

Carrie Lam's mission impossible

Scorned by protesters, she is the latest Chief Executive to find the powers of office illusory in dealing with the challenges Hong Kong faces



Zheng Yongnian
For *The Straits Times*

Who wants Carrie Lam's job?
In principle, the Chief Executive (CE) of Hong Kong is the most powerful political figure in the Special Administrative Region (SAR). The CE's functions include nominating principal officials for appointment by Beijing, conducting foreign relations, appointing judges and other public officers and giving consent to legislation passed by the Legislative Council (LegCo).
Although the Basic Law obliges the CE to first consult the Executive Council before making important policy decisions, introducing Bills and dissolving the LegCo, the members of the Executive Council are all appointed by the CE.

But this powerful image is illusory. The CE cuts a miserable figure when confronted with the stark realities of managing the tumultuous politics of Hong Kong. As a gauge of the difficulties of the job, consider the increasing brevity of the terms of its office holders.
Article 46 of the Basic Law, the Constitution of the Hong Kong SAR, states that the term of office of the CE is five years, with a maximum of two consecutive terms. But so far, no one has been able to stay the full two terms. The first CE, Mr Tung Chee Hwa, chalked up seven years and 255 days; the second CE, Mr Donald Tsang, seven years and 10 days; the third CE Leung Chun Ying, just five years.

The current CE - Mrs Carrie Lam - beset by rumours of her resignation or removal, has chalked up two years and 123 days as of today. While her predecessors left under different circumstances and reasons, it could be said their tenures were all cut short by crises, and the crises are becoming increasingly frequent and intractable.

Why is that the case?
QUESTION OF LEGITIMACY
To understand why Hong Kong's CE is so embattled, we need to understand why the position was created in the first place and the fundamental flaws that have grown more apparent with time.
With the 1997 handover of power, the CE was supposed to replace the governor of Hong Kong, the representative of the British crown. However, there are huge differences between the two.
For the governor, there was no

local politics to worry about as his power was derived from London.
Before the handover, there was a popular view in Hong Kong that since the executive-led government was so efficient and effective, there was no need for politics at all. In other words, an executive-led government would be sufficient in governing the territory. It may have sufficed under British rule, but it is certainly not true after the handover.

For a long while under the British, there was no democracy in Hong Kong. However, before his departure, the last governor, Mr Chris Patten, started to introduce elements of democratic rule by widening the voter base for certain elections such as those for municipal councils and district boards.

That first step was the beginnings of today's troubles. Democracy, once introduced, follows a certain trajectory of growth: Once one gets it, one will never give up, and indeed will struggle for more. So, after Hong Kong was returned to China, the demand by its people for a greater say in how the territory was run kept growing.

As the democratic movement gained in strength, it became a threat to the legitimacy of the CE, given Hong Kong's unique political structure.

Democracy is politics from the bottom up. It operates through, and is dependent on, political parties.

However, under the Basic Law, the CE is supposed to be non-partisan. The CE is elected from a restricted pool of candidates supportive of the central government by a 1,200-member election committee. This committee is an electoral college consisting of private citizens and special interest groups representing sectors such as business and the professions. While the election committee has grown from 400 members to its present 1,200, it is a tiny fraction of Hong Kong's 4.1 million registered voters.

MANY OBSTACLES
Given the way the CE is chosen, there is a disconnect between the office holder and the political parties represented in the LegCo. As a result, the CE finds it hard to pursue policy goals if these run counter to the views of large numbers of hostile LegCo members. To get things done, the CE has had to lean on the civil service.

The danger is not just the politicisation of the civil service, either actively or passively, but also the alienation of civil servants from the CE as they push back against pressure to execute orders contrary to their political beliefs.

There are also limits to how much the CE can pursue change of a political nature by relying solely on the administrative arm of the government.

Without strong support by political parties, the Hong Kong



government has failed to make meaningful change despite the best of intentions. A case in point is Mr Tung's aborted plans to build 85,000 public housing units every year to alleviate Hong Kong's acute shortage of affordable homes. A noble intention no doubt but one scuppered by resistance from various quarters, including land owners and environmentalists.

