepared to get off the high horse and dedicate themselves to social movements and a political career. They were prepared to run for the DC or for the Legislative Council. One of the young people even told me that it was his aspiration to run for the Chief Executive office and become the Chief Executive of Hong Kong. I am deeply moved by their enthusiasm and ambition. However, ideals aside, how to take the first step to participate in politics is of the greatest importance. Many Members in this Chamber today had actually engaged themselves in district work for a long time before they joined the Legislative Council. Some of them are even DC members, quietly serving people in the district. It is a very long road in politics from the DC or the district to the Legislative Council. Many people became a Legislative Council Member after an effort of 10 to 20 years. As far as I know, many young people are prepared to spend 20 years on, and even commit all their life to a career in politics! How can we repay them for their enthusiasm? I think one of the ways is to provide them with more opportunities of political participation. In this constitutional reform package, the five newly-added seats returned by geographical direct elections, together with the five *de facto* such seats will provide these young people, people in different political parties and sectors, and people with different backgrounds with a wider room of political participation, enabling them to join this Council to serve the people of Hong Kong after a taste of democracy and the baptism of democracy.

President, time is precious. The people of Hong Kong have let a golden opportunity of democratic development slip once. Under the present objective circumstances, the passage of this constitutional reform package is the quickest and smoothest means to achieve universal suffrage. It is also the wish of all the people of Hong Kong to see the implementation of universal suffrage as soon as possible. Therefore, a vote for the constitutional reform package today is an important step to take forward democratization in Hong Kong.

I also believe the motion today does not represent an end to the discussion on the democratic development of Hong Kong, but rather a new start signifying the casting off of our burdens and differences and the spending of more time on examining the second and third steps of the implementation of universal suffrage, with a view to preparing the groundwork for the democratic development of Hong Kong. The passage of the constitutional reform package enables the people of Hong Kong to look at democratic development from a new angle, and the discussions in future to be more in-depth, pragmatic and focused. In fact, even in the two electoral methods for the selection of the Chief Executive and the formation of the Legislative Council in 2012, there are still a lot of details awaiting our thorough discussion. We must not underestimate the difficulties involved. However, if the two proposals today are not passed here, what exactly is the meaning of us discussing 2017 and 2020?

President, some say that the pursuit of universal suffrage is like running a marathon. In the past, the people of Hong Kong might wonder and query how long we would have to run until we reach the destination. Actually, we can see the destination today. We can cross the finish line in several years' time! In 2005, we stumbled on the track of the long-distance run for democracy. Today, we rise against all odds and go on to run. Today, if we fall on this track again, I guess Hong Kong will take more time, experience more twists and turns and pay a greater price before it can finish this marathon race.

President, I very much respect the perseverance for ideology and ideal of some Honourable colleagues in this Council. However, "in tightening your fist, you have nothing in your hand; in loosening it, you can embrace the world". I earnestly hope that Honourable colleagues will support the motion and join hands to take forward the democratic development of Hong Kong, thereby taking an important step towards universal suffrage.

With these remarks, President, I support the motion.

**DR JOSEPH LEE** (in Cantonese): President, this part of the debate is on the method for the formation of the Legislative Council. Hence, we naturally have to talk about the question of FCs. I am a FC Member myself. Some colleagues have expressed different views on FCs just now. For instance, Mr LEE Cheuk-yan said that FCs are bad and an obstacle to Hong Kong's development, while Mr PAUL CHAN — was it Mr CHAN Kin-po or Mr CHAN Mo-po? Sorry, I sometimes would get their names wrong — also gave his views.

Having served as a FC Member in the Legislative Council for six years and understood clearly the role of FCs, I wish to review my work to see if I have been guilty of collusion or trading interest with the Government, or whether I am some kind of a monster that stands in the way of Hong Kong's development. President, basically, my work revolves around the health policy. I use my expertise to assess whether the health policy formulated by the Government is on the right path, whether resources are used in the right place, and whether the allocation of resources is appropriate. This is my role. What happens after I have done that? Actually, all this work helps to maintain the overall health of Hong Kong people — for instance, giving more resources to public hospitals so as to reduce the waiting time for medical service, or adopting measures to keep Hong Kong people healthy. As we said earlier — the Director is not in Chamber right now — all these questions are dealt with in the health care reforms. As a member of this profession, I am duty-bound to advise the Government so that it can come up with better policies. In this capacity, what have I to gain as a FC member? Nothing. Neither I nor members of my constituency stand to gain anything. However, what is interesting is that I wear another hat as Chairman of the Association of Hong Kong Nursing Staff, which is probably the largest union of the nursing profession. I often take to the streets to protest against employers' exploitation of staff. As such, isn't my role similar to that of directly elected members who take to the streets to protest against employers' exploitation of their staff? It is very similar. But the fact remains that I am a FC member.

Hence, there is actually no conflict between both. Since I became a Legislative Council Member through the FC, I know that under this system, FC

Members are expected to monitor the operation of the Government with their professional expertise, so that Hong Kong can move forward. This has been my work over the past six years. Members from different FCs and directly elected members each have their own field and their own way of working. I am not in a position to judge them. Nor should one reject FCs wholesale as useless and an obstacle to Hong Kong's development. Nevertheless, it is true that if Hong Kong is to have universal suffrage, FCs should not exist, because it is a peculiar institution.

But since I have been a Legislative Council Member for six years under this institution, I have two tasks to accomplish. First, as a FC Member, I should use my expertise to monitor the Government. Second, as a Member, I have a responsibility to influence the Government with regard to the political system, or tell the Government that this system should be changed, since it is only a provisional arrangement. Ever since 1988, it has been a provisional rather than long-term arrangement. In particular, when the NPCSC said there would be universal suffrage in 2020, it meant that FCs should no longer exist. I think this is very important.

Mr LEE Cheuk-yan talked about doctors selling organs just now. After giving it much thought, I still fail to understand what this has to do with FCs. As far as I know, there are no doctors in Hong Kong involved in selling organs, since it is illegal and they will be arrested for it. Apart from selling organs, what about doctors selling medicine privately in hospitals? Does it have anything to do with FCs? I do not mean to disparage Dr LEUNG Ka-lau. But would a Member from the Medical FC ask the Government to allow doctors to sell medicine in hospitals privately so that they can earn commissions? Surely not. As far as I know, Members from the medical sector, including the incumbent, have always helped to identify any inadequate or unsatisfactory areas in the Government's health care policy that might affect Hong Kong people's health. This is what we are concerned about. I do not think it is appropriate to generalize and say at this stage that all FCs are without merit.

As responsible Members, we duty-bound to explain to people or the public that there are two sides to a coin. You can say that FCs are bad, but it is the fault of the system. One should not ignore the other side of the coin. For instance, some people think that it is a good thing to abolish FCs when universal suffrage is implemented. But do not forget that universal suffrage requires supporting measures. By 2020, I will probably no longer be a Member of the

Legislative Council. Maybe I will not come back in the next term. But it does not matter. What matters is that when universal suffrage is implemented in 2020, each political party should have its own professional talents. I believe the DAB or the Democratic Party may have their own experts on health care and social or financial issues. If these people wish to discuss questions related to their expertise, does it amount to collusion with the Government? Is it not a strange thing to say? We must be careful with this kind of logic. I think we have a duty to tell the public that FCs should be abolished. Why? Because this system should not exist and Hong Kong should elect its Chief Executive and the Legislative Council by universal suffrage. It is better than calling FCs a monster that stands in the way of Hong Kong's development. I think it is just another figure of speech.

We can go on endlessly if we are to talk about FCs. But the motion today is to change some components of the FCs in order to make them more democratic. We believe this will take us forward towards democratic elections. Many colleagues have expressed a lot of views just now and explained why they accept this proposal. This is also my position, so I will not dwell on it further. However, one important point is that once we have this revised DC proposal, these seats will be returned by more than 3 million voters, as many colleagues have pointed out. Given this, some colleagues are afraid that there might be a problem since they are worried about the quality of incumbent DC members.

We must remember that these DCFC Members will be elected from among the DC members to be elected in 2011, not from among the incumbent DC members. In other words, if someone decides to stand in the DC elections in 2011, he should tell his voters or the residents of certain buildings his aspirations. For instance, when CHAN Hak-kan met that child, he told him he wanted to become a Legislative Council Member and asked the people to support him. This would be his platform for the future Legislative Council election and it is directed at all Hong Kong people. Apart from the residents of the buildings he serves, including plumbers and construction workers building bus-stop canopies, he would ask for more people to support him. If he were elected, he would become a DC member. This is the first step.

Second, if he wanted to be a candidate for the Legislative Council in 2012, he would need the nomination and respect of his peers in the DCs, in order to

stand in the Legislative Council election. Actually, even before the details of this mechanism were raised for discussion, people had already started to say this proposal would not work and that DC members were not qualified. But this is not true. I believe we should discuss these matters. Unfortunately, as we can see, the Government has handled this matter very hastily. We have to pass the package in a rush, but there is still important work to be done. The key is not whether we can "Act Now", but whether we can sit down to talk about the details once the package is endorsed. I heard the Chief Secretary for Administration say that the Government would start discussing the local legislation in detail in September, after the summer holiday. This is a good thing. The pan-democrats, the pro-establishment groups and other parties and groupings will then have the duty to work out the local legislation with the Government, as a first step in the roadmap.

After weighing anchor, whether we should sail away or move steadily, and regardless of our party affiliation, we have the obligation to make suggestions to the Government on behalf of Hong Kong people on how to move forward, what threshold should be adopted, and what the electoral method should be, whether proportional representation or single non-transferable vote should be used, and whether there should be several constituencies or one big constituency. None of this has been discussed yet, but it is the most important step. Once we have talked about these issues and taken the first step, it will no doubt set a good precedent for the elections after 2012, in 2016, 2017 and 2020, so that the second and third step can be taken.

Of course, there is one very important point about today's voting. A colleague mentioned just now that we are voting not just for or against the motion, we are casting a vote of confidence. We or I myself — I dare not speak for my colleagues — have cast a vote of confidence. After casting this vote, I believe we can start the relevant work in September. I have the duty to undertake this task in this Council, to monitor or work with the Government to complete the legislation, in order to set the ball rolling. I believe the vote of confidence we cast today is the first step taken on the foundation of mutual trust, that is, the so-called first step in the roadmap.

Certainly, there is still much work to do, such as the various suggestions made by the Alliance for Universal Suffrage. Apart from abolishing the FCs by 2020, what should we do about the separate voting system and what should be the democratic elements of the existing FCs after they have been expanded? Ms

Miriam LAU said this morning that there were some demands in her sector to expand their FC. But can it be expanded? We have 10 years' time, but will the FCs be expanded again in 2016? I do not know whether the FCs can be shrunk again after expansion. Nobody knows. But we will not know if we do not even try now. I think Members might recall a commercial — Dr LEUNG Ka-lau is not in Chamber right now — in which there is a line saying "Doctor, can I not have the injection?". The doctor answers that an injection would speed up recovery. I do not know if Members believe it or not. But one can only find out whether an injection will help to speed up recovery after having one. This morning I said that according to my nurse training, we should try any measure that would benefit our health or make us healthy again. Of course, this is a professional judgment.

Let me repeat, this is my political judgment. The Association of Hong Kong Nursing Staff to which I belong is holding a general meeting somewhere in Wan Chai now to discuss why I am voting for the motion but not against it. In my view, its members or my voters gave me the mandate in 2008 to make a political judgment on their behalf here. If at the end of the general meeting today, they decide that I am not fit, I know that I will disappear in the next election, since they will kick me out with their votes. This is a very important point. If any Members here today are elected in 2012, it would mean that the 40 directly elected seats in the Legislative Council would be given the mandate to push the Government to implement the arrangements for 2016, 2017 and 2020. This is my main point.

I agree with what Ms Emily LAU said this morning. When I was still an outsider to this Council, there was talk of an "eight-party consensus". After quarrelling, fighting, criticizing one another and blowing the vuvuzelas this time, do we have to blow the vuvuzelas again to make the Government take the first step in the roadmap, in order to get what we want? I am voting in favour of the motion today because I trust we can work together and take the first step in Hong Kong's democratization.

Thank you, President.

**DR PHILIP WONG** (in Cantonese): President, I recall that I have spoken a lot on the political reform in this Chamber over the years. I have said everything

that I wanted to say. After all, would Members' speeches, including mine, have any specific bearing on the voting result today? I think we all have a pretty good idea.

The other day, Deputy Secretary-General of the NPCSC QIAO Xiaoyang made it clear that apart from manifesting "universality and equality", universal suffrage should also take into account the interests of different sectors and be conducive to the development of Hong Kong's capitalist economy. This shows the sincerity of the Central Government. I have repeatedly pointed out in this Council and in the media that the problem now is not whether FCs should continue to exist, but how FC Members should be returned on the premise of universal suffrage. We need to spend more time on discussing this issue. I have also pointed out that the important function of FCs is inseparable from the supporting mechanism of the separate voting system. The SAR Government is a government without the support of a ruling party. Without a gatekeeping mechanism, how is it supposed to work? How can it be an executive-led Government?

I was involved in the consultation and drafting of the Basic Law. At that time, I was not a Legislative Council Member, nor were most members of the Drafting and Consultative Committees. Thus, there was no question of "voting in favour for the sake of one's own interest". We thought that given the lack of support from a ruling party, it was necessary to create a mechanism that would fit the actual circumstances in Hong Kong and comply with the principle of gradual and orderly progress. The mechanism including the FCs and the separate voting system would reflect the views of various sectors, balance the interests of all sides and impose reasonable restraints on motions that would harm the long-term development of Hong Kong. This legislative intent was highlighted in the Basic Law. Some Members from the pan-democratic camp may not have understood this or may have ignored it deliberately. There is no article in the whole Basic Law that says anything about the abolition of FCs and the separate voting system. Any modification to this mechanism will have to be passed by a two-third majority, indicating that it should not be changed lightly.

The truth is that over the years, FC Members have worked conscientiously to fulfill the important task of gatekeeping and backing the SAR Government for the sake of upholding Hong Kong's prosperity and stability. Due to various

reasons, their role has not been fully recognized by the SAR Government, but the people will do them justice. Anyone who has some understanding of economics will know that a very large proportion of taxpayers in Hong Kong comes from the industrial and business sectors. The majority of members of the industrial and business sectors feel that FCs should be gradually perfected and retained, in the light of the legal status and actual circumstances of Hong Kong, and in keeping with the principle of gradual and orderly progress as well as balanced participation. Not only do the industrial and business sectors pay tax, they also create a large number of job opportunities, being an important pillar of Hong Kong's economic development. What good will it do to Hong Kong's economic development if they are discriminated against and ostracized? Most people are well aware of this. While some claim to represent public opinion, the public opinion they talk about is not representative of the majority public, especially taxpayers.

The Central Government has repeatedly said that the SAR Government has no residual power under the framework of a unitary State. The SAR Government only has as much power as it is conferred by the Basic Law. In terms of major issues such as constitutional development, it cannot act on its own by deviating from the Central Government and the Basic Law. The logic is quite simple. A sovereign state has absolute control over the local governments, including imposing reasonable restrictions on them according to law.

The recent row over the constitutional reform package has still not abated. Some Members from the pan-democratic camp have adopted a radical course of action, which I fear may be counterproductive. How can those individuals who claim to support democracy act in such an undemocratic manner? To me, democracy should be about respecting other people's freedom of expression. If you incite some young people to restrict and inhibit other people's freedom of expression, I think most members of the public would not approve of such action. They will ask: what kind of democracy is this? I fear that such actions will marginalize Hong Kong. Surely, while Hong Kong played a positive role in the early stage of the Mainland's economic development, it is no longer the case now. We should not overestimate ourselves and think that the Mainland has to depend on us. On the contrary, our economic transformation has to rely largely on the support of the Central Government and maybe even the various provinces and municipalities.

Ever since Members from the pan-democratic camp bundled their ballots to vote against the constitutional reform in 2005, constitutional development has been at a standstill. This should be a lesson to us. I am glad that the SAR Government and the Central Government have learned from their experience. The present proposal to open up the DCFC seats to voting by the people does not contravene the Basic Law or the Decision of the NPCSC. It is also in line with the Chinese General Chamber of Commerce's wish to enhance the democratic elements while adhering to the principles of gradual and orderly progress and balanced participation. This is a step that demonstrates political wisdom. As long as the pan-democrats continue to communicate and engage in dialogue with the SAR Government and the Central Government to bring about positive results, there can be good interactions between them. We should be reasonable and pragmatic, seek the biggest common ground while reserving differences and be tolerant in order to reach a consensus. I believe the revised package is the most feasible one under the existing framework. At this critical moment, I hope Members will give it serious consideration and endorse the constitutional reform package for 2012 for the greater good, in order for Hong Kong's constitutional development to move forward.

President, I so submit.

**DR SAMSON TAM** (in Cantonese): President, the debate and controversy over the constitutional reform package have arrived at a critical moment today. I am concerned mainly about two questions. First, can the constitutional reform package proposed by the Government this time around pave the way for universal suffrage in 2017 and 2020? Second, how should I vote as a FC Member?

The first question I am concerned about is whether this constitutional reform package can pave the way for the implementation of universal suffrage in 2017 and 2020. When the Government introduced this package which was described as a "rehashed" version in early June, many people wondered if it could command sufficient support from the community and Legislative Council Members so that it could be implemented. Many asked on what basis the Government had put forward this proposal. Did it think that Members would have no choice but to accept it if they did not want to mark time?

Actually, if the package falls short of public expectations, it would be useless no matter how the Government tries to hard-sell it. This time, the SAR Government officials have gone all out to try to lobby people in the streets in a campaign that includes the debate in which the Chief Executive took part. But after a wave of publicity campaigns and events, the opinion polls found that they had failed to increase support for the package. On the contrary, it was moving farther and farther away from the popular wish. It was not until last week when the SAR Government and the Democratic Party discussed the revised package that things took a favourable turn. Actually, insofar as the constitutional reform is concerned, it is very important to secure the support of all political parties and the Central Government. We should all applaud the Democratic Party and the Alliance for Universal Suffrage for communicating with the Government on this important issue and for demonstrating a willingness to negotiate, make concessions and compromise. The speeches made by Mr CHEUNG Man-kwong yesterday, and by Mr LEE Wing-tat and Mr James TO today showed their commitment to democracy, which should certainly be recognized.

President, I have tried to consider the pros and cons of vetoing this constitutional reform package from another angle. Some people who are in favour of vetoing the package told me that their greatest concern was that the FCs would be kept and reinforced if it was endorsed, which would be unfavourable to the implementation of universal suffrage. This worry is not unjustified. But on second thoughts, if we insist on vetoing the package today, it is bound to sharpen the differences over the constitutional reform in the community. I want to ask the opponents what they want to force the SAR Government or the Central Government to do. Are they confident that they will achieve something, like when they got a timetable after the last package was vetoed? If they are confident that they can make the Central Government promise certain things, or they can achieve anything after vetoing the package, they should tell us so that we can see the picture clearly. But if they ask Hong Kong people and other Members to follow their lead even if they are not confident at all, I fear that it will make the prospect of universal suffrage in 2017 and 2020 even more remote.

The second question I have been thinking about is how I should vote as a FC Member. Just now I heard Mr CHAN Kin-por speak from the bottom of his heart. He is a fine example indeed. As a FC Member who strictly follows his conscience, he works not only for the interest of his own sector, but for the interest of the whole community as well. I think the majority of FC Members

are like that. If Members only have their own interest at heart, they will certainly be excluded or rejected by other Members. That is why I see more and more FC Members are now willing to face the community. Through elections, they have become closer to the people.

I believe that the constitutional reform is an issue that concerns the whole community. Hence, I will certainly vote in the interest of the community. In deciding my voting intention today, I will take into account first and foremost the wishes of Hong Kong people. But as a FC Member, I also have the duty to act as a bridge between my sector, the Government and this Council. That is why I have held a Consultation exercise as reference for my vote and to reflect the views of my sector in this Council.

As you all know, information technology is a new sector that plays an active role both on the Internet and beyond the Internet. In connection with this constitutional reform package, I have held two consultation meetings for the information technology sector. Secretary Stephen LAM attended one of these meetings to talk directly with members of our sector representing different views. I believe this kind of dialogue is certainly helpful to all sides for it offers them an opportunity to exchange views and for the Government to understand the views and concerns of the sector. Apart from these two consultation meetings, I also held two rounds of consultation after the Government had introduced the constitutional reform package. Why two rounds? When the Government first put forward the package, we sent thousands of emails to members of the information technology sector through the Internet. As you know, the Chief Executive made some additional comments on Monday. So I consulted my sector again. Fortunately, I did it through emails, and managed to contact members of the sector and receive their feedback very quickly. Is there any difference between the results of these two rounds of consultations? Even though I can contact members of my sector quickly by using information technology, we are at present not allowed to use the addresses or other information gathered during the election to contact our voters once we are in the Legislative Council. Nor do we have the means to visit the several thousand voters one by one. That is why I think it is very important for future Legislative Council Members to have more direct ways of contacting voters and the media. I understand that Dr LEUNG Ka-lau stores all the information in his database, while Mr Paul CHAN makes use of the associations of his sector. Since there are a few dozen associations in my sector, it is not easy to collect their views. Hence, I tried to contact them and collect their views with my own methods.

In the first round of consultation, while the majority supported the Government's original package, the difference between the proportions for and against it was not great. Even among supporters, many pointed out that the package might not be ideal, but they had no choice but to accept it. This is quite obvious. As for the second round of consultation, among the responses I received after sending the emails on Monday, the proportion supporting it had greatly increased. Some who were against it in the first round of consultation now supported it in the second round. This means that among the members of the information technology sector contacted by me, the majority supported it. Of course, members of the sector have also expressed many different valuable views. Apart from the consultations held by me, I received the results of an online survey conducted by another trade organization through its own channels today, which they hope I will announce in the Legislative Council. According to the online poll of this organization, out of the several hundred responses, the majority opposed the original package, while the majority, that is, more than half of the respondents supported the revised package. Based on these two surveys, I think the revised package has a high level of support among members of the information technology sector, while those against it have also raised their concerns. I hope that when the Government enacts the local legislation later on, it can listen more to people's views, especially those regarding such important issues as the nomination threshold and the abolition of appointed DC seats.

Moreover, I also wish to talk about the question of whether FCs should stay or go. Should the traditional FCs be changed or abolished, and if so, when should they be abolished? The Government and political parties have the duty to and should make a real effort to solve this question. If the Government acts alone, while other Members and the political parties refuse to do anything, things will always be at a standstill. Sometime ago, the Alliance for Universal Suffrage already started to invite different political parties and different Members to discuss the matter. This is a good thing. Through discussions, especially meetings behind closed doors, we can all speak our mind and communicate effectively about our concerns, bottomlines and expectations. I hope Members from more parties can sit together to further discuss the future constitutional reform and whether FCs should stay or go, in order to reach a consensus.

I very much believe that the present election method of FCs does not conform to the principles of universal suffrage, and it is not acceptable to most

people. But the important role of FCs cannot be denied. Mr CHAN Kin-por spoke from the bottom of his heart just now. He said that FCs have a key role to play in the business environment and economic development of Hong Kong. I hope Members from the opposition can really listen and try to understand them, so that FCs can continue to fulfil their functions in the future constitutional reform package. Some people say that while FCs exist in Hong Kong, other countries do not have them. How come they can ensure that different sectors can participate and different views are represented in their legislatures without FCs? I think this is because those countries have mature political parties. As I have repeatedly said in this Council, there are still seven years until the election of the Chief Executive by universal suffrage and 10 years until the election of the Legislative Council by universal suffrage. That is why all political parties and Members must work together. We cannot afford any more internal arguments and we cannot raise objection every time. That way, no progress will be made and the constitutional reform will remain at a standstill.

As I said just now, political parties are very important. They are well developed in other countries, where there are laws on political parties which are very mature and consist of members from various sectors. Very often, their political parties propose social and economic policies and conduct in-depth studies on the long-term development of regions or the country. They are also highly representative. Do we have such political parties in Hong Kong? As far as I know, the DAB has many committees studying different issues, but are other political parties so sophisticated? Do they have this kind of talents who can attract more professionals to join them? I strongly believe that if political parties are allowed more space to develop and play their role, FCs can be abolished in 2020. But if political parties do not move forward, they will be unable to reflect the views of FCs. I am worried about the consequences when universal suffrage is fully implemented.

Last, I wish to draw a conclusion. Lately we often hear the remark that "it is better to mark time than make a wrong step." This is quite an interesting remark, but it is also double-edged. Of course, we do not want the Government to make a wrong step and lead us onto a road of no return. But interpreting this remark from another angle, I very much hope that the Government will not be fainthearted over the issue of constitutional reform. If it is afraid of jeopardizing the interests of certain people, and tries to do as little as possible in order not to

provoke criticisms, the political scene in Hong Kong will really be marking time. This is the last thing the people would wish to see.

President, I so submit.

**MR LEUNG YIU-CHUNG** (in Cantonese): President, as many colleagues have pointed out, the DC proposal greatly enhances the democratic elements. So why are we still reluctant to support it? Compared with the existing FCs, the DC proposal undoubtedly increases the number of voters and changes the mode of election. Comparative speaking, this certainly represents progress and public participation is enhanced, so there is no gainsaying it. However, does this mean we can solve the problem of FCs in the long term by going in this direction? I do not think so. I do not see how this mode can lead us towards gradually abolishing the FCs over the next few terms of the Legislative Council. For this reason, I have to oppose it.

Some colleagues keep asking why we should object to the FCs and what is wrong with the FCs. Many colleagues asked why we should describe FC Members as demons standing in everyone's way. President, I think we must make a clear distinction. The fact that we want to abolish the FCs does not mean that those colleagues have not done their jobs properly, are negligent of their duty or have acted inappropriately. We do not mean that. We only oppose the principle of FCs. Why? Since they stand for small groups or interests, they are biased in social policies, especially public policies. Their sector interests are not compatible with public interest. That is why I must oppose them.

Thus, I hope FC Members will cease asking whether they have not done their jobs well. Please stop telling us how hardworking they are, and how they work 24/7. Please don't argue along those lines anymore. I do not think Members are criticizing how lazy they are. Conversely, does it mean that all directly elected Members are hardworking and that all of us have done our jobs well? That is not the point. Frankly, I have not necessarily done such a good job myself. We are not criticizing Members personally. I hope Members can all understand this. What are we criticizing? We are criticizing the system and the nature of FCs. Hence, I hope Members will refrain from quibbling over those points from now on. It is meaningless and will not help the democratization.

As I recall, full democracy is stipulated as an ultimate aim in the Basic Law. In 2007, we should have been able to decide on the content of the future constitutional reform, as well as establishing a system that would lead to universal suffrage. Unfortunately, that has yet to be accomplished and is being endlessly postponed. Today, Members ask why we refuse to take a step forward. Since Beijing has already made concessions, why do we not accept it first before taking things further? President, this is exactly the question. I do not see how this approach can bring us farther down the road. Today, it is proposed that five DCFC seats be added? But so what? After this arrangement is implemented for one term, will it be abolished in the following term? No, it won't. If it were abolished later, it would be hard luck on those people. After taking the trouble to stand in elections, they would be left with nothing in the next term. How could that be? President, this won't do. What happens after this arrangement is implemented for one term or two terms? How do we abolish it? Please tell me what will happen next. Mr LAU Kong-wah said it could be preserved. Does it mean this arrangement will go on forever? What does that mean? Does it mean these special sectors will never be abolished? You said no, but some sectors may be allowed to remain through this mode. Which particular sectors? Which particular sectors should be selected? Should we draw lots to decide? I do not see any direction. If you can tell me the direction, I can discuss it with Members. But now there is not even a direction. That is the big question.

Coming back to this DC proposal, I already said yesterday that it is a weird arrangement. What is weird about it? As I said yesterday, the weird thing is that those who make nominations have no right to vote. That means those who nominate the candidates for the five seats have no right to vote. Isn't this weird? Is there such a system in the world? I have neither seen nor heard of such a thing. However, you could say the political system in Hong Kong has many features that are unheard of in the entire world. The separate voting system is one example. But since we are moving towards democracy, we cannot have these freakish systems every time that make us stand out. The SAR Government does not have to be so special every time, even in these matters. I really find it very peculiar. Who should the candidates answer to? To their voters, or those who nominate them? Even though there are very few who will be making nominations, and the Government says that the nomination threshold will only be set at eight or ten when local legislation is enacted, it is still unfair and wrong in principle. It is also an unhealthy arrangement. That is why I am opposed to it.

If we want universal suffrage, we should do it the right way. Even if I am prepared to make the ultimate compromise and accept the implementation of universal suffrage in 2017 and 2020, could we please have a genuine roadmap for it?

The Central Government always talks about gradual and orderly progress. I am not against this, and I understand that we cannot accomplish it in one step. But please tell me what gradual and orderly progress means. How far is the destination? If you tell me the destination is the 10th floor, and if I start walking up from the first floor, I would know I should be on the second floor next year. That way, I would know what is gradual and orderly progress. But I do not even know where the destination is, or how to get there. How could that be called gradual and orderly progress?

Members who support this package today always talk to us about trust. They say if we have trust in this matter, we will get universal suffrage ultimately. Honestly, it is not that I do not have trust. Why would I not have trust? The Basic Law states that universal suffrage will be achieved ultimately. But the question is how to achieve universal suffrage, and how to define universal suffrage. That is the question I want to ask. In 2007, if my memory is correct, ZHANG Xiaoming said that FC seats could also be returned through universal suffrage. If so, the present trend would really continue. I do not know what the future arrangement will be. I really have no idea. But this means that FCs will be retained no matter what. If they continue to exist, it will still be unhealthy and abnormal. This is our greatest concern today. As Dr Samson TAM said just now, there is no such system in other countries. Why? Because they have political parties and laws on political parties, so these special modes do not exist. Even if Hong Kong does not have what others have now, does it mean that we can never have them? If we do not have these systems, why do we not establish them now? We have talked about a law on political parties for years. It is very strange. The Democrat Party calls itself a political party, but what is it registered as? As a limited company. It is registered as a limited company, not as a political party. The Democratic Party has been established for more than a decade, and it requested the Government to introduce a law on political parties more than a decade ago. Why hasn't the Government done anything? We know that some practices are well-established elsewhere. But instead of

following them, we invented some special methods ourselves. How can this be acceptable?

There is one other point that I must make. I remember that when the Chief Executive unveiled this "rehashed" package, he said loudly — echoed by the Chief Secretary for Administration — that there was no room for amendment. The package was like this, so you could take it or leave it. They kept saying that. In the end, even though I still reject and oppose it, does the present "revised" DC proposal contain any modifications to the original government package? Obviously it contains modifications. Why did they say it could not be amended? It can be amended. Who says it can't be amended? But did the Chief Executive and the SAR Government fulfil their obligation to convey the people's wishes to the Central Government and try to secure something for the people? They did not.

Who got us this deal today? It was not the SAR Government, unless it comes out and says it did. But if we look at the whole process, we would know that this is not true. As I recall, QIAO Xiaoyang had said more than once that Hong Kong's democracy could move forward a few more steps, if a consensus could be reached in Hong Kong society. If so, what has the Government been doing over the past few years? Whose responsibility is it to build a consensus in Hong Kong society? It is the responsibility of the SAR Government. Just now, Mr LEE Cheuk-yan quoted someone's remark, that the Chief Executive had spent 70% of his time on the constitutional reform package. I wonder how much work he has done to build a consensus. I am really puzzled.

The motion this morning stated that the Chief Executive would be elected by universal suffrage. I hope the future Chief Executive will be nominated and elected by the people. Why? Because this will make the Chief Executive truly accountable. The incumbent Chief Executive is not accountable to the people. While he seems to be doing a lot of work, he is not working in the overall interest of Hong Kong. Not only has he failed to build a better bridge between the Central Government and the SAR community, he is creating more divisions. What good is the so-called "Act Now" campaign to society? It only serves to split society even more. This is what is happening now.

So why I am opposed to the two motions? Because of the structural problems that exist. First, the Chief Executive was not elected by us and he is

not accountable to the people. Since he does not truly serve the overall Hong Kong society, it has resulted in the present situation. Therefore, we demand that the Chief Executive be nominated and elected by the people, instead of being nominated by a small circle. This is the most important point.

Second, candidates for Legislative Council seats to be elected by universal suffrage should also be nominated by the people, rather than by a small circle. Since their candidates are nominated and elected by a small circle, the FC seats represent insular interests, which will influence the overall public policies. Some colleagues questioned just now whether democracy would necessarily help to solve social problems. I agree that democracy is not a panacea. But why do we long for democracy? Because it means that everyone has a fair and equal right to elect and be elected. The democratic system is a fairer way for the shaping of public policies. While I know that democracy may not be able to solve issues of social and public policy satisfactorily, people are striving to deal with public affairs in a democratic manner in all the corners of the world. This is the present situation.

That is why what we wish for today is a democratic society and a democratic electoral system, since it is at least accountable to the people and can be monitored by the public. This is the most important point. Even though democracy is not perfect, we feel that it is worth working for, since it allows people to exercise their right to monitor the running of the government. This is what counts. If we are dissatisfied with those elected, we will not vote for them in the next term. It is as simple as that. But even if we are very dissatisfied with Donald TSANG, what can the people do about it? Can we not vote for him in the next term? Of course, he will be retired in the next term and will not stand again. But if he doesn't retire, what can the people do? The people have no voice at all. I wish for a democratic society. That is why I can't accept this package.

President, I so submit.

**MRS REGINA IP** (in Cantonese): President, I speak in support of the Government's proposal because I think that it has not only really brought about democracy, but has also taken a very big step, not just a small step, towards democracy.

As some colleagues pointed out in their speeches yesterday, the fact that the proposal has made it possible for five DCFC seats to be elected by 3.2 million voters has not only brought about a quantitative change but also a qualitative change in the long run. Though the five seats are still regarded as FC seats — since DCs are categorized as a FC and candidates running for those five seats must be members of the DCs — I believe the introduction of such a large constituency will certainly bring about great changes to the political ecology of Hong Kong.

I believe that after the implementation of the proposal, future DC elections will become very competitive and elected DC members will have a meteoric rise in social status, for apart from working for local communities, they can also elect the Chief Executive or even be elected to the Legislative Council. Thus, we can imagine that people who have never considered becoming DC members may also run in the elections.

This is beneficial to the democratic development of Hong Kong for democratic development needs ancillary support. Apart from one vote for one person, we should have middle-class, professionals, and people from various trades, people with higher education, or more young people serving our society. As such, in the interest of the long-term democratic development of Hong Kong, though the proposal will have an impact on the existing political parties and groups and future elections, and will also bring about greater challenges and competition, I think that it is worth our support.

Mr LEUNG Yiu-chung said just now that he failed to see how this proposal could allow us to achieve the ultimate goal of universal suffrage, but I think that it is entirely possible. If the Government and Beijing are willing to allow 3.2 million people to elect the DCFC seats, then why could they not allow all existing FCs — several Members have pointed out their merits and certain existing inequalities earlier — to be next reformed into bigger and more competitive constituencies for voters, so that they would have greater representativeness and that each FC would see greater personnel changes? I believe one of the reasons why many members of the society, in particular young people, are now unhappy about FCs is that they find many Members have been returned through FCs and serving for many years, yet the election process has actually not led to much personnel changes and competition and the Members

were returned through a very easy election process. These are not my own sentiments, and I am only repeating how many members of our society feel. After all, who exactly do FC Members represent, and have they ever truly represented their voters, or only themselves?

I agree that FC do serve a very important balancing role in society, but changes still have to be made. After we have taken this step forward, we could imagine that the electorates of existing FCs could be expanded in the 2016 Legislative Council election. Though some people will certainly say that once a new FC is introduced or after a new FC has been introduced, it would be hard to abolish it, I think that by taking one more step to reform the existing FC into a big constituency, in which each person has a vote, we can go on to take another step, and that is, a third step, so that in 2020, we can achieve what many scholars of democracy — Ms Audrey EU called and what I myself learnt on the campus in 2006, "two votes for each person", that is, one vote for their own constituency of Kowloon East or Kowloon West and another for the big constituency of the whole Hong Kong Island, Kowloon and the New Territories. In this way, we would have 10 years' time to allow civic-minded elites from various trades and industries and people of great discernment to run in elections and allow them to warm up. If we could really implement the proposal of "two votes for each person", then our ultimate hope is that in 2020, apart from Members who well versed in local affairs, our society would also have Members who are well versed in with economic affairs, insurance, banking, finance and technology issues working for the overall development of Hong Kong society.

I think that the current breakthrough really does have multiple meanings. Firstly, I am very happy to see that many Members of the Democratic Party have adopted a pragmatic attitude and finally realized that politics is not only about ideals, but may also need compromises and tolerance. President, though you have reminded us earlier that we should not speak too much in English, I still need to use a mixture of Chinese and English to tell a story. I first visited the United States Supreme Court in 1987 on a school trip to call on the first Federal Judge in America, Sandra Day O'CONNOR — President, I believe you might have also heard about this notable first female judge — who, when asked for comments on the legislative process, said it was very ugly and that the Americans

called it a sausage making process. President, I do not know whether you have ever eaten hamburgers and sausages or not, but some experts said that the meat used in sausages was of the most inferior kind, even more inferior than that of hamburger patties, but only better in appearance. By describing their lawmaking process as a sausage making process, Americans have pointed out that it is definitely not ideal, and that it is the product of a tug of war, compromise or even trade between various parties and forces, and such is the reality of politics.

If the politicians, as elected representatives of the people, fail to understand this point and just engage in empty talk on ideals every day, then they are actually not mature enough. As such, the fact that I find so many Members of the pro-democracy camp being so practical and realistic today shows that we have taken an important first step in opening a dialogue with Beijing. I think that this has great significance and worth treasuring.

The other significance is that I hope this will succeed in changing the political landscape of Hong Kong. By political landscape, I am not talking about the so-called eight major political parties, eight major groupings or the number of votes they each gets, whether it is at a ratio of 6 to 4 or 7 to 3, but that the political landscape of Hong Kong will not continue to be dualistic, and that is, just either black or white, with one side being labelled as the pro-establishment or pro-China camp and the other side, as the pan-democracy camp. In fact, many scholars and commentators, including myself, have discussed this issue and pointed out that such labels have only been attached by the media for their own convenience. Could it be said that Members of the pro-China or pro-establishment camp are not democratic? Perhaps, we may have different feelings about ideas of democracy, but I believe none of the Members elected after so much efforts would not have been baptized by democracy. Who would not have different perspectives after running in an election? How could we say that a Member of the pro-establishment camp is not democratic? Similarly, I would not "stereotype" all Members of the pro-democracy camp as unpatriotic. As such, the two labels are only used by the media to describe the two major camps more conveniently.

In fact, the road taken by Hong Kong to democracy should be just like any other normal democratic society, in which there are voices of opposition in society, but such voices should be, what are known as loyal opposition and disloyal opposition, in Political Science. Let us take a look at overseas

democratic countries like Britain and the United States where there are opposition parties. To be called an opposition party is not necessarily a negative label in those countries. However, in a mature democratic society, the opposition is loyal opposition, and that is, those who raise opposition have done so for the good of their country and society, not for subversion of the State or overthrowing the government. I believe Hong Kong will eventually reach such a state, where there is loyal opposition in society. It is a good thing for each society to have different voices and I also think that it is a good thing that Members will often cast negative votes in the Council, for this will keep Members of the pro-establishment camp or senior government officials on their toes. Therefore, I think that the historical vote on the current proposal will help us elected representatives learn a good lesson.

I also hope that the Government would have learnt something during the lobbying and negotiation process and realized that the Government and Members are partners in administration and not to take us as "sedan chair bearers". As some Members have complained during our lunch break, the Government has often cast its deliverer behind once it is out of danger. It would call us urgently when it need our votes, but when we have an opinion to give or a suggestion to make, even if it is only a request to change one word, the relevant officials would ignore us if they have secured enough votes.

Many Honourable colleagues have said that after the Government's current "Act Now" campaign, we could clearly see that it is seriously lacking in political experience and skills. In fact, the "Act Now" campaign for promoting the constitutional reform was a total disaster and the fact that the Government could rise from its coffin and pass the test this time around should owe it to — I am not shining any shoes — the fact that the Central Government is willing to accept the proposal of some colleagues. We are certainly very happy to see a great breakthrough in the political scene of Hong Kong. However, the people have also clearly seen that our executive authorities are seriously lacking in political experience and our officials need "cue cards" for shouting slogans and debating and that many senior officials would be at a loss as to what to do and acted like buffoons if they do not look at their "cue cards" after the third statement. As such, I hope that the Government will address this issue and co-operate better with members of various councils at all levels in future. As regards the future development of the Hong Kong Government, I also hope that the executive authorities can attract more talents with parliamentary experience and allow

Members of different camps to join the mainstream structure or the establishment and share their experiences, so as to nurture more political talents for the next Hong Kong generation.

I would also like to remind Secretary Stephen LAM again, and I have discussed this with him in the past, that in regard to both DC members and Legislative Council Members, the salaries and resources offered by the Government are really shameful, and Secretary Stephen LAM has privately agreed with me. The salary of a DC Member is only \$19,000, which is even less than that of a Liaison Officer II. For this reason, there are often remuneration scams involving DC members. It is true that the salary offered by the Government could hardly attract the elites of our society, whereas the starting salary of an Administrative Officer is \$36,000. To a fresh university graduate, this is a very high salary and for them, the most attractive job is the post of Administrative Officer. This is undoubtedly a colonial mentality, under which a high salary is used to attract all elites to join the Government. However, the Government's training is not sufficient enough to allow them to cope with the increasingly democraticized or politicalized environment nowadays. As such, I am now calling upon the Government to look squarely into this issue. I am not speaking out for myself, for I will not run in DC elections and I will not be a Legislative Council Member forever, but I think that it is really necessary for the Government to appropriately adjust the salaries and resources level for DC members so as to enable them to do a better job as elected representatives.

No matter what happens, the passage of the motion is a historical development for Hong Kong, one of far-reaching implications. I believe it would help promote the democratic development of Hong Kong and lead it towards the stage of universal suffrage as specified in the Basic Law.

With these remarks, I support the motion.

**MS MIRIAM LAU** (in Cantonese): President, I believe that the Liberal Party and the majority of Hong Kong people would be very happy today, for the democratization of Hong Kong has achieved a phased development today. The Government's motion on amending Annex I to the Basic Law was endorsed earlier and this is a historic procedure, a procedure that can be laid down in the Basic Law to allow the gradual increase of democratic elements in the method for

the selection of the Chief Executive in 2010 and for moving towards our goal of universal suffrage in 2017.

I also hope that the motion under discussion now, that is, the motion on amending Annex II to the Basic Law in regard to the formation of the Legislative Council, can also be endorsed in the same uninterrupted manner as the last motion, so as to implement the halfway universal suffrage proposal for the 2010 Legislative Council election and write down a new page for the democratization of Hong Kong.

In fact, is the original proposal of the Government really such a "perfect" proposal? The Liberal Party holds that it is not, for the Government has completely failed to deal with the issue of expanding the electorate bases of FCs for which we have been fighting over the years in its original proposal. As such, we have been thinking about whether we should support the proposal or not? However, we subsequently saw that a 100-odd appointed DC members were prepared to swallow their pride, give up their right of being elected, give up their right to make nominations, give up their election rights, and stooped to compromise with the aim of increasing democratic elements in the proposal. Since we could entirely appreciate their sincerity, we felt that we should support the Government's original proposal. However, even if we support the Government's original proposal, the Government actually does not have enough votes to pass today's motion. As everyone knows, the fact that a consensus among more than a two-thirds majority of all Members could be obtained over the proposal on taking our political system forward today and be passed — of course it will be passed later, but it is expected to be passed — has actually not come by easily. The issue of the method of the Legislative Council election, in particular in relation to the retention and abolition of FCs, has triggered off in-depth discussions in society and given rise to a lot of exchanges and disputes over the past several months or half a year or so. Some individual political parties have adopted radical approaches and bent on confrontations by holding campaigns like "resignation from five geographical constituency seats" and "*de facto* referendum on universal suffrage". Members of the pan-democracy camp had once "stood firm", refused to move a step or budge an inch, and intended to make a bundled-up vote against the original proposal of the Government, causing the Government-designed democracy train to get stuck and at one time faced with the threat of breaking down and engine failure. Being rendered motionless at

the spot, we cannot even begin to talk about the democracy train moving ahead at full speed.

Fortunately, on the eve of the constitutional reform proposal being put to the vote some moderate democrats were willing to compromise and negotiate with the authorities. An agreement was reached over the revised DC proposal in regard to the five DCFC seats, to allow 3.2 million voters, who do not have any FC votes, to elect the five Legislative Council Members from this FC, and an agreement was reached over this method, which is commonly called "one-person-two-votes". And the moderate democrats promised to endorse the political reform proposal. We passed the first motion on the selection of the Chief Executive earlier to give the whole constitutional reform train, which has been delayed for five years, a real opportunity to depart now. Half of the train has already started and the other half will also depart soon, so the story goes.

In this regard, we can see that the Democratic Party has actually made a great many contribution. We can also see that they have been willfully attacked and criticized by their allies or even supporters both within and outside the Council. We found that to be quite unfair. It is a pity that none of our friends in the Democratic Party and Members are present, but I still wish to sing their praises for they should really be proud of themselves as they have managed to do something which the establishmentarian or pro-establishment camp fails to do. If the model of "one-person-two-votes" were proposed by the Liberal Party in relation to the DC election, I am sure the Government will turn me down again, for if we were to make this proposal on expanding the electorate bases of FCs to the Government, it would have indicated that this issue should not be discussed at the moment and that nothing should be discussed at the moment. In fact, we do not resist the "one-person-two-votes" model and basically, we regard this to be a model which we may consider adopting when we deliberate on how the whole Legislative Council should be elected by universal suffrage in future. For this reason, we mentioned during the first debate that we have also held internal discussions and conducted studies and public opinion polls on this issue. We reported the findings of our public opinion poll in the first debate this morning, and that is, over 53% of the people considered the proposal acceptable and we have also looked into the proposal. However, if we were to actually make the proposal to the Government, I believe it would ignore us. Why? Because we

have already indicated that we would support its original proposal. As such, the key to the motion being endorsed today is the nine votes of the Democratic Party which thus made the passage of the motion possible. It also shows why the Democratic Party is so valuable today.

However, I would also like to remind the Government that I have great sympathy with what Mrs Regina IP said in her speech earlier, about the Government always casts its deliverer behind its back once it is out of danger. The Government should also be more patient towards Members or people who support its lawful administration and give them more room, so that their views could be accepted. It should not adopt the attitude of "I do not have to listen to your views, but I would listen to other people's views". In fact, deep in our hearts, we are really quite upset about this. However, as regards this issue, it is not a matter of whether we are happy or not. The point is not here or there. What really matters is that if the proposal is ultimately conducive to the development of Hong Kong's constitutional system, then we would be willing to support it, regardless of whether we are happy or not, for this is good for society as a whole.

Nevertheless, the proposal which we considered to have taken a giant step to increase democratic elements is still criticized as a "crap proposal", but just how "crap" is the proposal? In fact, we conducted a public opinion poll once there were signs that the proposal would be rolled out. We mentioned this morning that: in respond to the question on whether the proposal has increased elements of democracy, over 59% of the respondents indicated support. Furthermore, in the same public opinion poll, in response to another question on whether the proposal — the proposal on improving the DC election is acceptable, 60% of the respondents find it acceptable. As compared to the original proposal of the Government, which according to the findings of our four earlier public opinion polls was only around 50%, it is obvious that the proposal is more popular and commands the support of more people, thus it is definitely not a "crap proposal". Furthermore, compared to the original proposal under which the five DCFC Members are to be elected by only 405 voters, why is the proposal on increasing the number of voters to 3.2 million at once a "crap proposal"? This has definitely increased their representativeness and legitimacy. Apart from increasing 10 seats, it will also provide a political ladder for politicians and those who are interested in politics or the second echelons of the political parties;

and it will also offer more opportunities for nurturing political talents for Hong Kong.

However, I hope that the Government will not be too complacent after passing the proposal — I believe it will certainly be passed — and think that it has already done a good job and need not do anything else for the whole package has already been endorsed. In fact, its work has only just begun and the first thing it should do is to consider how extensive public consultations can be conducted to consult the views of the people and Members on the enactment of local legislation in respect of the revised proposal on DC elections, so that careful studies could be done on all aspects, no matter whether it is the nomination threshold, election model, and that is, whether proportional representation or other systems should be adopted, or the issue of big or small constituencies, and comprehensive consultation should be conducted before its implementation. Furthermore, it is something we hope that we do not have to repeat, and that is, whether and why consideration could be given to reviewing, really reviewing the electorate bases of traditional FCs. It is because, as many Members have already said, after 35 Members are elected through the FCs, the political ecology of Hong Kong would have actually changed greatly, for among Members returned through FCs, five will be elected by 3 million-odd voters, and Members who are returned through small constituencies would really do not know how to acquit themselves. While this will not affect our work, the great discrepancy between the sizes of electorates is, after all, a great defect. For this reason, studies should be conducted on this as soon as possible to see how such a peculiar phenomenon could be rationalized. In fact, we have repeatedly mentioned this point because it should be recorded that over the past years, we have repeatedly urged the Government to gradually expand the electorate bases of FCs. At least "corporate votes" should be transformed into "director votes", or "executive votes"; or categories and units like partnerships or "non-limited companies" could even be added to FCs.

All in all, the two government motions on activating the two Annexes of the Basic Law for drawing up the method of the 2012 election bear great significance in the history of Hong Kong's democratic development. The smooth passage of the motions will only help Hong Kong move gradually towards the timetable of implementing universal suffrage set by the NPCSC in

2007, and that is, to elect the Chief Executive by universal suffrage in 2017 and the Legislative Council in 2020. I earnestly hope that colleagues, no matter whether you were against today's motion or are still against the motion, would consider the fact that we have really moved a step forward on the road to democracy. I hope that we can all set aside our own preferences and work together with one mind in voting for the motion, so as to lead Hong Kong people to take a historic step towards democracy. Thank you, President.