In the LegCo, while the CE may be able to count on the support of the pro-establishment camp in pursuing policies favoured by Beijing, that may not be enough to carry the day.

The CE also faces another formidable check in the judiciary, widely seen as a bulwark against attempts at eroding the British legacy.

Much has also been said about that deeply entrenched vested interests that hobble the CE's efforts at reducing social inequities, in particular in the area of housing.

In the wake of the violent protests in Hong Kong, the property tycoons in particular have come in for much flak for hoarding land and keeping housing prices high. China's state-run media have also joined in the fray, urging the government to seize land.

While attacking tycoons may be emotionally satisfying, less noticed is a tax issue that has narrowed the CE's room for manoeuvre. The government prides itself on a low tax regime but relies heavily on land sales to boost its narrow tax base. In the current financial year, land premiums and stamp duties are projected to make up a third of the government's income.

CHINA'S ROLE
The CE is often criticised by the Western media as a "puppet" to Beijing, the true masters of Hong Kong. This view is an exaggeration and fails to reflect the fact that Beijing often feels frustrated and

helpless in the face of various crises arising in Hong Kong. China had its share of headaches when Mrs Lam's immediate predecessor, Mr Leung, ran into storms involving education and constitutional reforms. The Umbrella Revolution arose during his watch.

One of the reasons why no CE has finished two terms so far is the fact that China is still intent on making a success of the "one country two systems" model in Hong Kong. Set to run for 50 years, it is meant to show the world, in particular Taiwan, that it is possible for a capitalist democracy to make the shift to a country run by the Communist Party of China.

China has gone to great lengths to make it succeed. It has struggled to lend public support to floundering CE's when things got rough even as it quietly looked for a suitable replacement to ease public anger. Over the years, Beijing has also done whatever it could to maintain

the prosperity of Hong Kong, signing the Closer Economic Partnership Arrangement with Hong Kong and allowing mainland Chinese citizens to travel to Hong Kong in 2003. For years, Beijing even prohibited neighbouring Guangdong province from developing its financial sector in order to avoid competition with Hong Kong.

The desire to preserve the "one country two systems" model has meant that China may be sovereign in name but finds its efforts to draw Hong Kong back into its embrace fraught with difficulties. Attempts to pass a national security law and initiate an educational programme to nurture Hong Kongers' China identity have all backfired. The uproar over the Extradition Law that was finally aborted is the latest instance of how dysfunctional the China-Hong Kong relationship has become.

Even if Mrs Lam were to resign now, the problem would not go away as the protesters are now demanding full democratisation in Hong Kong.

ROOM FOR COMPROMISE
This is not to say compromise is impossible. For instance, Beijing could allow Hong Kongers to freely choose the CE in a direct vote in exchange for China being able to protect its sovereign rights through the passage of legislation to deal with treason, sedition and subversion against the central government.

What is non-negotiable for China is independence for Hong Kong.

But will greater democracy help the CE in running Hong Kong? The answer is no. A strong CE is a mission impossible in Hong Kong, a society that is already deeply divided and suffering the pains of widening income inequality. The danger is that it could, instead, accentuate existing polarisation and political fragmentation.

Populism becomes a greater threat in such an environment. If anything, it makes the CE's job of managing Hong Kong's transition to fully one country in 2047 even more challenging.

The days of a strong executive-led government that once existed under the British rule will not return to Hong Kong.

No one can be sure what the future may bring. But one thing is clear: As China and Hong Kong struggle to keep the increasingly brittle structure of "one country, two systems" from falling apart, whoever holds the job of CE will be wearing a crown of thorns.

stopinion@sph.com.sg
• Zheng Yongnian is a professor of political science at the East Asian Institute, National University of Singapore. His latest work is co-authored with Huang Yanjie, *Market In State: The Political Economy Of Domination In China*.