**MR JEFFREY LAM** (in Cantonese): President, when I spoke in yesterday's motion debate on the amendment to the method for the selection of the Chief Executive, I mentioned that the pan-democratic camp had vetoed the constitutional reform package in 2005 for the reason that the package did not provide a timetable for universal suffrage. Now in 2010, we have already secured a constitutionally-binding timetable for universal suffrage. Among us, some Members and parties and groupings still hold that the 2012 package for the two constitutional reforms proposed by the Government does not merit their support because it has not drawn up the ultimate roadmap for universal suffrage, and thus it is hard to confirm whether the universal suffrages to be implemented in 2017 and 2020 are genuine, and that the Central Authorities have not undertaken to abolish the FCs.

(THE PRESIDENT'S DEPUTY, MS MIRIAM LAU, took the Chair)

In their eyes, FCs have become an obstacle on the road to implementation of universal suffrage for the Legislative Council. They have linked the system of FCs and FC Members with unnecessary accusations like collusion between business and the Government, the beneficiaries of free lunches and holders of vested interests. Some even hold that FCs only protect the interests of business tycoons and large consortia. Is this so? I believe people in society will make their own judgments and I know that many people do not echo this view.

I understand their views and political considerations. By using the abolition of FCs as the slogan and the fighting goal of the so-called referendum, they can create a breakthrough point to attack this system; and by exaggerating

the relatively narrow electorate bases of FCs, which is a factor restricted by this system, they can name the FC election as a coterie election protecting the interests of a small group of people and put all the blame for various social problems on FC Members.

All these untrue and misleading remarks serve to demonize FC Members and trivialize their functions. In fact, all Members of this Council should honestly present and tell the real situation to the public, rather than bragging about themselves at the expense of others. This is unfair to the people of Hong Kong.

First of all, the 30 FC seats of the Legislative Council are returned by 28 constituencies and only four seats are returned by constituencies purely industrial and commercial in nature, including the Commercial (First) FC, Commercial (Second) FC, Industrial (First) FC and Industrial (Second) FC. In addition, constituencies which can also be regarded as commercial and industrial in nature are the Finance FC, Import and Export FC, Textiles and Garment FC, Catering FC, Insurance FC, Real Estate and Construction FC. These 10 constituencies in total only account for one third of the 30 seats. Hence, strictly speaking, the industrial and commercial sectors only account for one sixth of the Members of this Council. If the package today is endorsed, the proportion of the industrial and commercial sectors represented in this Council will be reduced further.

However, Hong Kong is a society with an externally-oriented economy. The industrial and commercial sectors are the economic locomotive of Hong Kong, an important pillar of Hong Kong economy. Since the reunification, Hong Kong has tided over the challenges of the Asian financial turmoil, the avian flu, the rage of SARS as well as the global financial tsunami in the past two years. FC Members including those from the industrial and commercial constituencies have worked closely with the SAR Government and different sectors. On the one hand, they have relayed first-hand information of the sectors to the Government and provided input to the Government to roll out relief measures for the public, and on the other they have secured loan guarantee for the commercial sector and small and medium enterprises, in a bid to achieving the aim of supporting enterprises and preserving employment. All these efforts concern public interests and are recognized by many people, and they have given an active

and effective impetus to the economy of Hong Kong. Hence, it is inappropriate and impossible to describe FC Members as the source of all evils.

Despite the fact that FC Members are accountable to their constituents and we have to take our sectors' interests into consideration, our service targets include not only our sectors but also the people of Hong Kong.

Deputy President, since the introduction of FCs in 1985, this system has established itself as a unique political institution that played a pivotal function in the effective governance of the Government. I understand that to achieve universal suffrage in Hong Kong, the problem of FCs has to be tackled, in order to comply with the principle of universality and equality; but the actual situation of Hong Kong must also be considered, as prescribed under the Basic Law. When it comes to the mode of universal suffrage, some say that the electorate bases of FCs should be expanded, while some say that FCs should be optimized. The public and different sectors can be extensively consulted to forge the broadest consensus on this issue. In the past few months, we have put forth many views to the SAR Government, including how to expand the electorate bases and how to optimize this system, so that it can be brought into compliance with the principle of universality and equality. I hope that the SAR Government will expeditiously deal with the issues concerned, and it should also expeditiously invite the public and different sectors of society to engage in such studies and discussion. As two heads are better than one, I believe that as long as we can communicate in a rational and peaceful manner and exchange views with an accommodative and humble attitude, we can arrive at a method from such discussions for forming the Legislative Council by universal suffrage, which is in line with the principle of universality and equality. We should deal with this by harmonious means, rather than always resorting to confrontations and accusations. Deputy President, regarding the Government's motion on the amendment to the method for forming of the Legislative Council, we in the Economic Synergy hold that the amendment has already increased the democratic element and it is moving down the road to dual universal suffrage in Hong Kong. We thus support the amendment proposal. Deputy President, I so submit.

**MR ANDREW LEUNG** (in Cantonese): Deputy President, everyone has his goals and ideals. I believe you must have your goals and ideals, and so does every Honourable colleague in the Chamber, and I all the more believe that those

people of the younger generation gathering outside the Legislative Council Building for the constitutional reform are people with goals and ideals. The goal of the 7 million people of Hong Kong is to implement universal suffrage, but we have to take one step at a time in everything we do. In playing golf, for example, the goal is to hit the ball into the pin on the green, I certainly wish to hit the ball into the pin in a single stroke — Mr Ronny TONG can do it — but in reality, I have to hit one stroke after another to move towards the green, and the ultimate goal is still to do the best I can and hit the ball into the pin with the least number of strokes. I will not refuse to hit a stroke just because I cannot hit the ball into the pin in a single stroke.

I understand that many Members of the pan-democratic camp hope that universal suffrage can be implemented immediately for forming the Legislative Council. But the implementation of universal suffrage has to comply with the Basic Law and the actual situation of Hong Kong, and Mr QIAO Xiaoyang, Deputy Secretary-General of the NPCSC has already made the relevant principles clear. Like the majority of Hong Kong people, I think the revised package is already the biggest possible step for the Central Government and the SAR Government, and so the Legislative Council should respond to it positively.

Deputy President, FCs have been demonized recklessly during this discussion on the constitutional reform, and many FC Members have already spoken on this. As part of the FCs, I have witnessed how Members, in their capacity as FC Members, made recommendations on actions to take and lobbied the Government to implement policies and measures conducive to the provision of educational and health care services, people's livelihood and economic development. These achievements are evident to all.

Hong Kong is a commercial society. The success or otherwise of its economic development is closely related to its development and has a direct bearing on the livelihood of over 3 million Hong Kong people. Among the 30 FC seats in the Legislative Council, as Mr Jeffrey LAM said just now, less than 10 of them are directly related to the industrial and business sectors, and the remaining seats are allocated to the professional sectors, representatives of labour unions and other sectors. While Members returned by geographical direct elections will relay the public's views to this Council, FC Members will play the

role of a bridge for communication and bring into this Council the expertise, concerns and latest developments of the industries. They will have to represent the interests of the industries and give regard to public interests at the same time.

At the beginning of the financial tsunami, Jeffrey LAM, a group of people from the Federation of Hong Kong Industries and I approached some small and medium enterprises (SMEs), banks and the Hong Kong Association of Banks to discuss ways to help SMEs tackle the credit crunch problem. We engaged in liaison, organized meetings, prepared submissions and lobbied the Government and individual banks to reduce the interest rates. In the end, the Government responded by launching the \$100 billion Special Loan Guarantee Scheme. So far, a total of \$80 billion of loans has been approved, and as a result, 33 259 SMEs have benefited, over 300 000 people are able to remain employed and the scope of loan guarantee has been expanded. All these were efforts made for SMEs and Hong Kong. Now, countries in Europe and America are introducing similar schemes one after another.

Stretching this farther, in 2007, the Mainland authorities required the manufacturing industry to undergo upgrading and restructuring within a short time. Just in the Pearl River Delta (PRD) Region alone, almost 10 000 factories were on the verge of closure. We realized that this would not only cause SME operators to have all their efforts wasted or even go bankrupt, but also make employees working in the headquarters of these enterprises in Hong Kong become unemployed. Besides, this would also have a great impact on the logistics, import and export, convention and exhibition and financial industries. We explained the situation to the Government at once, and the then Secretary Frederick MA immediately set up a dedicated working group to support processing enterprises and assist us in liaising with officials in Guangdong Province. The working group also enabled the subsequent adjustment policies implemented by the Mainland authorities to become less rigid so that the industries could have more time to make the relevant adjustments. Our duty is to help the industrial and business sectors and SMEs and maintain the economy of Hong Kong and the livelihood of Hong Kong people.

Stretching this even farther, there was the example of the introduction of a goods and services tax (GST). A GST is a tool used by many countries to increase revenue, broaden the tax base and reduce the profits tax rate. However,

Members may still recall that when the Government studied the idea of introducing a GST, Members from the business sector opposed it in the first instance and did their utmost to lobby the Government against it throughout the process. Judging from the process in which a GST was introduced in Singapore and the United Kingdom and their subsequent experience of gradually raising the GST rates and reducing the profits tax rates, the introduction of a GST would be beneficial to the industrial and business sectors and could help reduce the tax burden of enterprises in the long run, and was thus very attractive. However, we opposed this because a GST would become a heavy burden on members of the public, in particular, people from the lower strata. This week, the United Kingdom has announced an increase of their GST rate from 17.5% to 20%. When a country experiences great financial difficulties, the most readily available solution is to make everyone share the responsibility of eradicating the fiscal deficit.

In this Council, Members returned by FCs and Members returned by geographical direct elections should consider policies from different perspectives, serve as mutual checks and balances and co-operate with each other rather than regarding themselves as mutually exclusive. Some Members said that there is not a single country in the world with FCs like those in Hong Kong. This is true. The compositions of the legislatures of different countries in the world differ because their situations differ, and the Legislative Council of Hong Kong is no exception.

Party politics in Hong Kong is not as mature as that in European and American countries, and the scope of representativeness of political parties in Hong Kong is not wide enough. We, members of the industrial and business sectors, maintain that political parties are unable to represent us, and the Legislative Council should give regard to the interests of various sectors. Therefore, we very much hope that political parties in Hong Kong will move towards maturity, further expand their representativeness and undergo consolidation in the political spectrum, so that they will comply with the principle of balanced participation to ensure that the views of various sectors can be represented in the Legislative Council.

Regarding this DC package for the Legislative Council election, most members of the public agree to the revised package of "one-person-two-votes".

After the passage of this package, there will still be time and room to deal with the controversial issue concerning the 2017 and 2020 elections.

Constitutional development can only roll forward with the support of three parties, namely, the people of Hong Kong, the Legislative Council and the Central Government. The Central Government has already given the green light on the Democratic Party's package, and most members of the public very much hope to take this step forward. Now, the only question left is whether the Legislative Council is willing to act according to the wish of the public and take this step forward together with the people of Hong Kong.

Deputy President, it is desirable for a person to have a noble ideal, but in order to be respected, one has to practise what one preaches. In a democratic society, we have to strive for mutual understanding and accommodation and engage in negotiation in the best interests of society. It is easy for a person to stand on the moral high ground and request the others to achieve a goal set by him, but it takes tremendous courage for him to stand among or even before the crowd and take a right step towards his goal.

I respect the courage displayed by the Democratic Party and the Alliance for Universal Suffrage (the Alliance) this time. As a group of people from the Alliance said during the meeting with us from the Economic Synergy, their wish was to work for democracy and promote the development of democracy. For quite some time in the past, I have seen the Democratic Party and the Alliance move towards democracy step by step with great effort, and their actions were effective and well received by the public. I always agree that we should engage in rational communication, and this step taken by them has laid a sound foundation for good-humoured communication for the democratic development of Hong Kong in future.

The people of Hong Kong have always been rational, and our society has all along been renowned for its stability and tolerance. As legislators, we should not push the society to the extremes because problems can only be solved through co-operation.

Deputy President, last week, a group of people from the industrial and business sectors who love Hong Kong very much placed an advertisement in the press, calling on various sectors in society to engage in communication and

dialogues, put aside their preconceived ideas and forge a consensus. As they said, there had never been any adversity that was too difficult for the people of Hong Kong to tackle. We can tide over adversities, but if we only engage in internal arguments and do not give play to the spirit of mutual assistance in times of difficulties, our faith will ultimately be obliterated. Like this group of people from the industrial and business sectors who love Hong Kong, I hope we can move towards democracy step by step, and I hope the constitutional system will roll forward instead of making no progress again.

In 2005, Hong Kong made a mistake; today, in 2010, we should not make a mistake again and keep Hong Kong people waiting. The people of Hong Kong will become the winner if this constitutional reform package is passed.

Deputy President, I so submit.

**MR WONG KWOK-HING** (in Cantonese): Deputy President, I would like to discuss three aspects to justify my views.

First of all, why should we support the Government's constitutional reform package? I think there are six reasons. The first one is that, subject to the endorsement of this package, the Government undertakes to consider abolishing the appointed seats of the DCs. This has precisely responded to the crux why the 2005 package was vetoed. Therefore, this is a good package. Is it bad at all? I do not think so. This is the first reason.

Secondly, with the five additional seats, the number of directly-elected seats will be increased. Frankly speaking, the second or the third echelon of various political parties or the political sector will have more room to stand in direct elections and join the Legislative Council. Is there any demerit at all? The number of directly-elected seats will be increased rather than decreased. This is the second reason.

Thirdly, the new DC package currently adopted by the Government will enhance the constitutional status of elected DC members and DCs. The role of DC members will be enhanced. Honourable colleagues always say that we should attach importance to DCs. We will meet with DC members on a monthly basis and every time when we meet, we do stress this point. Now, it is really

time to attach importance to DCs, but it turns out that we have to veto the new package. We should match our words with deeds, rather than preaching one thing but doing another. This new package will enhance the role of DC members and raise the constitutional status of DCs, which is a right move that merits our support.

Fourthly, this new package has filled the gap between DCs and the Legislative Council in training up political talents. This is definitely a good package, right? Why is it regarded crap? This is the fourth reason.

Fifthly, I had held office as an elected DC member and an elected Urban Councillor for 17 years and five years respectively. I had also been elected as the Deputy Chairman of a DC. I have had such experience. Of course, I did not stand in the elections in 2007. In my opinion, the new package currently adopted by the Government has filled the void left by the dissolution of the two Municipal Councils in 1999 ..... Now, such void has been filled. We should then enhance the power of DCs and train up talents. Actually, after the dissolution of the two Municipal Councils 11 years ago, we had striven for "one bureau, one department" for a period of time, only that it was not endorsed. In fact, members from various political parties should all note that a wide gap has emerged in the nurturing of political talents. The new package now has precisely filled the gap formed over the past 11 years. Why is it bad at all? This is indeed a good package that merits our support.

Sixthly, this package merits our support as the five additional seats of the DCFC will be returned by over 3 million people in the territory through "one person, one vote". That is to say, each person may have more than one vote. Frankly speaking, those DC members elected into the Legislative Council in future, may have hundreds of thousands of votes behind them and become very powerful. Those who strive for democracy wish to enlarge it to "one person, one vote", claiming that this is their ideal. The Central Authorities have adopted this package now. However, we simply act like Lord YE, being afraid of this dragon. What on earth is going on?

In fact, this new idea is a very important change in the history of Hong Kong's constitutional system, which is heading in the direction of electing both the Chief Executive in 2017 and the Legislative Council in 2020 by a method that

is universal and equal. This is a very important historical change, one that takes the democratization of Hong Kong's constitutional system one crucial step forward. All those who are striving for democracy should not overlook such an important change. Why are we so frightened now? Therefore, I hope those who profess their passion for dragons should not act like Lord YE anymore.

Based on the above six reasons, I think this package merits our support.

Deputy President, in the second part, I wish to point out that we should strive for democracy with a correct strategy composed of three elements, namely reasons, benefits and stages. Given that we have put forth a lot of reasons during these two days, I need not spend too much time on elaborating mine now. I just wish to quote an editorial of a Chinese newspaper today, which has stated an argument convincingly in one of its paragraphs, "Obviously, this package has definitely broken through the original deadlock that the number of directly elected seats and that of FC seats should be of the same ratio. It has definitely enhanced the democratic elements of the Legislative Council and provided more room for attaining dual universal suffrage under our constitutional system" — the word "definitely" is twice used — "It is much better than the deadlock of marching at the same spot. Therefore, this package is acceptable and merits our support." Deputy President, is it a conclusion quoted from the *Sing Tao Daily*? The answer is no. Is it quoted from the *Wen Wei Po* or the *Ta Kung Pao*? Again, the answer is no. In fact, it is quoted from the *Apple Daily*, which has all along been anti-government. Not only has it criticized that the Government's package is crap, it also encourages the public to take to the streets and conduct a referendum, with a view to stirring up a mess by all means. However, the headline of its editorial today is, "Strive hard for democracy and never become sinners in history". Such argument is really most convincing. If we veto this package today, we will become sinners in history. This comes not from me, but the *Apple Daily*.

After discussing "reasons", I wish to talk about "benefits". What are they all about? Very simple, if the Government's package is endorsed, the additional seats plus the original seats will make up 70 seats in total. Among them, 40 seats are returned by the public through "one person, one vote". It is really beneficial, isn't it? If not, what can be regarded as beneficial then? I would

like those who are striving for democracy to answer me. If it cannot be regarded as beneficial, what is it then? For this reason, we should accept this package.

Deputy President, the third point I wish to discuss is "stages", meaning that we should do things step by step. "Stages" is also applicable to eating rice. I have particularly brought along a bowl of rice with me today. After delivering my speech, I will eat this bowl of rice.*(Laughter)* The general public, adults and even small children should all understand this. Deputy President, please tell me, can I finish this bowl of rice at one go? I can only finish it mouth by mouth; otherwise, how can I eat it up? "Stages" that I am talking about is related to the rationale of eating rice and the strategy of our fight. We have to eat rice in each meal every day. We should strive for democracy by adopting the method of eating rice, which is indeed a correct strategy and attitude.

Deputy President, let me draw an analogy to illustrate the rationale relating to "stages". Wage earners always look upon their jobs with the mentality of holding one job while looking out for a better one. And now, our ultimate goal is universality and equality for the two elections. Obviously, the package before us is not the most desirable one. However, if we accept it, we can make a further step towards our goal. In fact, it is really very stupid if we turn it down. All wage earners in the territory do understand the rationale of holding one job while looking out for a better one.

Deputy President, I wish to draw yet another analogy. At present, everyone is talking about home purchase, hoping to buy a nice flat rightaway. Unfortunately, without enough money, we can only resort to our own means and purchase a first flat by all means. We can then purchase a better one when we have saved up enough money. The package currently proposed by the Government is just like a flat for first-time home buyers. However, we do not want to take it, determined to buy a flat on the Peak. Is it feasible at all? Of course, this is not what I mean. But those with experience in home purchase should understand this. I also have such experience personally. At the outset, I lived in a flat with an area of some 300 sq ft. I then purchased other flats progressively and, now I am living in a much bigger one. For this reason, is it very difficult for us to strive for democracy? I simply wish to share with you that we should do things in "stages".

Let me elaborate this point further. Taking the purchase of "siu mei" as an example, even if we have bought four taels of barbecue pork today, we can buy four more tomorrow. I frequently help workers to fight for their rights and interests in labour disputes and advise them to win battles that lead to an overall victory. They understand this. I wish to tell all wage earners and members of the public in Hong Kong that the strategy we are now adopting is to win battles that lead to an overall victory. Ultimately, we wish to attain universality and equality for the two elections. Every one of us should have the right to elect the Chief Executive. This can really be achieved, which is not a lie at all.

Deputy President, in the remaining three minutes, I wish to say a few words on the third part. What is it all about? Is objecting to the package equivalent to voting against or in favour of it? The present situation is, objecting to and voting against the Government's package is the most democratic, determined, complete and uncompromising approach, which is along the same line of thought of the Goddess of Democracy and the founder of democracy. I am the most democratic one in the territory, and so is my political group. I am most concerned about the public's interests. But how about you? You are all royalists, being conservative, betraying Hong Kong people and colluding with the Government. What other hats do you wear? Precisely, the situation is that those people and political groups have never responded to the question, "What shall we do after vetoing it?" They fail to give us an answer, but simply urge us to veto and object to it first.

Deputy President, all those with experience should understand such a practice. Let us recall the Cultural Revolution in the Mainland. When two lines of thought struggled with each other, such a practice is "seemingly" leftist but "actually" rightist. Being "seemingly" leftist, they are so progressive and aggressive, thinking that they are the most progressive in the world. In fact, they are "actually" rightist, making neither progress nor concession at all. As a result, we are simply marching at the same spot, which is an extremely wrong approach. Does he really wish to attain democracy? Does he really wish to make progress? Why does he find it impossible to eat a mouthful of rice first? Is there anything wrong to eat the rice mouth by mouth? Does he have no other alternative but to finish the whole bowl of rice at one go? If so, it will make him choke. Deputy President, of course, you are still alive. I use it as a metaphor only to describe the present situation (*Laughter*). Right?

Therefore, I wish to make it clear today. Such an attitude of objecting to and vetoing the package firmly is really very grand. But it is actually misleading and cheating members of the public in Hong Kong, which is not responsible at all. I think they should really consider such a practice of "seemingly" leftist but "actually" rightist thoroughly, which runs counter to our long-term and immediate interests. It is not an approach to strive for genuine democracy. Indeed, I think it is bogus. I therefore wish to make an appeal to Honourable colleagues that only if we can put in more efforts, democracy can be attained progressively, just like the rationale of eating rice and squeezing toothpaste. We have to brush our teeth and squeeze toothpaste every day. We cannot squeeze it out at one go. If so, our mouth will be full of toothpaste (*The buzzer sounded*) ..... then how can we brush our teeth then?

**DEPUTY PRESIDENT** (in Cantonese): Your speaking time is up.

**MR WONG KWOK-HING** (in Cantonese): I hope Members can support the Government's package. Thank you, Deputy President.

**DEPUTY PRESIDENT** (in Cantonese): Your speaking time is up.

**MR FREDERICK FUNG** (in Cantonese): Deputy President, the situation of the Hong Kong Association for Democracy and People's Livelihood (ADPL) in this matter is relatively complicated. We cannot simply support or object to the package or change our stance, just like other Honourable Members or political parties. Taking the Democratic Party as an example, they could have three or five requirements in the past but only one requirement now. Why is our situation so complicated? If I vote in favour of the package later, someone will accuse the ADPL of making a volte-face. As we all know, on the Facebook, Frederick FUNG's rating for making a volte-face is 1.001, which is surprisingly the same as my vehicle registration mark. It appears to have risen to 1.49 now. However, when I ask them to give me an example, they simply fail to do so. Deputy President, no one can quote any incident, in particular a political issue on which we have made a volte-face. If we have really done so without making an apology, why can no one give me an example up to this moment?

There are three major issues in the constitutional reform. The first constitutional reform was conducted during the era of Chris PATTEN in 1995. As far as I can remember, the ADPL had put forth a constitutional reform package at that time, which was drawn up on the premise of three conditions, namely the Basic Law, the international laws of the United Nations and the "through-train". Of course, each law was a restriction. The more laws to comply, the more restrictions. However, as we considered that the "through-train" was crucial, we did not wish it derailed, otherwise, those Members who were elected in 1995 would have to stand in elections again, which was not feasible at all. One of our conditions was that if there was no "through-train", no agreement would be coming from us. This was the package put forth by the ADPL.

Later, with the failure of the Sino-British negotiations, the ADPL adjusted its stance, taking its package as the bottomline. The ADPL would support whatever better, that is, a package with a higher level of democracy. Emily always mentions that she was short of one vote at the time. The ADPL supported her. We did not regard it as a volte-face, for we had made a better choice while our stance was consistent with the decision made at that time.

In 2005, Commercial Radio and the *Apple Daily* launched a witch hunt for the volte-face, and once again, Frederick FUNG became one of the five targets. Eventually, we did not make any volte-face and still voted against it, for we had our own package and stance. If the negotiation was successful, we would support the Government; otherwise, we would veto it. Subsequently, as the Government did not accept our final agreement, we vetoed it. The witch hunters found it very interesting, for they could identify those who had made a volte-face and criticize them. However, they would never give me an apology even though they found that it was not the case. Now, I can tell those friends on the Facebook that if I have not made any volte-face, they have to treat me to a meal.

There are two circumstances under which we will definitely veto the Government's package. The first one is that if its package is the same as the 2005 package. Given that I vetoed it in 2005, there is no reason for me to vote for it this year. How can I give an account for this? Therefore, it is out of the question. In terms of both logic and values, I will continue to veto it now because I did so in the past. Secondly, over the past 10-odd years, the ADPL

has all along been keeping a keen interest in the appointment system which was established afresh after 1997. We can by no means accept the appointment system, for we consider that it is the opposite of democracy. Such a system is anti-democratic, which is even worse than FCs. What I am referring to is the system, rather than those individuals, which runs counter to public opinion. I do not mind if it only appoints consultants or various advisory committees. However, DCs are supposed to listen to the public's views. How can there still be 20% of the seats being appointed seats? Very often, these 20% of seats will revoke the decisions made by DCs. In particular, during the Selection of Chairmen at the beginning of each term, the voting result is completely different because of such appointed seats. We thus consider that they should be abolished; otherwise, we will veto the Government's package.

On the above two premises that we will veto the package, I can negotiate with the Government if it wishes. We do not wish to set any limit for the outcome, hoping that we can negotiate. So long as we can head in the direction towards dual universal suffrage, there is still a chance for us to agree with each other. Why do I say that the process of negotiation is so complicated? It is because the major difference between the proposal put forth by the ADPL in respect of the 2010 package and that of the Government is not ..... Of course, I have to face some basic restrictions: first of all, the Basic Law; and secondly, the Decision made by the NPCSC in December 2007.

Under these two restrictions, how can we make it the best? In fact, the "5-5" package put forth by the Government is quite good. Some say that the arrangement of election from among DC members has violated the practice of the small circle. However, so long as we can consider it thoroughly, in particular, if the election is conducted under the system of proportional representation, this is a kind of universal suffrage in the eyes of the ADPL. Moreover, we have consulted many academics. They also consider that it is an indirect election by universal suffrage, rather than a direct one. Of course, some may query which places have adopted such an arrangement. Is there any example to illustrate this point? The United States is one of the examples. However, we cannot make a direct comparison with it, for their candidates have to state their choice of President after being elected. The United Kingdom can also serve as an example. Members of the Parliament in the United Kingdom, after being

elected, can elect their Prime Minister. However, they are not required to state their choice of Prime Minister after being elected. Of course, those from the Conservative Party will elect their leader as the Prime Minister, and so do those from the Labour Party.

The election conducted in the United Kingdom this time serves as a very good example, for its election is quite similar to the original package of the SAR Government. After the election, the Liberal Democrat Party and the Conservative Party have combined and formed a coalition government, which is not a merger but an alliance. Surprisingly, those Members of Parliament from the Liberal Democrat Party did not elect their leader as the Prime Minister later. Rather, they chose the leader of the Conservative Party as the Prime Minister. Theoretically, in case it is stipulated in the law that it is not allowed to do so, they will have committed an offence. However, this is not the case at all. Moreover, no one says that this system in the United Kingdom is undemocratic and against universal suffrage. In fact, the current arrangement of election from among DC members is feasible, only that we do not prefer an indirect election and consider it undesirable. However, this is another issue. We have consulted many academics. They opine that it is within the scope of universal suffrage. I hope those in this Chamber as well as the public outside can read some academic books to see if my comments here are right or not. In case I have made anything wrong, please kindly point it out and correct me.

Why does the ADPL consider it necessary to do so? If we wish to implement dual universal suffrage in 2020, we can only deal with this problem with two methods. We may either implement universal suffrage for the formation of the Legislative Council in 2020 at one go, or implement it by adopting a three-step approach in 2012, 2016 and 2020 progressively. The approach adopted by the ADPL is of a "watering down" nature, meaning that we have to increase a sufficient number of seats in these two elections, so that the number of Members to be returned by direct or indirect universal suffrage can become more than two thirds. In this way, in the election in 2020, all Members can be returned by universal suffrage. And regarding universal suffrage, we prefer a direct model. Therefore, the ADPL's package is different from the Government's original package. The Government's package proposes "5-5" while ours proposes "10-10". That is to say, the number of Members will be increased to 80. In doing so, 10 additional directly-elected seats will be included in the next term. By 2020, those original indirectly-elected seats will

become directly-elected ones. We can get it done then. Our conflict with the Government lies in the number of seats rather than principle.

We have publicized this package. I have also mentioned it on the Facebook and in newspaper columns. Under such a situation, how could we negotiate with the Government? Should we force the Government to meet our demand before doing so? During the course of negotiation, the greatest problem that the Government had given us was that it could not discuss the arrangement after 2012. The Government has no say in the arrangement for 2016 and 2017. All it could do is to keep such arrangement on record. Following that, we formed the Alliance for Universal Suffrage (The Alliance) with other democratic parties and groupings. Two packages were then drawn up; one from the ADPL and the other one from the Democratic Party. The Alliance then consolidated these two packages, forming the third one, that is the "10-10" package. In fact, it has adopted the package for the 10 FC seats and the "watering down" approach for the "10-10" package.

In my opinion, the Democratic Party package cannot be regarded as genuine universal suffrage at all. There are two problems or restrictions in respect of FCs. First of all, they are returned by a small circle, being elected by the minority. Secondly, they have specific interests. If he is a lawyer, he will be concerned about the interest of lawyers. If he is a social worker, he will be concerned about the interest of social workers. If he comes from the business sector, he will be concerned about the interest of businessmen. If he comes from trade unions, he will be concerned about the labour's interest. This is very clear, indeed. However, as I mentioned just now, if those being returned by direct DC elections are elected under the system of proportional representation, these two problems will not arise. However, there are such problems in the Democratic Party's package.

According to the Democratic Party package currently accepted by the Government, first of all, only DC members are allowed to vote. That is to say, if I am not a DC member, I cannot vote. This is already not universal suffrage. Moreover, those who are not DC members cannot make any nominations. Given that we have no right to vote and nominate, how can it be regarded as universal suffrage? This is the greatest difference. However, more than 3 million people can participate in this election. Given that so many people are involved, it can seemingly be regarded as universal suffrage. While it is

restricted by FCs, there are no specific interests at all. Under such an analysis, I would say that the ADPL's package is to develop from a quantitative change to a qualitative change in 2020. Now, the Democratic Party's package has put emphasis on qualitative change, from involving very few people to over 3 million people to vote. However, with these two straitjackets, this is not universal suffrage at all. Although there is qualitative change, more restrictions will be imposed.

Will the Democratic Party's package cause universal suffrage to realize very easily in future? Indeed, it is not difficult to do so. So long as these two straitjackets are removed, universal suffrage can be attained. Do you get it? That is to say, it is not the case that only DC members can vote and make nominations. Rather, anyone can be elected. This is universal suffrage. Therefore, the ADPL considers that the Democratic Party's package is to induce a qualitative change, while its proposal is to develop from a quantitative change to a qualitative change. During the course of discussions, I considered that the packages put forth by the ADPL and the Democratic Party are both acceptable. Problems thus arise.

All along, the Government has not accepted the packages put forth by the ADPL and the Democratic Party, nor is it willing to abolish the appointment system of DCs. The Government only said that it would consider abolishing the system, and it was still saying so on the 18th day of this month. But the situation changed the next day. I wonder if Chief Secretary for Administration Henry TANG made a slip of the tongue, disclosing too much or too little on Commercial Radio. "May" and three members of the audience phoned in and asked him why the Government was reluctant to abolish the appointment system and its attitude was so ambiguous in saying that further consideration was required. Mr TANG eventually said that taking the overall situation into account, he was willing to abolish the appointment system of DCs if the motion were endorsed. In view of this, the ADPL considered that the Government had accepted its proposal, that is, removing the first condition that made the ADPL veto the motion. But two hours later, the Government released a statement, saying that it would consider this point proactively. I then called Secretary Stephen LAM to clarify the meaning of the comment made by Mr TANG and that of the statement released by him. Secretary Stephen LAM said, "Sorry, the statement is the Government's stance." I told him that in view of this, the ADPL could not vote for it, as the Government had to abolish the appointment system. I also requested a meeting with him. I think Members will not mind me disclosing our phone conversation here. Originally, I think I should not disclose it. However, as the Secretary is here, I dare to do so, for I am not stabbing his

back. The Secretary refused to meet with me, saying that he was very busy and had to deal with the Bureau businesses first before handling other matters. He thus suggested meeting with me a couple of days later. I told him that in case he refused to abolish the system, there was no need to talk anymore, for we would definitely veto it.

On that day, the ADPL was preparing for the march on Sunday. At half past ten at night, the Secretary called me again, saying that he had arranged for a meeting with the Chief Executive the following day and asked if I could discuss with him. Because of this arrangement, we cancelled the march on Sunday and met with the Chief Executive. As requested by the Chief Executive, I would not quote his words here. However, the Chief Executive made some explanation on the appointment system at a press conference on 21 June, saying that if this motion was endorsed, he would propose to abolish the appointment system of DCs. In other words, the Government has actually made a volte-face, saying that it had to consider it on 18 June and take it into serious consideration on 19 June, but proposing to abolish the appointment system of DCs on 21 June. Eventually, it has the same stance as that of the ADPL. Therefore, the ADPL has not made any volte-face at all. I hope those who have said so can apologize to me.

Secondly, as I have just said, during the discussions on the packages put forth by the ADPL and the Democratic Party at the Alliance, the ADPL had indicated its support, respect and agreement to all the three packages. Today, the Government has turned down the ADPL's package which develops from a quantitative change to a qualitative change, and accepted the Democratic Party's package with qualitative change. However, if it will attain universal suffrage in this mode in future, please delete the words "DC members". The ADPL will thus consider it acceptable, for this package is better than the 2005 package, with these five seats being elected by over 3 million people. So long as this straitjacket is removed, universal suffrage can be attained.

From these two perspectives, given that the two new packages currently proposed by the Government, coupled with the proposal of abolishing the appointment system of DCs, the Government is moving forward absolutely in line with the ADPL's two conditions under which it will veto the motion. Moreover, the Government has also accepted this package. Therefore, instead of objecting

to it, we will vote for it. We have not made any volte-face at all, only that the Government has acceded to our demand.

Deputy President, even so, I still feel a little bit concerned. After those DC members have been elected by such a large group of people, will the Government firmly refuse to remove this straitjacket and delete the words "DC members"? Secondly, will the Government "change its face"? Although it has received the proposal that the threshold of nomination should not exceed 20 now, will it require it be increased to 50 by that time? If so, only those from one or two political parties can be nominated. Thirdly, will the mode of "one-person-two-votes" continue to change the traditional FCs into "1+30" seats in future? All these are not what we wish to see. I hope the Secretary will respond to this question later. Lastly, I am really worried that this mode will attract many of those who are determined to join the Legislative Council to stand in DC elections. I am not worried that the Legislative Council will be dominated by DC members but *vice versa*, resulting that DC members in future will only discuss businesses of the Legislative Council rather than those of the community. This is my worry now.

Lastly, I hope that Members returned by FCs need not worry about this. Taking the parliaments in the United Kingdom, the United States and France as examples, even those members have no money and are not professionals, they are not afraid at all. Over 70% to 80% of members of parliament elected are supported by professionals and businessmen. As such, why do they have to be so frightened in Hong Kong? Hong Kong is one of the wealthiest places in the world (*The buzzer sounded*) .....

**DEPUTY PRESIDENT** (in Cantonese): Your speaking time is up.

**MR FREDERICK FUNG** (in Cantonese): They are too worried about themselves. Thank you, Deputy President.

**MR ABRAHAM SHEK** (in Cantonese): Deputy President, Frederick FUNG was looking at me and wondering if I am afraid or not. I am not afraid at all, for I

fully support democracy. Deputy President, although the road to democracy I am heading for may be different from his, we share the same belief.

Today, I am so delighted, for I have listened to so many quality debates during these two days. I also have had a chance to understand my colleagues and a better understanding of their beliefs in democracy. I think highly of my colleagues. No matter they support or object to the motion, they all make remarks from the bottom of their hearts. Just like Ronny TONG, he needs not listen to me. But I still wish to sing praises of him. *(Laughter)* He mentioned just now that he had some hard feelings, for while he wishes to utter his heartfelt words, he has to veto it. I have to tell him that it does not matter, for this is the merits of FCs. Very often, we make remarks from the bottom of our hearts but we have to support the Government. The vote we cast may be different from that in our mind. I hope he can understand what I mean.

Albert HO mentioned earlier that he felt very embarrassed at being chided. Indeed, we feel the same. Deputy President, this is not the first time that we have been scolded fiercely by people outside. Some even hurled expletives at us and nearly wanted to beat us. It does not matter, either. Deputy President, this is the price we have to pay for democracy. Deputy President, they want democracy; this is precisely democracy. I think this point is very important. We should share our experiences.

We have had a lot of sharing during these two days, and we have also enhanced our mutual understanding. I very much support ..... For example, at present ..... I have listened attentively to the remarks made by Audrey EU, LEUNG Kwok-hung and Mr WONG. I do not mind them delivering their speeches so loudly. I think it desirable to do so. In this Council, we should cherish that Members have put forth so many opinions. We are all gentlemen. Gentlemen may agree to disagree, and it is only natural that we have different opinions. Deputy President, it is indeed meaningless if every one of us in this Council raises our hand and acts like a rubber-stamp.

There should be dissenting views in democracy, so as to enable us to move forward. I am very happy to see that so many Members have spoken today. I am most delighted that the Democratic Party can vote in favour of the new 2012 package this time. Deputy President, I am so glad, not only because the

Democratic Party supports this package and 7 million people in Hong Kong can take a further step towards democracy, but also because 1.3 billion people in China have such a civilized government, which agrees to the revised package so swiftly. Please bear in mind that the communist party has now revised a package that is decided already. This cannot be done overnight. That the number of electors in the DC package is amended from 400 to 3.2 million within such a short period of time might in fact render the situation out of control. However, our national leaders can swiftly allow 3.2 million people to participate in the election of five DC seats, meaning that ..... Albert HO has made a good point just now, saying that he wishes to impress China by taking this step. This is not the case. On the contrary, we have been moved by our national leaders. Therefore, those who said just now that they object to the 2017 and 2020 packages and do not believe in universal suffrage are all wrong. From this incident alone, we can see the breadth of mind of our national leaders and their love for Hong Kong ..... Don't laugh. You are well versed in the history of China, but no one is familiar with the history of the Communist Party .....

**DEPUTY PRESIDENT** (in Cantonese): Mr Abraham SHEK, please face the President when you speak.

**MR ABRAHAM SHEK** (in Cantonese): ..... "Long Hair" is more well versed in the history of the Communist Party than you. Let us think about "Uncle Wah". Even though he has been struggling with the Communist Party for so many years, he can also take this step today. Of course, he understands and notes how civilized our national leaders are in this regard. They talk about reasons and listen to public opinion. We should be glad about this. No matter we agree to this package or not, we should be happy for China as we have such brilliant leaders. Deputy President, we should be happy about this.

Secondly, why do I think that every one of us ..... This new super FC, Deputy President, why do I say so? It is simply a FC. Mr WONG stated very clearly just now that FCs stipulated under the Basic LAW include the industrial and commercial sectors and the professions, which are the traditional FCs.

However, the FC proposed this time is non-traditional. As explained by the Chief Secretary for Administration, this does not constitute a violation of the Basic Law. Legally speaking, it is also feasible. But this is not a question of law. Rather, this is a question of politics. As I said just now, why is it a question of politics? The number of people who are eligible to vote can be increased from 400 to 3.2 million. If we have to comply with the law, how can it be feasible at all? It is because "letter and spirit of the law" and "functional constituencies" are mentioned in the English text of the Basic Law. At present, the FC electorate has been enlarged to 3.2 million. Therefore, some are worried just now that once FCs are enlarged, they cannot be reduced in future. Definitely, it is wrong. Why do we have FCs here? They are given to us by the Basic Law.

Some people keep on criticizing FCs, alleging that we engage in collusion with the Government and are only concerned about the interests of the business sector. However, they fail to quote any actual situation to illustrate how we have colluded with the Government. I am the representative of the real estate and construction sector. But I wonder if my single vote can influence the Government to launch policies in favour of the real estate sector? Can Mr CHAN affect its policies relating to the insurance sector? Can Dr LEE affect its policies on medical care? Definitely not.

However, why should there be FCs? Because we have to strike a balance. If a referendum is conducted right after the reunification, I am afraid many Members may not be able to ensure stable development in Hong Kong. For this reason, people from various sectors should be involved, so as to achieve balanced participation. We should engage representatives of various sectors to participate jointly, so as to make efforts for the future, stability and development of Hong Kong. FCs have thus emerged. I would like to ask those Members to cease levelling criticisms arbitrarily here. Anyway, it does not matter, for we have been criticized for many years. We know that the existence of FCs is not for FCs *per se*, but for Hong Kong. We will do so, which is not for the sake of protecting the interests of FCs, but those of Hong Kong. However, we are duty-bound. As mentioned by Mr TONG just now, every one of us has a duty to represent our electors. Also, we should answer to them. We do not mean to strive for the interests of our electors. Rather, we should express their heartfelt words, problems they have encountered, as well as their wish that Hong Kong economy can scale new heights. This is precisely the *raison d'être* of FCs. We

do not mean to protect sectoral interests. I hope those Members can think about this.

Deputy President, during my office as a Member over the past 10 years, I did not support the Government once only. In fact, my reason for supporting the Government is very simple. I will give it support if I consider that its policies are beneficial to society as a whole, the development of society and people's livelihood. However, during the scrutiny of the Race Discrimination Bill, I was so furious and objected to it together with Mr LAU. As a result, part of the Bill could not be passed at that time. This was not for the interest of FCs. Rather, it was in the interest of all members of the public in Hong Kong. I simply acted according to my personal point of views. Deputy President, FCs have their value of existence. It does not matter even they will be abolished in the future. So long as those Members can give us an explanation rather than criticisms, we may take a step forward, no matter it is a big or a small one, so as to ensure prosperity and stability and the implementation of universal suffrage in Hong Kong. I believe that apart from me, many Honourable Members returned by FCs are also more than willing to take this step forward. However, in view of your incessant criticisms and uproars, I become more frightened and have no alternative but to defend FCs. In fact, we do not wish to do so. We just wish to lead Hong Kong to stability, such that 7 million people can make a living here.

Let us do some recap. During the financial turmoil and the SARS, it was really horrible in case we lost our jobs. We can have different views. But we always discuss issues relating to the people's livelihood here. That is the responsibility of us Members. If this package can be endorsed now, we can take a further step towards democracy and enhance our communication then. In my opinion, this is most meaningful. Regarding this road to democracy, I may not be here by 2017 or 2020 because I will be 75 years old in 2020. I wonder if I can cast this vote. However, I believe that even if I cannot vote by that time, as I have taken this step forward, I will have one more vote and one more choice to elect a DCFC seat. Every one in my family will have one more vote. Is there any drawback at all? I think this is not a small step, but a big one. We should cherish that our State has allowed us to take such a big stride.

I very much agree to Members raising objection. Mrs Regina IP

mentioned just now that we should talk about the political reality instead of philosophy. It is definitely not the case. In view of the struggles and continuous criticisms among those in the democratic camp today, we are all talking about philosophy, that is, difference in philosophy. Given that we can make a compromise in politics, can we do so in respect of philosophy? Therefore, as what we have seen just now, some Members have vetoed it. But it does not mean that their philosophy is wrong, only that their philosophy is different from that of the Democratic Party and they have taken a different road. In fact, we have the same philosophy, hoping that we can achieve our goal in 2017. We desperately wish to attain the goal in 2017 and 2020. Therefore, I hope we can co-operate with each other, so as to seek and strive for a road to democracy. Some Members opine that FCs should be cancelled or abolished. Should FCs be really abolished? Can we have "one-person-two-votes"? If retaining FCs can achieve justice, equality and universality in elections, we should do so. If it is really impossible to retain FCs, while they can convince those Members returned by FCs and give us confidence, I think we can abolish them. This is not a question of the number of electors. Rather, we should take this step forward in the interest of Hong Kong.

Thank you, Deputy President.

**MR PAUL TSE** (in Cantonese): Before coming back to the discussion on the Legislative Council package, may I clarify several points concerning the Chief Executive package just now, particularly the definition of ultimate universal suffrage. In fact, what I meant in English was "eventually". I have criticized many people outside this Council and the opposition Members because they have all treated the package as "ultimate". I object to any forms considered to be "ultimate". I think "eventually" is correct, because it has been stated clearly in the Basic Law that we will take this step eventually. This is what I wish to clarify.

**DEPUTY PRESIDENT** (in Cantonese): Mr Paul TSE, the President gave Members a reminder earlier. I hope you can refrain from using a mixture of Chinese and English in your speech.

**MR PAUL TSE** (in Cantonese): I know, but I must explain the expressions used by me more clearly.

The second point I wish to clarify is that Ms Audrey EU criticized me for insulting women. I have absolutely no intention to insult women. I have mentioned that men and women are actually the same. I have only said that the situation is now different. Sometimes, an opportunity missed might never come back. This is like the constantly changing situation. For instance, the situation in China has changed, and so has the situation in Hong Kong. Even the whole world changed its way of looking at China before and after the financial tsunami in 2009. I have only pointed out that we should not invariably compare the present package with the 2005 package, and use it as an indicator. When it comes to women, I have actually been frequently criticized for caring about women too much, especially my "sweetheart". Therefore, do not ever criticize me for insulting them.

Incidentally, when it comes to women, just now Mr Abraham SHEK said that even his family members had been blamed. Just now, I learnt the news that Pamela was besieged in Chater Garden by some people who fiercely scolded Paul TSE and the FCs for being shameful. But what does this have to do with Pamela? Although Pamela has once stood in an election, it is over now. Another point I wish to raise is that should we give up the existing cornerstone and values, such as the rule of law, freedom of speech and civilization, for the sake of fighting for universal suffrage? While people keep saying that they will fight for democracy, they have behaved in such an uncivilized manner. How can they talk about democracy?

The fourth point I wish to raise — I forgot to mention it this morning — is that apart from supporting the Chief Executive's revised package, I think that the nomination threshold is actually unimportant. The most important thing is the imposition of a ceiling. For instance, a Member of this Council — I do not want to disclose his or her name — had collected up to 10 000 nominations for fun when standing in an election, and what he did nearly killed the staff responsible for verification, as the nominations had to be confirmed by using the resources of the Registration and Electoral Office. Therefore, it was inappropriate to do so. Similarly, the nomination for the Chief Executive election can stop so long as 150 nominations have been secured, so that a small gap from the ceiling can be kept.

No one should collect 800 to 900 nominations out of vanity or for the sake of seizing other's nominations. In that way, it is virtually unnecessary for elections to be conducted. Neither is it an appropriate method. Therefore, it is only fair and reasonable for a ceiling to be imposed to allow more people to stand in elections.

Coming back to the Legislative Council election, frankly, initially I had some reservations about the original package and this revised package, because I think that they have some serious problems. While Mr WONG Kwok-hing said that we might look for something better while holding fast to the revised package, I consider the package a Trojan horse which will compromise the balance of FCs at any time. Hence, I have some reservations about it.

Secondly, the District Boards were set up in accordance with a 1984 Green Paper. At that time, it was stated clearly that the District Boards belonged to geographical elections and had nothing to do with FCs. I can recall that geographical constituencies and FCs each had 12 seats in 1985, including District Boards, municipal councils and some community organizations. By nature, the District Boards were geographical, not FCs. Therefore, they appear to be neither an ass nor a horse today.

Thirdly, I think that this package is discriminating against the Heung Yee Kuk. Why is the Heung Yee Kuk excluded from "1+5"? I do not understand this, and so I have some reservations.

Fourthly, I will not describe this package as "crap", but I will describe it as "lazy". Given its initial thinking that it should do as little as possible, the Government has simply allocated all the five seats to the DCs. But why do we not take this opportunity to alter the composition and basis of the FCs? For instance, I have once proposed that, as mentioned in my submission — if my memory is correct, it should be paragraph 3.41(j) — the seats be allocated to women, young and elderly people, and so on, as the FCs can thus be retained in this manner. One point I do not wish to repeat now, as I have already mentioned it this morning, is that we merely wish to look for some representative bodies because it is the belief of not only Hong Kong, but also the entire world, including countries practising democracy, that pure representatives returned by traditional geographical elections might not be able to represent the voice of the community as a whole.

Let us look at Annex I to the Basic Law. As mentioned by me this morning, it concerns the election of the Chief Executive. Why is it divided into four groups and each group has 200 persons? Why should the industrial, commercial and financial sectors be put under the first group, the professions be put under the second group, the labour, social services and religious sectors be put under the third group, and people belonging to political parties and political figures be put under the fourth group? This is because political figures are just part of the community. They may be very important because of their frequent appearances before the cameras and in newspapers and the attention paid to them by many people, but they do not represent everyone. There are actually many different voices in the community, such as the voices of the professions, the labour sector, the religious sector and the industrial and commercial sectors. A balanced society must have wide participation in order to maintain its balance. Representativeness is the "keyword" of any system of representative government. Whatever method is adopted, representativeness, that is, the representativeness of a representative government, is what we ultimately look for. Such representativeness can come into being through geographical elections, such as elections conducted in Kowloon, Hong Kong Island and the New Territories. This is not a deliberate design; it is a result of the historical development of Britain. As districts had to pay tax, they gradually developed from purely paying tax to having some say. Such development took place slowly since the era when the power was still held by the monarch. Therefore, Members should never think that geographical elections are a panacea. They are not at all magical. They are purely accidental, or historical.

Nowadays, many Western countries have found that geographical elections do not necessarily have sufficient representativeness, and they are studying ways to enhance the representativeness of the other three groups. Though many countries have undertaken such studies one after another, they have failed to achieve anything. Why? Because if the original system, that is, the geographical election system, is replaced by elections among such bodies as the industrial and commercial sectors, the professions or the labour sector, people who hold seats, that is, people with vested interest, will not easily give up their rights. This is the first point.

The second point, which is also a more important point, I would like to

raise is that there will be fierce competition in the selection of representative bodies. Why not Western medical practitioners? Why not Chinese medical practitioners? People in different professions will fight bitterly. I wonder it was fortunate or unfortunately for Hong Kong when FC elections were first introduced into Hong Kong during the British Hong Kong era in 1985. The vast majority of people at that time did not understand or care about politics. It did not matter to them whatever the British Hong Kong Government did. There was no competition at all. The system simply took shape by pure mistake. In fact, many people are envious of Hong Kong, because this system, which came into being by mistake, will very likely become reference for other parts of the world. Deputy President, I am not joking. I am serious because candidates returned by geographical direct elections might not be the best and most representative. It will be better and more balanced for us to select our representatives by other means.

The entire world is now watching the two systems practised in Hong Kong, including "one country, two systems". How can "one country, two systems" practised in these two 50:50 incompatible places, where religions, politics or races are diametrically different, and how can the two places co-exist in harmony even though they are separated? This is one of the solutions.

To a lesser extent, the existing FCs provide another solution. Not only can the professions or the industrial and commercial organizations advise the Government, they can truly play a balancing role within the establishment. Some organizations might make an all-out effort in fighting for more benefits, and some certainly seek to fight for the interest of the grassroots expeditiously. There is no problem with this. However, when the accelerator is pressed too hard, the vehicle should be braked, and consideration given to the next move. Very often, what does this act of applying the brake rely on? In Britain, the Upper House will come in. However, Hong Kong is too small, for it is just a city. Actually, it is simply unnecessary to say anything more. Hong Kong is basically a city in terms of political structure. Therefore, as I pointed out this morning, we can only talk about democratization but not democracy, because Hong Kong is not a sovereign state, and so it has no right to choose to become a democratic country, at least for the time being. Hence, democracy is confined to regional organizations only. Hong Kong's brake is to implement separate voting in the Legislative Council.

We might as well review whether it is good or bad. Given that this baby has been mistakenly born — some people describe it as a freak foetus, and some describe it as a genius — it should be developed and improved. Frankly speaking, I am a supporter of FCs. Under the present system, the FCs have a lot of shortcomings. It is like a screwdriver. Originally, it is an excellent tool. However, if it is not put to good use, it can be used for robbing or even injuring people. FCs were supposed to be put to good use. However, we have not only failed to put them to good use, we have even used them to hurt people occasionally. It is not too good to act in this manner.

Being a lawyer, I have to defend the FCs, for they deserve a fair trial. From now on until 2020, we have 10 years' time to give the FCs a fair trial to find out what this is all about. Should this system be further developed or scrapped immediately? It would not matter even if a broad consensus was really reached eventually that this genius, which came into being mistakenly, had already become outdated and should step down. However, it deserves a fair trial, and this is the most important message I wish to strike home.

It is too bad that my speaking time is running out, but still I wish to say a few more words explaining why I have some reservations about the FCs ..... sorry, I should say I have some reservations about the existing package. In fact, it is very wasteful to add 10 more seats. According to my calculation, each seat incurs at least \$2.33 million a year. If this amount of expense is added to the overall expenditure and then divided by 60, each FC will incur more than \$70 million. So, it is really a waste of public money with the addition of so many seats. In London, New York and Tokyo, there is one seat for every 300 000 people, 160 000 people and 100 000 people respectively. In Hong Kong, however, there is already one seat for approximately 110 000 people. Of course, Hong Kong is just a city. Relatively speaking, the situation is more remarkable in other countries, such as the United States or Britain, where a seat will be created only when the number of people is very large.

This explains why I actually had some reservations initially, but I considered that the pond would remain stagnant should things remain unchanged. I also share the views expressed by Mrs Regina IP just now, because we indeed need some challenges. Of course, the horse in *Trojan Horse* may probably bring great changes to our ecology. Nevertheless, I am thinking in a more pragmatic

manner. Moreover, I have always been brave to try new things. I think that the legal profession should try something new whenever it can. While I might offend many fellow members of the profession mistakenly, I might also benefit many people at the same time. This is the reason why my style and personality is to continue to come up with new ways to change things. I think that there is a need for the FCs to make such an attempt, too.

Although I still have great reservations about this constitutional reform package, I also agree that it is time we tried something different, for this is always better than choosing either right or left, or either black or white. Mrs Regina IP was perfectly right in pointing out just now that the whole situation had changed. Everyone like democratization — I have to be careful, for many people will attack me — but still I must emphasize that Hong Kong has been very lucky, for a lot of things can already be preserved. Therefore, we must not give up other values and do a lot of things to cause damage to Hong Kong's cornerstone for the sake of pursuing democracy, so to speak.

I am afraid my speaking time is running out. However, I would like to try to discuss the special characteristics of FCs. In particular, strictly speaking, we should not prevent the package from being passed unless it has come to the critical moment. However, the reason for many colleagues to oppose this package as well as any reforms is that they would not accept the package unless the FCs are abolished. I wish to say that it might be too late for us to protect or defend the FCs or give them a fair trial, because the Government has been sticking to its old way over the years and failed to properly review, enhance and improve the FCs after 1997. Now, the FCs might have become seriously ill. I have no idea if they can recover, but still I think that we should make another attempt to work out solutions.

As I pointed out earlier in the meeting, there is no standard for universal suffrage, so to speak. Just now, Mr Frederick FUNG also cited many examples concerning Britain and the United States, so I will not mention such examples again. However, there might be many changes to even the electoral methods, such as the "first past the post" system or the proportional representation system. Even the voting ages, either 18 or 21, can be different. Even universal suffrage *per se* can take on many different modes, so Members should not think that there is such a thing as an ultimate package. Anyway, we already have such internationally recognized standards as universality, equality, and so on —

because even universal suffrage is not absolute. Even the number of voters in each constituency in Britain might vary. Therefore, we will consider anything so long as it is close to this standard. This is purely a representation package. It is most important that it can enable Hong Kong community to have sufficient representation while enjoying steady development.

Concerning this aspect, I must emphasize once again that, despite a lot of reservations and question marks, I would still reluctantly support this package in the hope that reform and progress can be made. Thank you, Deputy President.

**MR WONG TING-KWONG** (in Cantonese): In fact, FCs already existed when the system of representative government was introduced in 1985. FCs are a product of history, only that they have unfortunately been demonized recently. However, I consider that FCs have their historical significance. I believe history will make its own judgment on whether FCs are right or wrong, and whether they have merits or demerits.

Mr LEE Cheuk-yan mentioned earlier in the meeting that FCs serve only the interest of the constituencies, allowing collusion between business and the Government. Moreover, they appear to be standing in the way of others by raising questions on such matters as plastic bag levy, nutrition labelling, energy labelling, maintenance of electrical installations, and so on. In fact, I find that none of the FC Members has ever raised any objection. They have only provided some professional input during the discussion on the relevant legislation. Unfortunately, Mr LEE Cheuk-yan is not present at the moment. I would really like to ask him these questions: Is the plastic bag levy being implemented satisfactorily? Have green groups expressed satisfaction with the levy? Does the relevant sector consider the implementation of the plastic bag levy satisfactory? No. Being long-time supporters of nutrition labelling, we only hope that nutrition labelling in Hong Kong can be brought on a par with the international community. Is Mr LEE Cheuk-yan aware of all this? Very often, their indiscriminate criticisms are made when they have no knowledge of what is really going on. Mr LEE should understand the responsibility of making indiscriminate criticisms.

In fact, the thrust of the problem with the existing FCs lies in separate voting. In my opinion, the 60 Members of the Legislative Council should be

divided into two major categories. One is related to their political stances, and the other their sectoral interests. When their sectoral interests have nothing to do with their political stances, they will still protect their own sectoral interests. When it comes to political stances, however, a clear line is drawn. The so-called pro-establishment Members or patriotic Members are considered the majority of FC Members. Therefore, the FCs become instrumental in opposing or blocking a number of bills, particularly those concerning politics. This is why the so-called pan-democracy Members are fiercely against them on this front.

Are there no FC Members representing the labour sector? Similarly, there are three FC Members representing this sector. If none of the FC Member is a professional, how can there be collusion between business and the Government? As some Members have already explained the distribution of FCs in every trade and industry, I will not comment on them one by one here again. This is pretty obvious. In fact, I think nothing is absolute and 100% perfect. For instance, we all know that there is a serious shortage of columbarium and waste incinerators. But which directly elected Members dare to propose building columbarium and waste incinerators in their own constituencies? Though it is necessary for columbarium and waste incinerators to be built, they should be built somewhere else! We can thus see that under certain circumstances, they still have to protect the interest of their own constituencies.

Many people basically support the method for the formation of the Legislative Council in 2012 as proposed in the constitutional reform package. However, they are worried that populism will rise, should the FCs be abolished in the future, such that Hong Kong will become a purely welfarist society. We can find such examples in Greece, Spain and even Britain, where populism has pushed these countries to the brink of bankruptcy. A purely populist country is characterized by high welfare. This is inconducive to the business environment. Under such circumstances, what will happen to Hong Kong economy in the future?

In fact, employees and employers are closely related and mutually dependent. I find it very strange that Members of this Council often put them in a confrontational position. Various strata in society will move up and down frequently. Someone who is a wage earner today might become an employer tomorrow. Every wage earner aspires to success in their careers. Even

someone whose business has failed must look for a job. Therefore, I hope Members can change their mindset in this aspect. The two classes do not have to be confrontational. Can they work in collaboration and co-exist in harmony?

When it comes to social harmony, the industry hopes to see the constitutional reform bear fruit. Why will they support the reform? They hope to see harmony, too. The fight over constitutional reform has dragged on for a long time, and we have grown tired of it. This fight affects the economic development and business environment of Hong Kong as a whole. They hope to see social harmony achieved through this reform. However, it is very strange that they were teased by some pan-democratic Members for being "river crabs<sup>(3)</sup>". Is harmony a bad thing? Is it true that they will not feel happy and contented unless they keep on fighting every day? Is it true that they will not find immense happiness unless they really fight with heaven and earth and people? Therefore, I hope these two packages — the first one has already been passed. I hope the second one can be passed, too.

Through this debate in this Council, I think I have gained some understanding of the true essence of democracy. The true essence of democracy lies in inclusion and concession. We can have a brighter future if we take one step back. It is a great pity that I see that some people have behaved in such a manner that they consider those who submit to them will prosper and those who resist them shall perish. Even people walking on the same path with them will be cursed or threatened if they do not agree with what they say. Even their personal safety will be in danger. It can be said that they will exhaust every means possible to achieve what they want. Even a sick elderly man is not spared. Their behaviour can be described as inhumane, not in any way democratic. What sort of democracy is this? This is hegemony.

I believe the wheel of history is rolling forward in such a way that people's will cannot stop it from moving. Let me recite two verses of a poem: "As thousands of junks will sail past the sunk boat, Springtime shall always lie ahead the dead wood bridge". I believe Hong Kong will have a better tomorrow. Thank you, Deputy President.

---

(3) "river crab (河蟹)" in Putonghua is pronounced the same as "harmony"

**MS CYD HO** (in Cantonese): Deputy President, the Chief Executive must possess the quality of a leader, a strong sense of personal conviction and commitment, and the ability to balance the interests of various strata. When necessary, he must demonstrate the courage to say "no" to political privileges and people making excessive demands for economic privileges, so as to prevent these privileges from jeopardizing public interest.

(THE PRESIDENT resumed the Chair)

The role played by the Legislative Council, however, is different. Under the existing political system and in the foreseeable future, the Legislative Council is not going to play the leading role. We will be confined to a passive mode or a mode of acting as a watchdog on the Government. We can only join community organizations through open meetings in championing new policies. Therefore, the composition of the Legislative Council should allow participation of various social strata. Moreover, the Legislative Council should maintain a close accountable relationship with the community. This is why the democratic camp has proposed and endorsed an electoral package of "one-person-two-votes". Under this package, all the Legislative Council seats shall be divided into two halves, with half of the seats returned by a single-seat-single-vote system. This system ensures that successful candidates can definitely secure the support from more than half of the voters in his or her constituency. Therefore, they will surely represent the mainstream opinion of the community and will not deviate from the mainstream opinion. As for the second ballot, the entire territory will be included as a large constituency, and Members occupying the other half of the seats shall be returned by a proportional representation system. At present, the number of these seats is 30. However, should this motion be endorsed today, the number of the seats will be increased to 35 in 2012, or probably more in the future.

One of the advantages of the proportional representation system is that all political parties, large and small, can be benefited under the system — including political parties maintaining a conservative stance on political, economic and cultural affairs as well as small groups expressing concern about such avant-garde issues as human rights, environmental protection, and so on. For instance, the European Green Party began entering parliamentary assemblies from countries

practising the proportional representation system and, through public forums in parliamentary assemblies, championed environmental protection issues and certain new ideas not yet known and acceptable to the public. However, the rightist, which maintains a conservative economic and political stance, can also be elected. It is because the proportional representation system can ensure balanced participation and obviate the need for FCs. In Hong Kong, for instance, when the number of seats is increased to 35, a candidate who manages to get 3% of the votes can already secure one seat. I believe Members will also agree that, should the support obtained by a candidate be less than 3%, he or she should not be qualified to sit in this Chamber! Therefore, having half of the seats returned by the proportional representation system can already ensure balanced participation. In several East European countries where a democratic system is established through peaceful evolution, even the Communist Party which practises one-party dictatorship can continue to occupy a seat in parliamentary assemblies and influence the political scene. Hence, the industrial and commercial sectors should have no problem at all in doing so.

President, I mention the "one-person-one-vote" package put forth by the democratic camp here because a SAR government official is trying to put up a smokescreen again. While he claims to be determined in clearing up the fog, he has continued to put up a smokescreen. Although he is also talking about "one-person-two-votes", he has labelled it as an unfair system in an attempt to mislead the public into thinking that the system will become very fair by increasing five DC seats and allowing 3.2 million electors to vote in the FCs. Under the new package, these five DCFC seats can indeed be returned by all electors (not including the original 23 000 voters). However, the power structure of the Legislative Council is basically unchanged, and that is, separate voting will continue to exist, meaning that the minority can veto the majority. Furthermore, the electorate base of the minority is so narrow that the 24 FCs actually account for only 70 000-odd ballots, and 14 Legislative Council Members can be returned unopposed. Therefore, I would like to seek Members' assistance in explaining to the public should they mistakenly think that being allowed to vote in the FCs is tantamount to achieving equality. Actually, only one seventh of the FC seats can be returned by all electors, whereas six sevenths of the FC seats will not be returned by them. However, the minority, accounting for six sevenths of the votes, can still veto the decision made by all Members of the Legislative Council.

The "one-person-two-votes" package put forth by the democratic camp is based on a mechanism featuring full equality. However, there is a need for clarification as two groups of people are now using the same expression — "one-person-two-votes". While the "one-person-two-votes" system mentioned by the Government is not equal, the "one-person-two-votes" proposed by the democratic camp has not yet been put into implementation. Therefore, members of the public must be careful in differentiating the two.

The new package for the Legislative Council has no roadmap, only that some people suggest that universal and equal elections can be conducted in 2020. However, nothing has been mentioned about how "universality" and "equality" can be achieved and how "elections" can be conducted. For the time being, we have no idea as to how the electoral system will be changed. However, the civil society and political culture outside this Council has undergone a fundamental change a long time ago. President, 10 years from now, the vast majority of Members here would have already retired. The Legislative Council would belong to the new generation. They would have expectations for governance and for Hong Kong. We, members of this generation, are duty-bound to answer their calls and lay a foundation for them, for the sake of protecting the freedom of speech and freedom of assembly and facilitating flow of information, to ensure that the new generation can have room to grow freely.

It all stems from a concern about people's livelihood that the new-generation community organizations follow up the impact of urban renewal on residents. They live with the residents and join them in planning city and community development. They also pursue the autonomy in making their own choice in their lives. In its search for the root of Hong Kong, the new generation cherishes our historical landmarks, particularly those relating to the livelihood of the grassroots. They hope to distance themselves from the culture of shopping arcades. For instance, they cherished very much the Wedding Card Street (喜帖街), the street where traditional wedding invitation cards were printed; they also cherished very much the Star Ferry Pier, where they could leisurely take the cross-harbour ferries. They also fought desperately to protect the Queen's Pier, where white-collar workers and ordinary citizens could take a temporary respite. The values they pursue go beyond Central. Taking off their shoes, they feel with their bare feet the difference between the land in Central and the land in Choi Yuen Tsuen. The democracy they want is not only an electoral or voting system. This was not what they initially asked for. The voting for seats does

not mean much to them. What they want goes beyond the unitary lifestyle the Government has all along striven to create through policies in such areas as education, housing, development, planning, economy, culture, and so on. They do not want the values of Central.

The civil society of the previous generation was predominately unions, or pressure groups representing the interest of the public. To a certain extent, the interest of a collective identity was involved. However, the civil society of the new generation does not involve individuals or the interest of the groups to which the new generation belongs. Therefore, they have a stronger principle and higher expectations for social justice. Compared to us when we were more or less as old as they are now, they have more access to knowledge and information. They have an international outlook, commitment to society, and expectation for themselves for devoting more energy and efforts to the community. In fact, they provide the impetus to taking the community forward and forge the cultural identity of Hong Kong, with a view to turning Hong Kong into a modernized metropolis. More importantly, they are not nurtured by political parties. It is simply impossible for political parties to acquire such qualities regardless of the amount of resources they use and the number of seats they surrender. They have their novel views, getting close to life in a practical manner. However, our present constitutional package cannot answer the calls of the new generation because, even under the parliamentary system of the new package, the policies decided by this Council will still be dominated by the values of Central. Under these policies, everyone faces non-humanized, harsh competition and the fear of being eliminated. This system is not going to help Hong Kong evolve into a humanistic community with pluralistic values and choices. This problem cannot be resolved solely through full direct elections. However, the problem will definitely remain should a fully democratic political system be lacking.

Chief Executive Donald TSANG still has two years to go before he leaves office. By then, he might as well leave without achieving anything. However, someone coming from the existing accountable officials and Executive Council Members will have to stand in the election of the Chief Executive. Today, this constitutional reform package might be passed, and this DC package might also be passed. But nothing can be done to help the next Government defuse the bomb and, what is more, answer the calls of the new generation.

More and more people will call for direct democracy. The relationship between the civil society and political parties has already changed. Political parties can no longer act as the spokesmen for the civil society. This explains why I have pointed out repeatedly that government officials must not compete with political parties; instead, they must answer the calls of the new generation. They call for making public the decision-making process, so how can the authorities concerned face the aspiration for democracy direct? Such pressure will not disappear as a result of some cosmetic consultations or repeated statements about the Basic Law not having empowered the Government to conduct referendum. What is more, it will not disappear as a result of increasing 10 more Legislative Council seats.

President, democracy is nothing but a system under which disputes are settled and consensus ought through peaceful and rational means. This is why I have been moved by the remarks made over the past two days by Members and government officials critical of violence. I also hope government officials can take the first caring step from here to promote a democratic political system as the first step to eliminate violence.

In fact, verbal violence can only embarrass Members or hurt the pride of those whose hearts are fragile. However, institutional violence can kill someone without a trace. In this 100-year-old Chamber, well-dressed and groomed Members are seen approving funds and enacting legislation in a relaxed and elegant manner. If I borrow the wordings used by the Chief Executive, "their fingers move here and there within a few centimetres between the "for" and "against" buttons". However, these trivial movements can affect tens of thousands of households. If politically appointed officials and Legislative Council Members cannot appreciate the plight of the people, and the people can do nothing to influence policies, then the laws enacted by us will have a negative impact on many households.

Secretary Stephen LAM, could you please let me finish my speech first? Thank you. It would be a pity if no accountable Bureau Director is present. Regarding the issue of verbal violence mentioned by me earlier, Secretary Stephen LAM had made the longest speeches and expressed a lot of opinions. In fact, it is a great pity that Chief Secretary Henry TANG is not present, because he also talks about verbal violence very often.

President, once a law enacted in this Chamber takes effect, many people who have no power and influence will only be preyed on freely by law-enforcement departments. I am referring to ordinances relating to urban renewal, owners and tenants, and compulsory sale of land. Owing to these ordinances, many small and old owners are left with no choice but to sell their properties at dirt-cheap prices.

I have recently been handling cases concerning Tai Shing House in Western District. Because of the proposed construction of the West Island Line, the MTR Corporation Limited has invoked the Railways Ordinance to acquire properties forcibly from the people. In one case, a residential unit was bought for approximately \$2 million. Is there any unit in the Central and Western District which is worth only \$2 million today? In two other cases, a 400 sq ft shop premises and a 640 sq ft flat were bought for \$1.83 million and \$1.53 million respectively. The affected people include an elderly couple, as no banks are willing to lend them money to purchase another property. Yet, the money they receive is not enough for them to buy another unit. Moreover, nobody is willing to let their places to them for fear that they might have accidents because they are too old. Now, their relatives can only rent a cubicle apartment on their behalf. President, this is what I mean by institutional violence. I would like to ask government officials to remember this saying, "Why for a tyranny bother to apply the law if it takes away lives like plucking grass". I hope Members and government officials who have condemned verbal violence over the past two days will remember this saying when they feel their pride hurt by verbal violence and think about the number of households which will be affected as a result of the policies formulated and laws enacted by them.

I also have something to say in response to Chief Secretary Henry TANG's remark that Members vetoing the package intend to take a free ride and he was "disappointed" with us. In fact, we are not interested in taking the ride because we have no idea where the vessel will go, and we have no intention at all to board it. We only wish to prevent people with political privileges from seizing economic privileges. We only wish to prevent people with these privileges from taking advantage of the blood and sweat of the grassroots to occupy the super deluxe seats in the platinum cabin of the vessel.

President, I oppose this package that seeks to increase the number of FC seats.

Secretary Stephen LAM, you may take a break now.

**PRESIDENT** (in Cantonese): Members, just now, I requested the staff of the Secretariat to find out how many Members intended to speak in this motion debate. I reckon that it is impossible for this motion debate to be concluded before midnight. Therefore, I will declare the meeting suspended at around 10 pm until 9 am sharp tomorrow.

**DR RAYMOND HO** (in Cantonese): President, according to Article 68 of the Basic Law, the method for forming the Legislative Council shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region (SAR) and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all the Members of the Legislative Council by universal suffrage. In order to amend the method for formation, we should comply with the Basic Law and the Decision made by the Standing Committee of the National People's Congress (NPCSC).

According to the Basic Law, the method for forming the Legislative Council in Hong Kong shall be in accordance with this principle of gradual and orderly progress, moving towards the goal of universal suffrage step by step. How did we implement it in the past? According to Annex II to the Basic Law, the composition of the Legislative Council in the first and second terms shall include Members returned by the Election Committee, and the numbers of seats are 10 and six respectively. Starting from the third term of the Legislative Council, Members returned by geographical constituencies (GCs) through direct elections and Members returned by FCs should respectively occupy half of the seats. On 26 April 2004, the NPCSC made a decision to rule out the election of the Chief Executive and all Members of the Legislative Council by universal suffrage in 2007 and 2008 respectively, and the equal proportion between Members returned by FCs and Members returned by GCs through direct elections should remain unchanged. Moreover, the NPCSC made the Decision on 29 December 2007, setting a definite timetable for the introduction of elections by universal suffrage for the Chief Executive and the Legislative Council of the

Hong Kong SAR. The Decision states clearly that the Chief Executive can be elected by universal suffrage in 2017 in Hong Kong; and it also states clearly that after the election of the Chief Executive by universal suffrage, all Members of the Legislative Council can also be elected by universal suffrage, that is, all Members of the Legislative Council can be elected by universal suffrage in 2020.

Early this year, I mentioned in the Panel on Constitutional Affairs that the Basic Law had neither given any definition on universal suffrage nor spelt out that FC seats should ultimately be abolished. There are divergent views in society in respect of universal suffrage and abolition of FCs. To some people, universal suffrage means that FCs should definitely be abolished and Members should be returned by geographical direct elections of "one person, one vote". They even turn against Members returned by FCs and take every opportunity to criticize and insult them. On the other hand, some in society consider that universal suffrage may not necessarily be opposite to FCs. It is because FCs can ensure the balanced participation of various sectors, taking the interests of all walks of life into account. As for the question of whether FCs should be abolished, I have all along adopted an open attitude. Before finalizing the method for forming the Legislative Council in 2020, I think the existing numbers of seats returned by GCs through direct elections and FCs should be frozen. To prevent arousing controversies, we should neither increase nor reduce the number of seats returned by FCs. We should rather enlarge the electorate base of FCs, so as to enhance the democratic elements and nature. By the time when the method for electing all Members of the Legislative Council is endorsed by a two-thirds majority, we can abolish the existing FCs or the so-called traditional FCs wholesale at one go. I have put forward such an idea before. The eight professional sectors of FCs have already conducted elections of "one person, one vote". As for enlarging the electorate base, the engineering sector can be cited as an example. In 2005, I proposed that Graduate Members and Associate Members of the Hong Kong Institution of Engineers (HKIE) should also be included as eligible voters, so that the number of electors could be increased from the existing 13 000 to over 30 000. This proposal was endorsed by the Council of the HKIE. Graduate Members are those with an accredited degree, who will obtain the relevant professional qualification in the coming three or four years, while Associate Members are basically engineering technologists who have obtained an associate degree or various kinds of diploma. Unfortunately, this proposal could not be put forward as the constitutional reform package was voted

down at that time. Along the same line of thought, FCs with voters being primarily corporate voters should consider expanding their respective electorate bases to enhance their representativeness. Insofar as the expansion of electorate bases is concerned, adjustments should be made by individual FCs in the light of their specific circumstances.

In considering the arrangements on the method for the formation of the Legislative Council, I have been exploring (and put forward time and again) the following three major directions in this Council: (a) Electors can vote in geographical direct elections of "one person, one vote" and there will be no FC; (b) Electors can choose to vote in either geographical direct elections or FC elections of "one person, one vote" and there will be FCs; and (c) Electors can vote in both FC elections and geographical direct elections of "one person, two votes".

By the end of last year, I put forward (c) mentioned above, that is, the mode of "one-person-two-votes", to deal with the problem of the additional FC seats. To avoid arousing controversies over the change in the existing number of FC seats, I proposed that the additional five seats of the DCFC should be returned by electors in the five constituencies who do not have the right to vote in the traditional FCs. Of course, we can also consider allowing 3.2 million electors in major constituencies in the territory to elect candidates under the proportional representation system.

Alan HOO, a Senior Counsel, mentioned more than once at a seminar on constitutional reform that this package would be feasible. In fact, I have proposed this package on the basis of the important theory that the electorate bases of the FCs in this Council would be enlarged without increasing the number of seats of the traditional FCs, whilst its democratic elements and nature would have been enhanced. Regarding the threshold of nomination, I think it sufficient to have nominations by 10 directly-elected DC members.

There are a lot of common points between the "revised package" currently proposed by the Democratic Party to deal with the method for the formation of the Legislative Council in 2012 and the package of "one-person-two-votes" proposed by me just now. I am so glad that the Democratic Party can further enhance this package, so that it is very likely to be endorsed today.

Of course, I admire the Democratic Party for their courage to make such a decision this time, which has brought tremendous pressure on them. I do hold deep sympathy for them. Anyway, I believe they should be able to tide over this difficult time.

Mr QIAO Xiaoyang, Deputy Secretary-General of the NPCSC made a remark in Beijing on the 7th day of this month, stating clearly that the core detail of "universal suffrage" was the protection of equal election rights. Let me cite his remark here (and I quote to this effect), "The concept of 'universal suffrage' stresses that inequality of election rights because of difference in property, sex and race should not be allowed. Therefore, 'universal suffrage' generally refers to universality and equality of election rights. However, according to the general understanding in the international community, it is allowed in laws to impose reasonable restrictions on election rights. Various countries can, based on their actual situation, adopt different election systems to achieve universality and equality of election rights. This is the reality in the international community nowadays." (End of quote) President, in my opinion, the Democratic Party's revised package can fully manifest the spirit in this regard.

I have mentioned during the discussion on the motion concerning the amendment to the method for the selection of the Chief Executive that irrespective of today's voting result (of course, I think there is a high chance for this motion to be endorsed today or tomorrow), I hope all Members in this Council can consider the platform proposed by the Professional Forum just now. This is a platform for communication, or you may call it a platform set up for attaining the goal of universal suffrage. In fact, this is already the second time for the four Honourable colleagues from the Professional Forum to discuss this proposal with the mass media. We consider that Members from any political party or independent Members should maintain communication to come up with a constitutional reform package that is acceptable to all, so that constitutional development in Hong Kong can move forward. With some small adjustment to our goal, we can forge a consensus on minor issues and achieve unity, thereby attaining universal suffrage for the two elections in 2017 and 2020 ultimately.

The revised package proposed by the Democratic Party this time has induced positive responses from both the Central Government and the SAR

Government. This has precisely demonstrated the importance of communication through which many problems can be resolved.

President, the constitutional reform package has made a breakthrough recently, which is indeed a hard-won achievement. We should seize this opportunity to attain the goal of dual universal suffrage, so that constitutional development in Hong Kong can continue to move forward.

With these remarks, I support the motion. Thank you, President.

**MR WONG KWOK-KIN** (in Cantonese): President, today marks a historic moment of constitutional development in Hong Kong, with the resolution on the method for the selection of the Chief Executive already passed. The resolution on the method for the formation of the Legislative Council will probably be put to vote tomorrow, and if everything goes well, I believe it will also be passed smoothly. I am very honoured to be able to take part in the making of this decision and witness this historic moment.

President, Hong Kong has been perplexed by the issue of constitutional reform for years, with different political powers insisting on their own advocacies. In 2005, the constitutional reform package, which was supported by more than 60% of the public, was vetoed by the opposition in a bundled manner. As a result, Hong Kong was trapped in a political stalemate, with its democratic development making no progress at all over the past five years. Today, we are given the opportunity to break this stalemate and reshape history. I appeal to every Member in this Chamber to treasure and seize this opportunity.

President, members of the public attach great importance to the passage of the resolution on the constitutional reform package. Although it has been blistering hot and rainy over these two days, there are still a large number of people gathering outside the Legislative Council Building to show their support. Seeing the courage of so many people in expressing their support for the reform, I have full confidence that the Hong Kong Federation of Trade Unions (FTU) has made the right political decision in supporting the resolution on the reform package.

President, it is the hope of the public that disputes within the community can be reduced after the constitutional reform issue has been resolved, so that the SAR Government can devote its attention to economic development issues and livelihood problems, such as exploring ways to create employment opportunities, implementing the minimum wage expeditiously, formulating standard working hours, offering transport subsidies to low-income persons, resuming the construction of Home Ownership Scheme flats for the sandwich class, actively considering the provision of universal retirement protection, immediately removing the absence rule for Old Age Allowance and Comprehensive Social Security Assistance recipients, and so on. I would like to remind the Government not to disappoint members of the public who have expectations for the Government. Their expectations, if not realized, will become public grievances. When public grievances erupt, senior government officials will be forced to "act now".

President, during the discussion of the current constitutional reform package, I have noticed that various sectors of the community, including most pan-democrats, agree that constitutional development has to comply with the provisions in the Basic Law and the Decision made by the Standing Committee of the National People's Congress (NPCSC) in 2007. This is a matter of principle, because Hong Kong not only belongs to Hong Kong people, it also belongs to all the Chinese people. The future of Hong Kong, whether good or bad, relates closely to the country as a whole. Of course, on the premise of "one country, two systems", "Hong Kong people ruling Hong Kong" and "a high degree of autonomy", the Central Authorities have been fully respecting the rights of Hong Kong under the Basic Law after the reunification. As it is an international consensus that "one country, two systems" has been thoroughly implemented in Hong Kong, there is no need for me to dwell on this.

President, just now, some pan-democratic Members criticized the Central Government and its office in Hong Kong — the Liaison Office of the Central People's Government in the HKSAR (the Liaison Office) — for coming forward to the stage in the process of discussion on the current constitutional reform package. They were worried that intervention in Hong Kong affairs would become an established practice in future. There is no need for us to argue here as to whether intervention will be resulted. However, Members should bear in mind that the Central Government and the Liaison Office had openly expressed

their views and met with some pan-democrats in response to the requests made by the pan-democratic camp. The requests were made by the pan-democratic camp itself. The Central Government merely showed its sincerity towards the development of democracy in Hong Kong. On the contrary, the SAR Government has not come up with any effective measures in promoting its constitutional reform package. Many people have criticized the publicity campaign launched by the SAR Government as lacking in substance, and the public simply cannot feel the Government's sincerity in promoting its reform package. Many members of the public, be they supporters or opponents, do not have a clear understanding of the content of the package and why they have to support or oppose the package. For instance, many people described Mr Donald TSANG as asking for troubles to initiate a debate with Ms Audrey EU. They used a Cantonese saying: "陸雲亭睇相" (to which the ulterior meaning is "asking for troubles") to describe Mr Donald TSANG's initiative — our knowledgeable President definitely knows the ulterior meaning to the above Cantonese saying. On the TV screen, instead of witnessing the Chief Executive convincingly analysing the content of the constitutional reform, we could see that the Chief Executive was completely knocked out in the debate. We were given the impression that the Government's constitutional reform package could not withstand even a single blow. Despite the so-called new gimmick, "Act Now", publicized by the Government during its visits to various districts, many senior government officials had given people the impression that they could not even explain the package. We could see on the television that they were either speechless or saying thank you to someone for speaking loudly when they were confronted with questions. Hence, the more publicity is launched, the lower is the support rate. Eventually, the Government can only count on the Central Authorities for rescue.

President, the FTU will support the two resolutions on the constitutional reform package today. In the interest of the overall situation, we are pleased to see the constitutional system moving forward. However, I hope the Government will not regard us as "sedan-chair carriers", as described by Mrs Regina IP just now.

Should the two resolutions be passed today, Members voting in favour of them will be taken as joining hands in turning a new chapter in the history of the constitutional development in Hong Kong. Lastly, I would like to take this

opportunity to express my appreciation for the political courage and commitment demonstrated by the Democratic Party which has made all this happened.

With these remarks, President, I support the package.

**MR ALBERT CHAN** (in Cantonese): President, in a most serious and solemn manner, I give a big hand to our great Chinese Communist Party for winning an unprecedented victory and achieving an unprecedented success in forging a united front of democracy in Hong Kong. *(Sound of hands clapping)*

Please stand up to applaud the success of the united front of the Chinese Communist Party. Please keep standing and clap hands! *(Sound of hands clapping)*

President, let us extend our congratulations in this Chamber for the formation of this party about democracy which has propriety, justice and honesty. Let us clap our hands again! *(Sound of hands clapping)*

President, this can well be said to be the finest hour. Some people from the royalist camp say, "It is crazy." It is really crazy. Why in this Chamber in Hong Kong, in this place where "one country, two systems" and "a high degree of autonomy" are supposed to prevail, and under the guarantee of the Sino-British Joint Declaration and the Basic Law, the objective about the political developments of Hong Kong and the formulation of its constitutional system can be achieved in such a glorious and victorious manner along with the success in forging a united front?

I repeatedly pointed out in this Chamber many years ago that the notion of "one country, two systems" had died. It does not exist anymore. The Chinese Communist Party's influence is felt in every aspect of the governing of Hong Kong. The Chinese Communist Party and the Central People's Government have gained complete control over every stratum and every grouping. At that time, I made the analysis by referring to the intricate web of control. This was said many years ago. It can be seen clearly from the current constitutional reform exercise that over the past 20 to 30 years, the work done by the Chinese Communist Party in forging a united front in Hong Kong has been extremely successful.

President, in the debate today many people are unhappy about the criticisms made by the League of Social Democrats. President, the League of Social Democrats is a follower of Marxism and a very important part about Marxism is its theory of critique which includes a critique of the capitalist system, a critique of social conflicts, a critique of the value of human existence as well as a critique of the suppression and exploitation found in the relationship between political systems and people. Any act, system or law which curbs human freedom, undermines human dignity and deprives people of their basic rights should be subject to criticism. The League of Social Democrats also criticizes ourselves. Therefore, I am grateful for the criticisms made by people from all parties and groupings on the League of Social Democrats both inside and outside this Chamber during these two days. We will not regard these criticisms as reckless rants and we will not say that such criticisms should not have been made. As we criticize other people, we welcome criticisms from others, even the fiercest ones. But I must say that the level and quality of some criticisms are not up to standard.

President, another interesting point we found during these two days was that the critique against the League of Social Democrats came from all quarters. These include government officials, and Members of the royalist parties from the business sector and DAB Members. It is worth noting that the criticisms made by friends from the so-called democratic faction in the Democratic Party are very similar to those made by the people mentioned above. This is an interesting phenomenon in history, in that under the baton of the Communist Party and the banner of a united front, these criticisms from all quarters are made in unison and in tune with the Communist Party. They are like criticisms made by *Wen Wei Po* and *Ta Kung Pao* about opposing China and stirring up troubles in Hong Kong and running counter to the united front.

**MR LEUNG KWOK-HUNG** (in Cantonese): Confrontational unity.

**MR ALBERT CHAN** (in Cantonese): This is another interesting and absurd phenomenon. Ever since the founding of the League of Social Democrats, we have been making our standpoint known very clearly that we are the real leftists.

We are advocates of social democracy. We believe that the Chinese Communist Party should also cherish social democracy. And so there should be many similarities between us and the Chinese Communist Party with respect to the theoretical basis about human dignity and justice in social systems and so on. But one can never imagine that for a truly leftist political organization that embraces social democracy, its mindset and its dissatisfaction with the current political system would have become the focal point of critiques made under this united front.

President, under the present system, as we can see during these two days, many criticisms were pointing to the fact that this community is being torn apart. So they called for harmony and tolerance. But those who are most intolerant are you people. Those who are most intolerant are government officials in Hong Kong. Those which are most intolerant are the systems which deprive people of their most basic democratic rights. Where on earth is your tolerance? The people do not have a chance to vote. They cannot take part in this system. How can you say that there is tolerance? Is the privileged class talking about tolerance? When these privileged people criticize the people being exploited as being intolerant, it is tantamount to the aristocrats and the royal family criticizing the words of discontent of the commoners and the peasants before the French Revolution. In the end, the king and the aristocrats were sent to the guillotine by the peasants whom they criticized and oppressed. So just go on suppressing the helpless people and rebuking those people who do not have any power or privilege, including those young people who are showing their discontent outside.

Yesterday I saw the faces of some of our friends from the democratic camp when they rebuked the young people and said that they were violent. But is their violence greater than this system which deprives the seven million people of Hong Kong of their rights? Is their violence greater than the Government which, despite of its surplus, chooses not to give financial assistance to the poor for them to lead a decent life? Is their violence greater than the Government which scraps the Home Ownership Scheme and the innocent people are not allocated public housing units after waiting for seven to eight years? Is their violence greater than top officials earning \$3 million to \$4 million a year but doing practically nothing? Their job is to wait for the Central Authorities to do everything for them and they just scold the general public of Hong Kong for lack of tolerance and not conforming to the value of harmony. It is the system itself

that has no harmony. And it is the oppression, exploitation and suppression under this system that accounts for disharmony.

Therefore, President, in this era of rampant absurdities, people in the privileged class are controlling the resources in society, and manipulating the formulation of policies. You are the ones who get all the privileges and what you do next is to rebuke the people for their lack of tolerance. More than 7 000 old people are waiting for their places in the homes for the aged, and they may not get a place the day they die. When 1.23 million people are living under the poverty line, where then is your tolerance? Where then is harmony? You make such harsh criticisms against the powerless people and you lick the boots of the powerful consortia. So President, as long as there is no reform in this system and the people of Hong Kong do not come forward and voice their opposition, the situation where the common people are smeared, suppressed and bullied by these minions and corrupt officials will continue.

On the issue of political system, we should talk about its design and components. It is ridiculous to hear in these two days that many people say that there are also good guys in FCs and there are also bad guys in GCs. There are bad guys in a good system while there are also good guys in a bad system. But we are talking about systems and a system should be judged on its own merits. There are good guys among robbers, right?

**MR LEUNG KWOK-HUNG** (in Cantonese): Is DENG Xiao-ping a good guy or a bad guy?

**MR ALBERT CHAN** (in Cantonese): We should have a pretty good idea as to whether DENG Xiao-ping is a good guy or a bad guy. I will say that there are good guys in the communist party. I have seen some community party members who are good guys, but there are also bad guys in the communist party. There might be bad guys in the League of Social Democrats. I will not rule out this possibility. But it is true that there are many good guys in the League of Social Democrats. It is the same. There are still many good guys in the Democratic Party. An example is John C K CHAN whom I admire very much. He is a selfless person and he works for the people and fights for democracy. But there are also many bad guys in the Democratic Party. I saw many of them when I

was there. They are unscrupulous. They just go after their personal interests and seize all the good things, shirking every responsibility. I have seen a lot of these people. However, when we talk about political systems, we should use some basic yardsticks to measure them, instead of just saying that there are good guys in this system and bad guys in that system.

When we talk about democratic systems and the development of the political system of Hong Kong, we should use some basic yardsticks to measure them. And the yardsticks are universality and equality. When a system is not universal and equal, you cannot accept a system with such a design. The Democratic Party has made a new proposal on FCs, saying that its proposal is very democratic and this new system should be introduced. We must talk about principles when we come to the issue of systems. If you care nothing about principles and if you betray principles, you are also betraying democracy. During the past couple of days, a number of people from the Democratic Party responded to our criticisms. They were, of course, attacking us much of the time, but we welcome that all the same. We will definitely search our souls when they have said the right things.

But they have not addressed the two major concepts which I stressed yesterday. They did not address these concepts when many of them spoke. One of these concepts is the concept of entrustment. As Members belonging to a political party, you are elected to this Council. The people have entrusted you to speak on their behalf by virtue of your election platform and pledges. When you put forward a platform, they give their entrustment to you, and you should fight for them. They have entrusted you to go east, but you go west instead. They have entrusted you to fight for democracy and abolish FCs, but you increase the elements of FCs instead. This is cheating the voters and betraying democracy. They do not admit this. And CHEUNG Man-kwong even said with a great sense of righteousness that the new FCs do have democratic elements. Then why did he not state this when he stood for the 2008 elections? He did not say so back then, and this is deception.

LEE Wing-tat slams at LEE Shau-kee for building an apartment tower which claims to have 88 storeys, saying that fraudulence is involved. But the way the Democratic Party is cheating the voters is much worse than LEE Shau-kee's remarks about his building at 39 Conduit Road. He said that the building had 88 floors. One knows that there are not 88 floors simply by

looking at the outward appearance. He was only talking in an irresponsible manner. But the Democratic Party cheats the people by saying that it fights for dual universal suffrage in 2012. This can be found in LEE Wing-tat's election platform. He had never said that there would be a replacement proposal or a super FC proposal and so on. He even said that they were equivalent. Is such deception worse than LEE Shau-kee's? Then he said that he would discuss it with his party comrades. But it is not his party comrades who elected him to be a Legislative Council Member, it is the 300 000 voters who elected members of the Democratic Party to this Council.

I have made a simple analysis myself. A survey done by The Chinese University of Hong Kong (CUHK) has revealed that about 50% of the people support the changes of the Democratic Party. In other words, about 40% of the people did not support it. I figure that according to CUHK's survey, five Members from the Democratic Party will not be able to be re-elected and they are: Emily LAU, James TO, KAM Nai-wai and Fred LI. And if you refer to the election platforms at that time to see who will not gain the support from voters, at least several members from the Democratic Party will not be elected. This is nothing else but deception. Emily LAU is a bit more honest. I think she still has got a sense of shame and a sense of right and wrong. She admits that she has changed. She says that she will apologize and subject herself to the sanction of her voters.

But the logic behind this is not right either. If you sign on a civil contract and breach the contract terms subsequently, you will have to compensate. You will have to make the compensation at once, not afterwards. In case of frauds, one will be put into jail. But there is no such thing in politics. When there is deception in politics, one can disguise it as a moral glory of steering Hong Kong out of darkness. They are playing the saint and the authority while deceiving people. It is such shameless act that really makes me mad. This is the greatest scam in the political history of Hong Kong. If the Democratic Party votes in favour of the proposals later, it will become a party of swindlers. How can a political party act so shamelessly to distort the facts? When you have done something wrong, you should bow and apologize, then tender your resignation. But you must never say that you still represent the people when you have changed.

President, I would like to thank Andrew CHENG for his concern for me. I would ask that he should not be so agitated today. Martin LEE has also called me. I said, alright, I would adjust my index downwards by three, he said that he would not mind if I make it eight. I wish to thank him for his concern for my health. Thank you.

**MR LEUNG KWOK-HUNG** (in Cantonese): Can I ask him to elucidate the content of his speech? President, I really do not understand. Can I ask him to make an elucidation? Can I ask the Member to make an elucidation?

**PRESIDENT** (in Cantonese): Mr Albert CHAN has finished his speech. He has used up his speaking time.

**MR LEUNG KWOK-HUNG** (in Cantonese): I do not understand what he meant by confrontation and no confrontation. It seems that I heard him talk about confrontational unity ..... Will he make an elucidation on this point?

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, Mr Albert CHAN is your loyal comrade. I believe that he can elaborate this point to you for two hours outside this Chamber.

**MR LEUNG KWOK-HUNG** (in Cantonese): I just want to help this Council understand. It is because he has been talking in a too abstract manner. *(Laughter)*

**PRESIDENT** (in Cantonese): Please sit down. Mr Albert CHAN has .....

**MR LEUNG KWOK-HUNG** (in Cantonese): What do confrontation and unity mean? Does it mean the confrontation and unity of collectivism and bureaucratism in the assembly?

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, please sit down.

**MR LEUNG KWOK-HUNG** (in Cantonese): How can there be unity if there is confrontation?

**PRESIDENT** (in Cantonese): Please sit down.

**MR LEUNG KWOK-HUNG** (in Cantonese): All right. Are you saying that confrontation .....

**PRESIDENT** (in Cantonese): Mr Albert CHAN has used up his speaking time.

**MR ALAN LEONG** (in Cantonese): President, here in my hand is the Basic Law of the Hong Kong Special Administrative Region. It is stipulated in Article 68 of the Basic Law that "The method for forming the Legislative Council ..... The ultimate aim is the election of all the members of the Legislative Council by universal suffrage." This is a solemn undertaking, which was made by the Central Authorities to the people of Hong Kong on 4 April 1990 when the Basic Law was promulgated. When we discuss how genuine universal suffrage should be implemented, we must start at this point. We are simply reminding the Central Authorities to fulfil a promise they made 20 years ago. How can this be regarded as impudent insubordination and why this should not be done?

Earlier on, some Members pointed out that Hong Kong people should not forget that Hong Kong was only a special administrative region under "one country, two systems". They think that we should thus be pragmatic, and we should accept whatever extent of democracy the Central Authorities allow and should not ask for more. President, should we just turn a blind eye to it when the Central Authorities go back on its promise? Should we just take it silently and resign to fate? To ensure a stable transition in Hong Kong, the Central Authorities led us to believe that there would be "Hong Kong people ruling Hong Kong" and "a high degree of autonomy". After a lapse of 13 years since the smooth reunification, is it the time to kick away the ladder and implement

"Beijing-style universal suffrage" in Hong Kong? Are we going to forget history in exchange for prosperity? Are we going to retreat into silence collectively? Are we going to lose memory collectively?

President, the steps of reforming the election system for the Legislative Council have been laid down in the Basic Law. The number of GC seats was increased from 20 seats in 1998 to 24 in 2000 and to 30 in 2004. On the contrary, the number of FC seats was reduced from 40 seats in 1998 to 36 in 2000 and to 30 in 2004. The replacement of FC seats with GC seats has already been recognized as a correct direction towards universal suffrage. The democratic camp adopts this mode of reform to muster support from Hong Kong people for the abolishment of all FC seats.

President, the Central Government and the SAR Government should have fulfilled their obligations under the Basic Law. According to the spirit of the Basic Law, the roadmap for implementing universal suffrage should be formulated according to the modes and directions I mentioned earlier, leading society to move towards the goal of forming the Legislative Council by universal suffrage.

However, the two Decisions made by the Standing Committee of the National People's Congress (NPCSC) in 2005 and 2007 stated clearly that the ratio between Members returned by GCs and FCs should remain unchanged. This is tantamount to altering the development direction of the constitutional reform. As such, in terms of the number of GC seats, there is not the slightest improvement in the current Legislative Council as compared with the Third Legislative Council. The decisions have also denied the mode of constitutional reform of replacing FC seats with GC seats. President, five years ago, the people of Hong Kong put forth the request for a timetable and a roadmap for universal suffrage. At that time, the democratic camp used this as the main justification for vetoing the package. As a result, the 2007 NPCSC Decision stated the response of the Central Authorities to our request for a timetable for universal suffrage. This was the achievement attained by Hong Kong people who showed people's power, which was evident that the democratic camp's opposition to the "crap" constitutional reform package had played an important role.

President, though we are facing unjust and unreasonable hurdles imposed by the Central Government on constitutional reform, Hong Kong people should not become dejected. All the more, the Civic Party firmly believes that if Hong Kong people bring the people's power into full play, the Central Government will give due regard and respond to it.

When the Civic Party first decided to launch the *de facto* referendum campaign in the five GCs, it wished to explain the perils of FCs to the public in the process. Though not everyone agrees to this strategy in striving for universal suffrage, we cannot deny that after the *de facto* referendum campaign in the five GCs, more Hong Kong people realize and understand that democracy and people's livelihood are closely related. They have reflected the impact brought by FCs on people's livelihood, and understood that the separate voting system has put Hong Kong in an unjust position where the majority is forced to follow the wishes of the minority. With the endeavour of the entire pan-democratic camp, the retention or abolition of FCs is the focus of constitutional reform now. After the "TSANG-EU Debate" held on 17 June, there is ample room for the public to get to know about the arguments of the democratic camp and the SAR Government. The people of Hong Kong may express their stances on constitutional reform more clearly. The surveys conducted by various universities indicate that the call from Hong Kong people for the abolition of FCs is getting louder.

President, the democratic camp, with the backing of public opinions, should have seized this moment when public sentiments are focused to veto the "crap" constitutional reform package. Subsequent to the veto in 2005, we should take this opportunity to express unequivocally our unswerving stance and urge the Central Government to respond expeditiously to the aspiration of Hong Kong people for abolishing FCs. The Civic Party believes that vetoing the package will release considerable political energy and convey a very important message. This may prompt the Central Government to address the issue of retaining or abolishing FCs in considering the constitutional reform in order to gain the recognition of Hong Kong people.

President, the "new District Councils (DC) proposal" put forth by the Democratic Party recently has initiated much discussion in society. The Civic

Party has the following concerns about the proposal. First, with the endeavour of political parties, academics and people's organizations, and so on, the public recognizes that FC is a tumor in the political system of Hong Kong. The specious definition of universal suffrage given by the Government can no longer win the trust of the public. The only way to implement genuine universal suffrage is to abolish all FC seats. The force of public opinion on the abolition of FCs has gained momentum in society, which will exert the strongest moral pressure on the 30 FC seats. However, the "new DC proposal" will sidetrack the discussion focus on constitutional reform. In the next two years, the Legislative Council will focus on details like the nomination method and demarcation of constituencies for the five new seats, and it will be more difficult to have discussion on the reform direction of other FCs. The Civic Party is worried that the force of public opinion mustered earlier will lose its pivotal point, and the cohesion of democratic movement can hardly be maintained in future.

Second, President, the mode of reform for achieving ultimate universal suffrage by replacing FC seats with GC seats has all along been the design of the Basic Law. However, the "new DC proposal" may deviate from the route that has been taken in the past 10 years or so. This will confirm the arrangement of the Central Government of maintaining the ratio between Members returned by FCs and GCs unchanged, which is, in effect, an endorsement of the proposal of the SAR Government in increasing FC seats. The Civic Party is worried that under the "new DC proposal", the FC election arrangement, which deprives Hong Kong people of the right to be nominated, will last forever. The "new DC proposal" will provide an escape route for FCs in the face of moral pressure, and FCs will not be abolished eventually. People enjoying such privileges will be the biggest winners.

Third, President, under the separate voting system currently adopted in the Legislative Council, the 3.3 million people holding the majority view have to follow the wishes of the some 220 000 people in the minority, which is a blatantly unjust and unfair arrangement. This is the major justification held by the democratic camp in demanding the abolition of the separate voting system. However, the "new DC proposal" enables FCs to have the legitimacy of over 3.3 million voters. As we all know, even GC Members in the pro-establishment camp consider that the retention of FCs may also comply with

the definition of universal suffrage. The Civic Party is worried that the "new DC proposal" will provide a chance for the democratic camp to fall into the trap of the arguments of the pro-establishment camp. This will allow the pro-establishment camp to create a false impression that FCs have public mandate, reinforcing their justifications for retaining the separate voting system and FCs, which will pose a bigger obstacle to the democratic movement.

Fourth, insofar as constitutional reform is concerned, a tiny move will affect the entire picture. From the date the Democratic Party put forth the "new DC proposal" to the official acceptance of the proposal by Beijing, it took less than a week. Since the development took place within such a short period, the people of Hong Kong do not have enough time to understand the content of the proposal, whereas the Government has not explained the method for returning the 10 new seats. The Civic Party considers it too hasty to support a revised proposal without comprehensive discussion and consultation. In such case, the Legislative Council will only serve as a rubber stamp, and the Council can hardly explain its case to the public.

Fifth, President, regarding the stance on striving for universal suffrage, the democratic camp has all along insisted on the following three points: (1) the selection of the Chief Executive and the formation of the Legislative Council by universal suffrage by 2017 and 2020; (2) the nomination threshold for the selection of the Chief Executive should not be higher than that in 2007; and (3) FCs should not be retained in any form in 2020. If we, under the circumstances that the Central Government has not given any assurance to the public on the issues mentioned above, accept the "new DC proposal", supporters of the pan-democratic camp will not trust us anymore.

President, summing up the worries mentioned above, the Civic Party finally decides not to support the "new DC proposal" put forward by the Democratic Party. We will continue to strive for the early implementation of genuine universal suffrage and the abolition of FCs in a pragmatic and reasonable manner and with an unswerving stance.

After the voting today, President, the democratic movement will surely be trapped in a low pressure zone and the road to democracy will be thorny. Different factions of democrats, together with the forces promoting democratic movement inside and outside the legislature, have all along been in a disadvantaged position. Hence, I have to reiterate that we can afford no division but can only foster solidarity. The Civic Party thus urges all political parties and people in the democratic camp, as well as the Hong Kong people supporting democracy, to put the interest of the whole before everything else. We should not launch attacks at and besmirch each other, so as not to fall into the trap of being divided.

Even if the constitutional reform package is passed, the Civic Party urges the people of Hong Kong to neither give up nor become dejected. Sometimes, when people are at the end of their tethers, it may suddenly dawn on them that every cloud has a silver lining. Even by exhausting all intrigues, they may not be able to predict the awakening of a civic society, and the power of solidarity of the people of Hong Kong cannot be predicted.

Come and join the march on 1 July to show the power of the people again, to demand the early realization of genuine universal suffrage and the abolition of FCs. Perhaps, this is what a civic society can do today.

With these remarks, President, I oppose the motion.

**MR JAMES TO** (in Cantonese): President, even with the passage of this motion, the fight for democracy in the future must still depend on the power of the people, and the Central Government, the SAR Government and even the whole world should realize that Hong Kong people are always determined to carry on their struggle for democracy no matter what the circumstances are. Understandably, the passage of this motion will see a dampening of the people's determination to fight for democracy in the streets in the immediate future. The Central Government and the SAR Government will surely expect to see a downward trend, or what we call a "sluggish market". When all expect to see sluggishness, thinking that tension in society has already eased, it turns out that many people still want to stand forward to manifest their determination. I believe that the Central Government is shrewd enough to notice this. Without the recent referendum which manifested the power of 500 000 people, the Democratic Party

would not have been given any room or opportunity for accepting this seemingly improved package.

President, I hereby call upon all Hong Kong people to join the march on 1 July if they find the present constitutional reform package unsatisfactory and are thus outraged.

If they think that even though this package can be regarded as somewhat satisfactory, the Government should still allow more time for us to examine the wonderful proposal put forward by it and the Central Authorities ..... If they think that their representatives on the Legislative Council are now required to pass the package without being given sufficient time, and if they are thus very discontented, we hereby invite them to join the march.

If members of the public fear that even though this package is worth trying, the devil may still be found in the details and they may be deceived, we hereby invite them to join the march.

As for those who had taken part in the march of 500 000 people and those who want to voice their aspiration to democracy through the by-election, we also invite them to join the march, so that the Central Authorities can be shown that even with the passage of the package, and despite the apparent easing of tension, many people still insist on the implementation of genuine democracy and genuine universal suffrage.

If members of the public want to exert pressure on the Democratic Party, to make it mindful of its duty, to make it realize that even with a channel of communications, it must still be very cautious in the fight for democracy, we invite them to stand forward and join the march on 1 July.

If people fear that on the issue of enacting legislation to implement Article 23 of the Basic Law, the Central Authorities may think that since the popularity rating of the Chief Executive has risen again, they can instruct him to try to enact legislation to implement Article 23 of the Basic Law during his remaining tenure, we invite them to join the march.

If people fear that the Goddess of Democracy Statue may again be confiscated under the Public Health and Municipal Services Ordinance or the

Places of Public Entertainment Ordinance next year, or if they fear that the 13 arrested persons may be unreasonably prosecuted, we invite them to join the march.

If people are the victims of the "compulsory land sale legislation", we invite them to join the march.

If people find the high selling prices of 39 Conduit Road absurd and think that the Government is unable to do anything, we also invite them to join the march.

The march on 1 July is a platform for people to manifest their real determination, to continue to exert pressure on the Central Government and the SAR Government, and to communicate with others with different backgrounds.

**MR ALBERT CHAN** (in Cantonese): ..... I wish to ask Mr James TO to make an elucidation. I hope he can give me a chance.

**MR JAMES TO** (in Cantonese): President, I am willing to do so.

**MR ALBERT CHAN** (in Cantonese): I wish to ask Mr James TO to make an elucidation. Just now, he mentioned a number of reasons for the people to take to the streets. Why did he not ask the people to stand forward when the Democratic Party engaged itself in closet politics?

**PRESIDENT** (in Cantonese): Mr CHAN, I do not think it necessary to make any elucidation on the issue you have raised. Mr James TO, please continue.

**MR JAMES TO** (in Cantonese): President, I maintain that at different times, the people may need to stand forward and make their voices heard. At this very time when it seems that tension has eased, I do call upon them to join the march on 1 July if they are willing to persevere.

**PRESIDENT** (in Cantonese): Mr TO, you have already spent several minutes ..... Have you finished?

(Mr James TO nodded in confirmation)

**PROF PATRICK LAU** (in Cantonese): President, after listening to the speeches delivered by a number of Members today, I find that they have tried very hard to express their own views and explain how their views influence their voting intention. As a functional constituency (FC) Member, I am confronted with this question that warrants careful deliberation: Should I continue to defend FCs on behalf of my electors or provide an answer to the issue of abolishing FCs?

During the speech delivered by me earlier on the motion on the method for selecting the Chief Executive, I said that I had held a discussion forum on constitutional reform in order to gauge the views of the profession on the constitutional reform package. In particular, I have conducted three rounds of consultation, together with the issuance of questionnaires, to solicit views from members of four professional associations (the Hong Kong Institute of Architects (HKIA), the Hong Kong Institute of Surveyors (HKIS), the Hong Kong Institute of Planners (HKIP) and the Hong Kong Institute of Landscape Architects (HKILA)) — I believe this is the most desirable and democratic method. The eligible electors of my sector include: 4 932 HKIS members (the largest number), 2 628 HKIA members, 216 HKILA members and 426 HKIP members.

The most important item for consultation is, of course, the revised "one-person-two-votes District Councils (DC) package" (revised package). Immediately after the Government's announcement of its acceptance of the revised package, I telephoned the presidents of the four associations for the third round of consultation, and received prompt responses from the councils of the HKIS and the HKILA expressing "support". Furthermore, the package also gained support from more than 60% of the council members of the HKIA. These responses have become the key reference for my voting preference. As most of my electors are HKIS members, the support expressed by the HKIS for the Government's proposal during the three rounds of consultation gives me a clear advice.

President, I would like to spend a little time explaining how the three rounds of consultation were conducted to solicit views from the profession, in order to explain how my voting decision was made.

First of all, the outcome of the first round of consultation was submitted to the Government in February. Although only 233 replies were received at that time (the response rate was a mere 2%), I must emphasize that 60% of the replies received at that time expressed support for "increasing the number of Legislative Council seats to 70". This is exactly the same as the motion that Members are requested to pass today. Although the motion today does not involve the abolition of FCs, 70% of the replies received during the consultation called for the full implementation of universal suffrage in 2020 and the abolition of FCs. Many pro-democratic Members might have heard that some FC Members would actually support the abolition of FCs in 2020. Hence, I find it all the more necessary to vote in favour of the motion today with a view to taking forward the constitutional reform and expressing support for enhancing the democratic elements of the Legislative Council elections to be held in 2012. I strongly believe that only through enhancing the democratic elements of the Legislative Council elections can we pave the way for the full implementation of universal suffrage for the Legislative Council in 2020 and bring a ray of hope for the future abolition of FCs.

During the second round of consultation, although the number of respondents was greater than that in the first round of consultation, only 776 replies were received, with the response rate being approximately 10%. I have also uploaded the outcome of the consultation onto my Legislative Council homepage. In the second round of consultation, only one simple question was raised: Do you support the Government's proposal on amending the method for the formation of the Legislative Council, that is, adding 10 Legislative Council seats: five returned by geographical constituencies (GCs) through direct elections and another five returned by FCs? Broadly speaking, the outcome of the survey shows that the number of opposing votes is more than the number of supporting votes by a few dozens. As I was unable to respond to the views of my electors, I conducted an in-depth analysis of the views expressed during these two rounds of consultation. It was found that the key reason for planners and architects to oppose the Government's proposal back then was that "the problem with the abolition of FCs remains unresolved".

Therefore, my decision to vote in support of the motion today is, most importantly, premised on the Government's eleventh-hour acceptance of the "revised" package proposed by the Democratic Party. This package, which represents progress in democracy, incorporates into FC elections a democratic election mechanism akin to universal suffrage. I said so because the new DCFC Members, so to speak, will be returned to DCs by direct elections first. They will then be elected as FC Members in the Legislative Council through an election with an electorate base of more than 3 million voters. This will not only enhance the legitimacy of FC Members, but also provide more votes of support for the future abolition of FCs. As pointed out by Mr Abraham SHEK just now, the Central Government has in fact taken a big step forward by giving consent to this package within such a short period of time.

My logic is that it is very likely for these so-called FC Members, who are returned by direct district elections to the Legislative Council, to support the abolition of FCs. By then, there will be sufficient votes, that is, 40:30, to endorse the abolition of FCs, and the "ultimate aim of electing all the members of the Legislative Council by universal suffrage" as prescribed in the Basic Law will be achieved. Hence, in response to the aspirations of the electors in my sector for the genuine abolition of FCs in 2020 and for the full implementation of universal suffrage for the Legislative Council, I will vote in support of the motion today, with a view to taking forward the democratization of Legislative Council elections.

In fact, immediately after the release of the Government's proposed revised package, I conducted a consultation in order to ascertain my voting decision. As time was running out, I could only discuss with the presidents of the four associations direct in the quickest manner and decide on my voting inclination according to the aspirations of the councils of the associations. I am very grateful to the associations for their prompt responses. As pointed out by me just now, I will vote in support of the motion because the majority of the councils of the associations have indicated support in principle.

President, I have already explained my own voting position. Now, upon the request of the President of the HKIP, I would like to spend a little time to quote his views: "In June this year, the HKIP issued a total of 426 questionnaires to its eligible members and 115 questionnaires, or 27% of which, were

subsequently received. Regarding the proposed method for the formation of the Legislative Council in 2012, 31 of the questionnaires expressed support; 81 expressed disapproval; and three abstained. According to the findings of this survey, together with the findings of the questionnaire survey conducted by the HKIP in January 2010 and submitted to the Constitutional and Mainland Affairs Bureau, the majority of respondents expressed the hope that FCs should be abolished expeditiously. This is consistent with the call of the HKIP for the abolition of FCs expeditiously. However, it must be emphasized that the findings of the questionnaire survey merely reflected the views of HKIP members on the original constitutional reform package prior to the Government's release of its revised package on 21 June. In other words, the findings do not reflect the views of the HKIP on the revised package. Furthermore, in view of the inadequacy of the consultation on the revised package proposed by the Government, the HKIP requests that voting on the package be postponed." (End of quote)

President, given the support expressed by the councils of the other associations for the Government's proposed "revised" package according to the outcome of the third round of consultation and the fact that they have not requested for a postponement of voting on the package, when the motion on the adjournment of debate was put to vote yesterday, I expressed my intention for the expeditious passage of the revised package so as to allow more time to discuss the implementation of a roadmap for universal suffrage in future. The "revised package" has already gained mainstream support from the sector. As Members should understand, this step is crucial to constitutional development. If this step is not taken, everything will stay put again. Therefore, this step must be taken.

However, my electors also suggested at the consultation forum that, after taking this step, we must conduct an in-depth study as to how the next step should be taken and when a clear roadmap for universal suffrage would be ready. Most importantly, should FCs be retained when universal suffrage is implemented? All these issues must be clarified expeditiously.

In addition to the view that FCs should be abolished, my sector is also concerned that the roles of traditional FCs might be diluted by district-based FCs, undermining the checks and balances of balanced participation.

Drawing references to the democratically advanced countries, we will find that the bicameral system is practised in many places, including the United Kingdom, France, Canada, Spain, Germany, the United States, and so on, for the purpose of exercising checks and balances in legislatures. Therefore, should we also "pause and think" whether the abolition of FCs is the only and the right way out when striving for the implementation of a model of universal suffrage in western democratic systems? Is it rational for us to accept solely the Western model of universal suffrage and refuse to accept the checks and balances mechanism similar to the bicameral system in Western legislatures? For the healthy development of our constitutional system, irrespective of whether FCs will ultimately be abolished, the scope of political participation should be broadened to encourage balanced participation by various sectors of the community (including the industrial and commercial sectors and the professional sector) and, in particular, ensure checks and balances in legislatures.

In fact, the "revised package" is similar to the "nine New FCs package" put forth by Chris PATTEN, the former Governor of Hong Kong. Noting the problems inherent in FC elections, Chris PATTEN proposed a "one-person-two-votes" package which was also supported by people in the pro-democracy camp at that time.

I am very pleased to hear that a number of colleagues recognized the work of FC Members, only that they are dissatisfied with the FC system. I hope Members can continue to adopt such an impartial and rational attitude in discussing the abolition or retention of FCs in future.

In fact, in addition to being accountable to their own electors, FC Members also serve all the people in Hong Kong concurrently. Many members of the public do not understand the work of FC Members, thinking that they only serve their own sectors. President, on one occasion, I offered assistance to a group of people affected by the redevelopment programmes launched by the Urban Renewal Authority. They said to me afterwards, "Prof LAU, you are the only FC Member who deserves to be 'retained'." In fact, when people find out that FC Members can help them, they will support "keeping" us. Therefore, we should consider this very carefully: What is the best way out in abolishing FCs?

Lastly, even if this "revised" package is passed today, we still have to continue to work hard on the road to democracy. Thank you, President.

**MISS TANYA CHAN** (in Cantonese): President, the Government had been insisting over the past few months that it would not accept the "revised" District Council (DC) package. The Government even held that its proposal was already very democratic and conformed to the NPCSC Decision and democratic principles. As a result, there was strong opposition from the people to this proposal which did not even made the slightest compromise. After the debate held on 17 June, the people are hardly convinced by the Government's crap proposal. The most interesting thing about it is that while the Government has emphasized that its original proposal is the best and close to perfection, just three days before being put to vote, it accepted a so-called revised package which is a "buy one, get one free" kind of proposal.

Both the SAR Government and the Central Government regard the Legislative Council as a rubber stamp. After securing enough votes, it tries to force through the proposal without ever heeding what the people say. How can the Government expect the people to digest the proposal in just three days? Three days only! How can a proposal on the development of the political system of Hong Kong be dealt with so lightly? All along the public has been calling for the Government to revise or even withdraw the proposal so that there will be enough time and room for Hong Kong people to voice their views on the new proposal. I do not know if the Government is afraid of public opinion, because it may think that if the people are given more time, they may know clearly the defects of the revised package. Since the Government wants to avoid another huge rebound in public opinion, it wants to rush through the proposal as it has got the support of some of the pan-democrats. This is an irresponsible way of doing things and it is violence of another kind.

President, asking the 59 Members to debate on and pass the constitutional reform package in such a rush today is actually an example of violence of another kind, as I have just said. It is a move to trample upon this Council and a blatant neglect of public opinion. The Chief Executive Donald TSANG, the Director of Bureau Stephen LAM and the Chief Secretary for Administration Henry TANG are bold enough to say that the mainstream public opinion is in support of taking

forward the constitutional reform. The public does want to see progress made. But the proposal we have now, be the "improved" version or the original one, is leading Hong Kong to the direction of fake universal suffrage. If we vote in favour of the proposal, it probably means that our constitutional system may backtrack. When the people of Hong Kong want to go north, so to speak, the Government leads us to south. Are we really going forward? Both the original and the revised packages are made to safeguard functional constituencies (FCs).

President, we must ponder over a very important question. Do we think that the Legislative Council election held in 1995 conformed to the principles of universal suffrage? In 1995, the former Legislative Council held an election which was commonly regarded as the most democratic one in the history of Hong Kong. But the election held at that time was not genuine universal suffrage. At that time, 20 seats were returned by direct elections and 30 seats were returned by FCs. The nine new FCs were returned by all voters in Hong Kong under a "one-person-one-vote" model. Another 10 seats were returned by the Election Committee. At that time, although most citizens had at least two votes, most FCs were returned by "corporate votes" and "director's votes". The system was extremely unfair as some of the voters could even have more than two votes. At that time, the proposal was formulated within the framework of the Basic Law and the Government strived for maximum latitude to enhance the democratic elements within such limits. Now 15 years later, we have to be mindful that this kind of election method is not the model of universal suffrage that we yearn for. The model of universal suffrage for the Legislative Council that the Government has promised is one that provides universal and equal rights to vote, to stand for election and to nominate. It follows that the election method of 1995 or any method similar to it should not be regarded as universal suffrage. The revised package today bears a striking resemblance to the previous election method in one way or the other. In other words, since we neither hope nor agree that universal suffrage should follow this old course, there is no reason for us to pass this revised package which is an attempt to impose the "one-person-two-votes" concept on the 2012 election.

A universal and equal election in principle refers to equal rights to vote and to stand for election. The revised DC package contravenes this principle. As a member in the democratic camp, I find it impossible to vote in favour of it. Though this proposal enables voters to return "super FC" Members under the

"one-person-one-vote" model, the right to stand for election and the right to nominate are by no means equal, while no clear explanation has been given. That is to say, if someone is barred from standing for an election on the ground that he is not a member of a District Council, not an engineer or a lawyer, this is a disguised attempt to safeguard the interests of the privileged class. Voting by all people does not necessarily mean that it is real democracy because we cannot overlook the principle behind the votes, that is, safeguarding the principle of ensuring the equal right to stand for election. Although the Government has accepted this revised package, I still find it hard to accept because the proposal itself runs counter to the principles of universality and equality.

There can be no wrong step taken in the progress to democracy. Once this revised package is accepted, it will become a pretext for fake universal suffrage. I hereby ask members of the public to take a good look at this revised package. The passage of this proposal will only justify the existence of FCs, which is tantamount to identifying yourself with this unjust election system which exploits members of the public. More seriously, passing the proposal will lead us to a point of no return. The NPCSC will then proudly draw an equal sign between universal suffrage and the retention of FCs. If it so happens that Beijing is kind enough, it may replicate, to a limited extent, the election method for the former Legislative Council in 1995, and allow certain FC seats to be returned by direct elections. But if Beijing is heartless, it will only permit patchwork moves to enlarge the electorate base and then argue that each and every person in Hong Kong has two votes in hand. What more do you want to get? If we are careful enough, we will find that both scenarios mentioned above fall short of genuine universal suffrage. The concept of a "one-person-two-votes" model is tantamount to condoning the privileged class to enjoy more votes at a time. I am afraid that when the election methods for 2016 or 2020 are to be discussed, the Central Authorities and the SAR Government will emphasize that everyone can vote and everyone will get more than one vote, or at least two votes. In this way, they will evade such issues as varying sizes of electorate base for different FCs, monopoly by the business sector, transfer of interests and violation of the principles of universal suffrage. By that time, it will be extremely difficult, if not impossible, to abolish FCs.

Today some people focus their discussion on the "revised" proposal and the top officials even claim that after the passage of the constitutional reform

package, the anchor can be raised to "act now" and we can march forward. Unfortunately, this proposal, which the Government claims to have accepted, has not touched on the election arrangements after 2012. Therefore, the logic of the Government, which asserts that not passing the proposal will hinder the progress of democracy, simply does not hold water. The 2012 constitutional reform package does not give us any roadmap, nor does it embrace any idea of paving the way for universal suffrage. On the other hand, it justifies the existence of FCs. How can this "revised" proposal be measured against the ultimate mode of universal suffrage? How can this "revised" proposal tackle the abolition or retention of FCs? The Government has evaded all these questions.

The motions introduced by the Government to this Council today have not mentioned any details about future elections, including the election methods, the upper limit on the number of subscribers, and even the restrictions on the nationality of Members returned from the five new FCs. The Secretary has verbally mentioned these points, but when we check against the Basic Law, it turns out that Article 67 allows Members to have right of abode in foreign countries, provided that the proportion of such Members does not exceed 20% of the total membership of this Council. If the number of seats is increased to 70, can we have 14 Members who have right of abode in foreign countries, that is, two more such Members as compared to now? Nothing is said on this. Although the Government has indicated verbally that the revised package of the Democratic Party can be accepted, the fact is local legislation only requires 30 supporting votes. I am not being skeptical of any ulterior motive on this issue, but I am afraid that the Government will not honour its promise. When this proposal is passed, it can make other amendments and by then, the support from the Democratic Party and others is not needed at all. Of course, tiny bits of democratic elements may be seen in years 2011 and 2020, but I am not sure if the democratic elements can be increased when arrangements are made later. Since details of the proposal have not undergone any in-depth discussion, if this proposal is so hastily passed, I am sure that we will be put in a passive position when it comes to local legislation later. Hence, it would not be advisable to ask a tiger for its skin.

The Civic Party holds the following principle with respect to the constitutional reform proposals: what can be advanced must be advanced and what should be defended must be defended. Our vision must be sharp when we

fight for democracy and we must hold firmly on to our principles. Against a background where privileges prevail, we must not make any mistake with respect to each decision we make and each step we take. Ever since the reunification, constitutional development in Hong Kong has always been in reverse gears and efforts are made to fit constitutional developments nicely into the drama scripts on "gradual and orderly progress". The Government revived the appointment of DC members and abolished the new nine FCs, forcing Hong Kong to waste dozens of years and gradually turning the clock back to the times before reunification. It then procrastinated genuine universal suffrage by another dozens of years. Is not this retrogression the real intention of the Central Authorities and the SAR Government? Today, the Government hoaxes us again by saying that the time has come for the constitutional system to march forward once in five years. This is actually "duping". Can we afford to make a wrong step in that?

This is a proposal full of tricks and traps. The public has not been consulted and there is no mandate from the people. And what on earth are we debating today? It is about this brutal control of the Legislative Council by the Government and its efforts in relegating the Council to a rubber stamp. Though the Government constantly smears the referendum campaign, accuses and oppresses us, we still have the mandate from 500 000 voters. How much support does this proposal get from the public? Without the endorsement of the people, do we have any justifications to debate on this "crap" proposal? President, the devil is in the details. While this Council will pass this proposal in the end, it may not be endorsed by the people. My vote against this motion today serves to honour the pledge I make to my voters. It is a gesture of adherence to my convictions and my unyielding belief in democracy. We may take mild moves but our will must be strong and we must hold onto our principles. With unyielding defiance in the face of fate, we will not make the wrong move.

This day will certainly be remembered in history. I so submit.

**MR PAUL CHAN** (in Cantonese): President, I am the representative from the accounting sector and I am an independent Member who does not belong to any political party. As to how I handled this big issue of constitutional reform, how

I conducted surveys in the sector, how I made sure that the procedures adopted in the survey were fair and just, how I followed up on the survey findings, as well as how I found out that it was not practicable to conduct another survey after the Government had announced its acceptance of the "revised" constitutional reform package put forth by the Democratic Party, I have explained the above in the adjournment debate moved by Ms Cyd HO yesterday and in the motion debate on "the amendment to the method to select the Chief Executive" this morning. I will not repeat what I have said.

Regarding this constitutional reform exercise, from the consultation stage up to the present, the most controversial part lies in the method to form the Legislative Council. The passage or otherwise of the constitutional reform package also hinges on this part. It can be said that failure or success of the package depends on this part concerning the Legislative Council. I would like to make use of this opportunity to state clearly my deliberation process and my voting considerations.

First, the proposal suggests increasing the number of seats in the Legislative Council from 60 seats to 70 seats. I would think that this proposal is reasonable. I have been a Member of this Council for almost two years. I understand that the workload of a Legislative Council Member is very heavy. If the number of seats is increased appropriately, it will enable people with dedication and ability to join the Council and share the workload of Members. This will enhance efficiency and is beneficial to the political development of Hong Kong. This is because more seats will be made available for people to contest, which is conducive to nurturing political talents in Hong Kong.

However, according to the Decision made by the Standing Committee of the National People's Congress (NPCSC), if seats returned by direct election in geographical constituencies (GC) are to be increased in 2012, the number of seats in the functional constituencies (FC) has to be increased concurrently. This is a restriction imposed on the constitutional development of Hong Kong. The constitutional reform proposal allocates all the five new FC seats to District Councils (DC). I believe that this is a move of choosing the lesser of two evils, better than allocating the new seats to any traditional FCs. This is because it is not desirable to allocate the new seats to any existing FCs or any new FCs representing different interests. On the one hand, it concerns the notion of "easy

to give something out but difficult to take that back". On the other hand, great controversies will arise no matter to which sectors the seats are allocated. It would be hard to arrive at an objective and convincing conclusion.

The "revised" proposal suggests allocating the five new DCFC seats to candidates nominated by elected DC members. The candidates will then be elected under a "one-person-one-vote" model by more than 3 million electors in Hong Kong who do not have the right to vote in any FCs. This proposal is much better than the "original proposal" put forth by the Government in which the relevant seats are to be returned through election by elected DC members from among themselves. The "revised" proposal enhances the democratic elements in the Legislative Council because the Members so elected will have broader public mandate and enhanced representation. It can also relieve the worries about turning the Legislative Council into another DC, because their electorate base at least comprises over one million people.

On implementing the "revised" proposal, I believe that consideration should be made so that people having different political opinions can take part in the election. I hope that the nomination threshold of these five new DCFC seats will be low and the proportional representation voting system will be used, to ensure sufficient competition and representation.

In addition, I would like to point out that the "revised" package will lead to both quantitative and qualitative changes in the democratic elements in the Legislative Council. Why? First, if the revised proposal is implemented, the proportion of traditional FC seats in this Council will be thinned out. This is the quantitative change. Besides, the electors of these FC Members are not organizations or companies, not from a particular sector or profession, not from any specific district. Therefore, similar to Members returned by GCs, these FC Members are in fact accountable to all the people of Hong Kong, instead of being accountable to any particular sector. This is what I mean by the qualitative change of FC Members. President, I have been in this Council for two years. This is a very short time, but I have come to notice that the degree of accountability of FC Members and their concern for community affairs will vary according to whether their electors are bodies or individuals and the number of electors in their constituencies. If the constituencies comprise mainly of individual electors and there are more electors in their constituencies, Members

are more concerned about community affairs. Now that five DCFC seats will be added, if we broaden the electorate base of the existing traditional FCs by local legislation at the same time, I am sure that this will trigger a qualitative change among FC Members.

As to the abolition or retention of the existing traditional FCs, I have made my stand clear on many occasions when debates on the constitutional reform were held. I reckon that the existing FC election methods, as transitional arrangements, do not conform to the principles of universality and equality. However, the existence of FCs has its own historical background and the system has made contributions to Hong Kong. When universal suffrage is fully implemented in Hong Kong, when the development of political parties in Hong Kong has become mature and when political parties can absorb different talents so that the Legislative Council is able to take into account different interests in the community and the needs of different sectors, that is the time to abolish FCs in one go. I understand that as in this Council, there is a great divergence in opinions in my sector on the abolition or retention of FCs. However, I do not think we should be too adamant at this moment because disputes may hinder our constitutional progress. Even if Members accept this revised package, there are still two terms or eight years for us to prepare for full implementation of universal suffrage. On the other hand, if we are stuck in a stalemate on the abolition or retention of FCs, resulting in no progress at all, who would lose out in the end? If we do not move ahead, those who are seen as holding political privileges will continue to enjoy such privileges, and who would be the ones to suffer? I think Members all have an answer themselves.

In the debate this morning, I had explained the findings of the survey conducted in the accounting sector. The response rate of this survey is only 5.55%. It is a big drop by nearly 50% when compared to the response rate of the survey on the 2005 constitutional reform package. The survey findings indicate a great divergence in views. Findings show that even though there are 80% of respondents who hope that there can be progress in the constitutional development of Hong Kong, those who oppose the original proposal amount to 50.9%. Only 48.37% of the respondents find the original proposal acceptable or barely acceptable. After knowing these findings, I called the SAR Government and wrote to it at once to relay the views and intention of the accounting sector on the original constitutional reform package. If the Government introduces the

original proposal to this Council, the chances for its passage are slim. So I demanded that the Government should listen to the views of the accounting sector and improve the original proposals.

It had not occurred to me that things would take such an unexpected turn. On 21 June, the Government announced that it had accepted the Democratic Party's revised "one-person-two-votes" package. I am prepared to conduct another questionnaire survey, but I find it impossible to so. I have explained the details this morning and I am not going to repeat.

President, in the absence of any opinion survey in the sector on the "revised package", what is the basis of my decision in voting for or against the motions? First, I have made reference to the findings of the survey on the original proposal. That is to say, more than 80% of the respondents hope that there can be progress in the constitutional development of Hong Kong, only that the progress proposed in the original package is not sufficient. As to whether the proposal should be accepted, views in the sector are divergent. However, this revised package from the Democratic Party can actually enhance the democratic elements in the Legislative Council, representing a substantial step forward.

Two nights ago, that is, before the meeting to vote on the "revised" package, I sent an open letter to the 30 000 members of the Hong Kong Institute of Certified Public Accountants. I explained to them my considerations with regard to the revised package and my voting intention. Over the past two days my office got quite a number of emails from friends in the sector expressing their views on the "revised" package. There were those who supported it and those who opposed it. There were people who said that they used to oppose the original proposal but they welcomed the "revised package" and asked me to vote for its passage.

Second, many Members from the pan-democratic camp, including those from the Democratic Party, think that the "revised" package should be considered. Besides, the public opinion programme of the University of Hong Kong has conducted a survey on the "revised package". It is found that 54% of the respondents say that they support its passage. Only 19% oppose it. Members would also notice that recent public opinions and responses supported a step forward in the constitutional development of Hong Kong and there are calls for

Members of this Council to support the latest "revised package". President, the people have changed their minds and this "revised package" is what they want.

Third, President, I think that Hong Kong people stand nothing to lose if this "revised" package is accepted. We still have two terms or eight years to fight for the full implementation of universal suffrage which conforms to the principles of universality and equality.

Fourthly, over more than 20 years in the past, disputes in constitutional development have resulted in social division, and more recently, our society can even be described as being torn apart. Much time and efforts have been wasted. If we refuse to take a step forward, the disputes will repeat over and over again indefinitely. If we take a step forward now, sum up our experience and go forward again, it will be more likely that our constitutional system can develop further.

Fifthly, President, I understand that once we have a timetable for universal suffrage, we would want to know about the milestones in between. This is a reasonable expectation. Unfortunately, as I have experienced during the past two years in the Council, and as many Honourable colleagues have mentioned earlier, there is a serious lack of mutual trust between Hong Kong and the Mainland. There are suspicions between the two. Such a rift is deep and it has its social and historical causes. At this stage, it would have been an ideal situation if we were given the chance to clarify all those milestones before passing the "revised" package, but I believe that this expectation is not quite practical. We must take this step forward for the sake of our future and our next generation.

Sixthly, a step forward is to break the impasse with goodwill, to buy time to rebuild confidence, and to buy time to gain the wisdom of solving problems. Before the reunification and during the Sino-British talks, many Hong Kong people were very worried and they emigrated to other places. This is understandable. But things have proved that, after the reunification, while these worries are reasonable, they are far from being the reality. Many people have returned to Hong Kong. This shows that confidence can only be rebuilt over time.

On the other hand, Mr DENG Xiao-ping made the final decision when he said that Hong Kong was to remain unchanged for 50 years and Hong Kong had to be returned to China. This is an example of the wisdom to leave problems to time. This is something we should make reference to, for there are things that cannot be solved right away.

President, politics is an art of possibilities. Political judgment is needed when dealing with this vital and controversial issue of the constitutional development of Hong Kong. This morning when we debated on the motion concerning the method for selecting the Chief Executive, I had made my views known and I am not going to repeat them now. I know pretty well that people may differ in their political judgment, but I realize the fact that constitutional development in Hong Kong is made against the background of searching for and identifying the possible and the viable in the midst of numerous restraints. Since our aim is victory in the war for the full implementation of universal suffrage, we should not put undue pressure on ourselves to make each battle a victory.

President, I so submit to support the motion.

**MR WONG YUK-MAN** (in Cantonese): President, the pirate ship has raised anchor while Hong Kong comes to a standstill. The following is my speech on the motion concerning the amendment to the method for the formation of the Legislative Council and its voting procedures.

In the view of the League of Social Democrats, the District Council (DC) proposal of the Democratic Party is like drinking poison to quench thirst. Mr Albert HO has just talked about a process in which quantitative changes will lead to qualitative changes; partial democracy will lead to full democracy; enlarging forces of democracy by phases will lead to ultimate realization of universal suffrage. Mr CHEUNG Man-kwong has, in his article entitled "An interim battle that leads to ultimate realization of universal suffrage", said that "this is a leap from a one-third right to veto to a two-third right to pass ..... passing a resolution which will abolish functional constituencies." All the above are all dreams by an idiot and talks of deception. Even those people who have said them may not believe in them.

The stand shown by the League of Social Democrats against FCs is clear enough. Real democracy means the total removal of privileges. Irrespective of whether we are engaging in fights or negotiations, there must not be any slightest compromise in these democratic principles. We lash the Democratic Party for making compromises because these are straw man arguments that confuse right and wrong. They say that they do so for what they call a battle for every inch of ground, but in fact they are dragging 3.2 million voters down the drain by asking them to take part in FC elections. Even Donald TSANG the Chief Executive does not hide the fact that the Democratic Party has been making repeated retractions: "Previously the Democratic Party said that they would have nothing but all of them ..... There is only one proposal left and that is all they are insisting on fighting ..... So we should see that things have been constantly evolving throughout." Of course, I speak more eloquently than TSANG, and I was just quoting from what he had said.

They think that democracy means an increase in the number of seats and democracy means everyone will have one more vote in his hand. Spreading such shallow ideas is no different from fettering democracy and distorting it. What is the good of increasing the number of seats? The ratio between Members returned by GCs and FCs still remains unchanged. The separate voting system, which has maimed and mutilated democracy, still exists. The Legislative Council, still being controlled by those with vested interests, is nothing but a rubber stamp for the autocratic government. What is the use if everyone has got two votes? The political rights of the common people are still undermined. Our society still has to pay the heavy price of privileged politics in which the majority is being forced to follow the wishes of the minority. The dignity of the poor people will continue to be trampled upon. These five new DCFC seats, in the name of being returned by popular election, are still no less than FC seats. Firstly, this new FC is still an FC in its name, system and political significance. For if not, the communists will not have given the green light. Secondly, the new DC seats are not returned by universal suffrage because only DC members can nominate candidates and run in the election. The citizens are only given the right to vote. Thirdly, the new FC is actually not a form of direct election, not even direct election in disguise.

The DC proposal of the Democratic Party is in essence an endorsement for privileged elections and screening mechanisms. The electors of traditional FCs will continue to enjoy their privileges, while the electors of non-traditional FCs will enjoy the privilege of voting in the DCFC. This is a grotesquely deformed system where "you have your privileges and I have mine". This runs counter to the wish of Hong Kong people to abolish special privileges and achieve real democracy. Hong Kong people want to abolish privileges, not to share them. Hong Kong people want to abolish FCs, not to increase their number. Hong Kong people want to have the right to vote and the right to stand for election and these rights should be universal and equal. Such elections must not be false elections which have gone through the screening by a small circle. What right does the Democratic Party have to decide for the 3.2 million voters and force them to take part in FC elections? We do not want to walk with the Democratic Party. We want to walk the path to democracy.

The DC proposal of the Democratic Party has got the blessing of the communist party and also the blessing of the minions of the autocrats. And the ones who lavish praises on this DC proposal in this Chamber are those from the pro-establishment camp.

The media mouthpieces for the communists, that is, the *Wen Wei Po* and the *Ta Kung Pao*, have been commending the Democratic Party highly during these past few days. They said that the Democratic Party was exercising great restraints and tolerance for the good of Hong Kong. On the other hand, they wrote that the League of Social Democrats would be dumped into the pile of rubbish in history. I have never seen democrats from anywhere in the world like the Democratic Party which would be praised so highly by the autocrats and their minions. President, have you ever seen this? No, of course not.

An article in the *Ming Pao Daily* on 19 June reported that Alan HOO, a Hong Kong member of the National Committee of the Chinese People's Political Consultative Conference and the Chairman of the Basic Law Institute — that is, the big-mouthed senior counsel — opposed the so-called DC proposal. Then of course, he made a U-turn afterwards. When explaining his reasons for making the U-turn, he said that he was an ardent supporter of the proposal, but was regarded as having made a U-turn recently. He said that at first he thought that

the proposal made by the Alliance for Universal Suffrage and the Democratic Party was to have six Legislative Council Members nominated by DC members and returned by universal suffrage. He thought that this was not in line with the definition of FC elections and contravened the NPCSC's Decision about maintaining the ratio between Members returned by GCs and FCs unchanged. He subsequently had a meal with FUNG Wai-wah of the Alliance for Universal Suffrage, Ronny TONG and CHEUNG Man-kwong and talked with them. He then came to know that the election was not an election by universal suffrage but over 200 000 existing FC electors would be excluded. Then this could not be seen as an election by universal suffrage and could still be regarded as an FC election. Not only did it not contravene the NPCSC's Decision, but provided a reference model for any future reform to be made to the existing FCs. In other words, the existing FCs can be transformed into nominating bodies in future and votes would be cast by all FC voters in Hong Kong to fulfil the requirements for universal suffrage. So President, this is precisely the reason why this DC proposal will probably lay the foundation for the perpetuation of FCs.

Does the above view originate from Alan HOO himself or from the three people who ate with him? We do not know. My speech is really very long but time is running short. However, I would still want to make some responses.

Having read George ORWELL's article about the reasons he wrote his book *1984*, I come to understand why the Democratic Party has come to this pitiful state. George ORWELL says: I believe also that totalitarian ideas have taken root in the minds of intellectuals everywhere, and I have tried to draw these ideas out to their logical consequences ..... Power is not a means; it is an end. One does not establish a dictatorship in order to safeguard a revolution; one makes a revolution in order to establish the dictatorship. The object of persecution is persecution. The object of torture is torture. The object of power is power ..... Power is tearing human minds to pieces and putting them together again in new shapes of your own choosing.

Forces of political resistance in Hong Kong are feeble. This is because the people are utilitarian and short-sighted, public opinion is conservative, the academic circle is passive and the opponents do not have democratic qualities. Democratic politics is like a dead end and does not hold any future prospects.

The question is not that the autocratic government is clinging onto powers but that the so-called democratic camp is engaged in a quest for power to further their own ends.

The democratic camp is debasing itself and it is passive and timid. It has blurred the goal of democracy that the people of Hong Kong are striving for. It has twisted the essence of the democratic movement. Most of those young people who staged a demonstration outside the Legislative Council Building during these couple of days were very agitated when they saw Albert HO and people from the Democratic Party. They rebuked them for being shameless and they said that they were the sinners of democracy. These words are an outburst of emotion. Though they are somewhat too harsh, they can nevertheless be seen as a fair comment.

After listening to the debate in these two days, I wish to sidetrack a little bit. There are some people — in fact not just some people but it can be said to be almost a union of the pro-establishment camp and the democratic camp — who used the heaviest ammunitions to bombard the League of Social Democrats.

In 1940, SHAO Li-zi wrote nine Chinese words "無所不容而有所不為" (a person of magnanimity who refrained from doing anything wrong) on the memorial service held in remembrance of the chancellor of Peking University CAI Yuan-pei to summarize his views on Mr CAI. It is really difficult to be "a person of magnanimity who refrains from doing anything wrong". I aspire to the virtue of magnanimity. It is barely manageable for me to "refrain from doing anything wrong", but I really have great problems in attaining the virtue of magnanimity. So Mr CAI is a great man and people like us do not have this quality of greatness. We aspire to becoming so but we fail to do so. We all have the bad side of human nature. In refraining from doing anything wrong, one has to abide by one's principles. A person of magnanimity does not make unprincipled compromises but rises above pettiness or meanness. To be frank, it is really hard for me to do this when I see these people.

Recently, the League of Social Democrats has offended some people from the democratic camp because we oppose the democratic camp for making concessions to principle. They did not understand the League of Social

Democrats, and did not understand me. Many of them deviated from their original drafted speeches and attacked the League of Social Democrats. As the saying goes, people who shave other people's heads will be shaved by others. If there are mistakes, we will correct them; if we have not done anything wrong, we will take that as an advice. As for those criticisms which are slanderous or distorting the facts, we will settle these scores later as there are still a lot of time ahead of us.

Honourable colleagues irrespective of their political stands have made the League of Social Democrats the object of their scathing attacks during these two days. As a matter of fact, when the Democratic Party announced that it would surrender, we lost a most powerful ally. We know that things would be very difficult. The democrats only have 23 seats, and the Democratic Party alone takes up nine. This is why Alan LEONG is always thinking about unity, for we cannot afford to split and get divided. Alan, I do want unity but it does not want to unite with me. We are poles apart. It is not a divergence in the paths we take. There are basic differences over principles between us. President, do you not think so? You and I have differences over principles, but we can chat over trivial things. President, I am not flattering you, but even you may not be able to achieve the virtue of magnanimity. It is difficult to be magnanimous, but you are quite tolerant some of the time. I wish to tolerate them, but I find myself impossible to do so.

While treading this path of political resistance for more than 20 years, an overnight change has occurred. When Albert and I went out from the front door, I said to him, "You are forgoing the right path and take the other way. This is the front door." He said that he did not want to go through the back door and he wanted to come out and face the crowd. Man, is that the back door? I do not know if that is the back door or the front door, for I have used both exits. People outside were those yelling invectives and they hated the Democratic Party to its guts. Emily LAU was smart and she went by the other side. But Albert HO and CHEUNG Man-kwong chose to walk that way. I went with them. I saw the crowd, especially the young people. They climbed onto the dividers and vented their anger at them. They even shouted indecencies. They were those people who had voted for them. They were certainly agitated. I would think that they went overboard. I was afraid that they might throw things at them.

Some people said that they had got eggs and tomatoes ready. I thought I might use my head in the last resort and intercept these attacks. I do not think I can intercept a bullet, but I think I can fend off an attack by eggs. I walked with them all the way. Why do they choose to walk that way? It is lucky that there is no voting tonight. Otherwise, after the voting tonight, I am really not sure which way they want to take.

Members, Chairman MAO had once said : "There can be no love without a cause, and there can be no hatred without a cause either." Any person — especially a political party — must be held responsible for the things he has done. Members, I hope we can continue fighting for the cause of democracy in Hong Kong in the days to come. Thank you.

**MR WONG YUNG-KAN** (in Cantonese): President, I have my own views on the amendment to the method for the formation of the Legislative Council and its voting procedures. First of all, I have to declare that I am a functional constituency (FC) Member, and in the previous elections, I was elected uncontested.

We have been supporting this constitutional reform package since 2005, and we hope that the package can be passed. Indeed, the current package will be passed very soon. In our motion debate these few days, I heard many Honourable colleagues mention that Donald TSANG had participated in the "fire-burglary-typhoon prevention" activity organized by fishermen. In fact, I did not know beforehand that the Chief Executive would be present, and we had no idea who was coming. The Chief Executive gave a speech clearly on stage at that time. Frankly speaking, if the speech of Donald TSANG on that day failed to move the sector and the residents there, how would he win their support? We did not support him for no reason for we also have our own principles and positions. Therefore, we fully support the current constitutional reform package.

He introduced the "Act now" campaign for the first time in June. I would like to tell Honourable colleagues that we need to "act now" for the second time either today or tomorrow. Besides, fishing vessels have two anchors, one in front and one at the rear. I will weigh the second anchor after July. What is

the second anchor? Our fishing vessels need to be repaired on the Mainland, so, we will certainly leave and we will not stay. What is the objective? It is to let our lives and productions go on.

Many people have said that the Government is indifferent. As far as I know, the British Hong Kong Government cared nothing about our sector, and it had never paid attention to us more than 20 years ago, that is, during the 1970s. Even the Members of the former Legislative Council had not done anything for us. Though the so-called "new nine FCs" election was held in 1995, the elected Members had not done anything for us. FCs appeared after the reunification. I am just a fisherman. I am not rich and I have never had privileges. I would like to tell Honourable colleagues that our sector will go bankrupt and lose their jobs soon. What does our sector ask for? They ask for survival and development. These people only want to stand on their own feet, and they just want to make a living.

I would like to tell Honourable colleagues that I have visited two places including Lok Ma Chau. A farmer there aged over 60 told me that the Social Welfare Department attempted to assist him but he was not willing to receive assistance. He lived in a shed of corrugated iron sheets and used a kerosene stove. How could someone use a kerosene stove for cooking in this decade? Have Honourable colleagues visited these people? Have they taken care of them? No, they haven't. As a result, I, an FC member, "simple-mindedly" talked with them in the hope of helping them solve their problems. At last, the Government helped them solve their problems. Furthermore, .....

**MR LEUNG KWOK-HUNG** (in Cantonese): President.

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, what is your question?

**MR LEUNG KWOK-HUNG** (in Cantonese): He asked if I had seen .....

**MR WONG YUNG-KAN** (in Cantonese): I have not asked him the question.

**PRESIDENT** (in Cantonese): I think Mr WONG Yung-kan has not asked you the question, so, please sit down.

**MR LEUNG KWOK-HUNG** (in Cantonese): He asked if I had seen that.

**PRESIDENT** (in Cantonese): Mr LEUNG Kwok-hung, you cannot interrupt when other Members are speaking. Please sit down first.

**MR LEUNG KWOK-HUNG** (in Cantonese): Talking about poverty, he is not poor enough .....

**PRESIDENT** (in Cantonese): I ask Members to comply with the Rules of Procedure.

**MR WONG YUNG-KAN** (in Cantonese): President, it does not really matter if other people do not respect me. As a Member of this Council, I would think that we should tolerate each other. I therefore forgive him.

One night I went to Lamma Island and I saw a fisherman in his sixties or seventies and he still had to go out to the sea to fish. I asked him why he did not apply for the CSSA. But he asked me in return why he had to apply for it. He said that he was physically fit and he could still go out to fish. He said that he would just make as much money as he could. I do not think that people in our trade are spineless. How come we have any privilege? What kind of privileges have I got? Over these past 12 years, I have called for the Government on many occasions to turn the tide and lend its support to the development of our trade. It is not that I do not make any suggestions and it is not that I do not take any action. Some people criticize me for raising the same topic over the past 12 years and that is to develop fisheries and agriculture. But what is wrong with that?

This trade is being looked down upon in our society and it is regarded as useless. If we are considered to be of any use, people would have come to our

side and lend us their support. I know that some Honourable colleagues have done a lot to help us, including those from the Civic Party and the Democratic Party, such as Mr Fred LI. I agree that they have done a lot for us. I hope that Members can come to know that not all FC Members are not doing anything. I believe the 30 FC Members do have their own way of doing things since they come from different sectors and trades. But it is not true to say that we have achieved nothing and we do not care anything about the people outside. As I am both a DC Member and a Legislative Council Member, I have to handle more than 1 000 cases every year. I am not idling at all.

I wish to point out that we should know why I can be here and even though I got elected uncontested, I am not .....

(A person yelled in the public gallery)

**PRESIDENT** (in Cantonese): Will the person in the public gallery .....

(The person in the public gallery continued to yell)

**PRESIDENT** (in Cantonese): Will the person in the public gallery keep quiet immediately.

(The person in the public gallery continued to yell and several security officers came up to stop him and surround him. Other people left the public gallery)

## **SUSPENSION OF MEETING**

**PRESIDENT** (in Cantonese): The time now is almost 10 minutes to ten o'clock. I now suspend the meeting until nine o'clock tomorrow morning.

*Suspended accordingly at ten minutes to Ten o'clock.*