

## Book Review

***Zhanling Zhonghuan: Heping Kangzheng Xinzhanishi* 佔領中環：和平抗爭心戰室 [Occupy Central with Love and Peace], by Tai Yiu Ting, Hong Kong: Enrich Publishing, 2013, 253pp., HK\$118 paperback, ISBN:978-988-16808-5-3.**

This book provides the political analysis that forms the basis of Hong Kong's Occupy Central movement. Its author, Benny Tai Yiu Ting, is a devoted Christian and Associate Law Professor at the University of Hong Kong, and it was surprise to many observers that he emerged as the main organiser of the Occupy movement in 2014: although he has been involved with many demonstrations in the territory on behalf of democracy and Hong Kong's core values, he has for the most part worked behind the scenes.

*Occupy Central with Love and Peace* is sold at pro-democracy mass demonstrations and rallies in Hong Kong, such as the annual July 1 marches; and its title, whether by coincidence or design, echoes Occupy Taipei in 2011 by advocating the same values. Currently, people in Hong Kong are observing and learning from Taiwan enthusiastically, as vividly showcased in the recent Taiwan Sunflower Student Movement.

However, this influence from Taiwan is at a distance: by contrast, China has power over Hong Kong through direct interference. Tai envisions Occupy Central as a final push, or campaign of last resort, for universal suffrage ahead of decisions to be made by the Beijing and Hong Kong governments during 2014 on the election mechanisms for the 2017 Chief Executive Elections and the 2020 Legislative Council Elections. The book illustrates how Occupy Central is designed as a multi-faceted campaign, including various deliberative elements and potentially culminating with acts of civil disobedience directly challenging the central government in Beijing. The year 2014 is not only significant for Hong Kong, in which its possible democratic future will be decided: it also marks the 25th anniversary of the students' protest for democracy that occurred in Beijing during spring 1989.

Ever since the Occupy Central movement announced its plans, it has been criticised and attacked by mainstream Hong Kong media, by pro-Beijing and pro-establishment forces in the territory and by commentators based in Beijing: the prospect of thousands of protestors blocking roads in China's international financial centre and fighting for democracy apparently does worry many. Indeed, Tai gives a fitting picture of the situation when he describes Occupy Central as an 'atomic bomb', because it has the potential to mobilise a significant majority of citizens to undermine the legitimacy of the central government and nullify Beijing's claimed willingness to join the international liberal order. His book provides an analysis of democratic developments in Hong Kong, the rationale of Occupy Central, and outlines the possibility of a new formula of democracy in Hong Kong. At the beginning of the book, Tai identifies important actors and their possible attitudes towards universal suffrage. Hong Kong's democracy is contingent on the

Beijing government, as well as pro-establishment forces, pan-democrats, and civil society in Hong Kong. Tai proposes five scenarios, in which each player has a different stance on universal suffrage, and he correspondingly suggests varying degrees of opportunity for cooperation. Beijing's possible stance on universal suffrage in Hong Kong ranges from unconditional rejection at one pole through to unconditional support for *bona fide* universal suffrage at the other: intermediate positions that may be adopted are conditional universal suffrage or quasi-universal suffrage; uncertainty and indecisiveness; or reserved willingness to grant real universal suffrage (68–70).

Tai further identifies five trends among the pro-establishment elements who are in line with Beijing. One trend is to justify quasi-universal suffrage as the final stage of Hong Kong's democratic development, since Beijing will not grant true (liberal Western-style) universal suffrage to Hong Kong. Two alternatives are to persuade Beijing or to convince Hong Kong citizens that genuine universal suffrage would be harmful to Hong Kong's stability, economic growth, and prosperity. The fourth and fifth strands of pro-establishment thought agree in principle with fully-fledged universal suffrage: one group believes that Beijing is willing to provide Hong Kong with fair elections eventually, and it thus would be wise to defend electoral mechanisms proposed by the government sufficiently early to sustain their influence and interests, while the other is less politically calculated but takes the view that universal suffrage will benefit Hong Kong. Unfortunately, these last two perspectives are in the minority – indeed, it remains to be seen whether the fifth group, which appears to be indifferent to the interests and benefits of the pro-establishment camp, even exists, and, if so, whether it has any influence.

Tai emphasises that Hong Kong's efforts to achieve democracy and universal suffrage are a game which requires strategy. Pan-democrats have five possible options, the first of which is to persist with the traditional repertoires such as demonstrations and debates within the Legislative Council. The second is to perform quasi-referendums, replicating the 2010 by-election triggered by the resignation of pan-democratic lawmakers in five constituencies; the by-election campaign that would follow similar resignations would be framed as a referendum for universal suffrage. The third and fourth strategies, respectively, are non-violent and violent civil disobedience, while the fifth choice is to design an innovative election model as a third and middle way: a compromise between Hong Kong's desire for democracy and Beijing's unwillingness to completely copy the Western model. However, this new democratic mechanism should accord with the spirit of real universal suffrage, and create political opportunities for pro-establishment forces to remain in power.

Tai suggests that pan-democrats should work together with those pro-establishment politicians who believe in universal suffrage (the aforementioned fourth and fifth trends in the pro-establishment camp). The minimal differences between these groups allow for a constructive conversation, and consequently empower both forces to exert influence on Beijing's final decision. Tai is correct that such a conversation is not impossible, and it is no secret that in private, radical democrats are on good terms with liberal members in the pro-establishment camp. However, in public – and particularly in front of the media – politicians try to differentiate themselves. In such a small territory as Hong Kong, it is a reasonable tactic for small parties to occupy particular niches to win support from targeted

constituencies. Purity of democracy is one indicator of the difference between liberal pro-establishment and practical pan-democrats. The 'innovative model' of democracy, suggested by Tai as the fifth tactic, is an alien concept to the pan-democrats. If the fifth branch of the pro-establishment camp is indeed non-existent and the fifth tactic of democrats is simply imaginary, then cooperation between pan-democrats and pro-establishment elements on the issue of democracy is of course unattainable.

Tai's greatest contribution in this book is his sharp analysis of civil society in Hong Kong. Impregnated with hope and influence, Hong Kong's civil society cannot be underestimated. The power of civil society derives from the plurality of opinions and the unpredictability of its temper, as it nurtures a changing climate of views. The various constituencies can again be categorised into five factions. The first bloc is indifferent to the debate about universal suffrage, and is electorally apathetic. The second opposes real universal suffrage, and harbours doubts about the benefits of democracy. The third cluster remains neutral in this dispute, but welcomes quasi-universal suffrage. The fourth is in favour of democracy, but currently confines its actions to the extant legal framework. The final, fifth, group of pan-democrats possesses a strong opinion about democracy, and will potentially go beyond the legal framework. Within this group one subset insists on non-violent actions, while the other does not exclude violent behaviours. People in the first group have the potential to be in line with the fifth group, yet it is difficult to predict which voice will prevail and how long this dominance will last. Tai's analysis benefits our understanding of Hong Kong's political landscape, as he demonstrates that civil society is not a unitary voice and that it keeps changing. The biggest bargaining power held by civil society in Hong Kong is the potential to undermine the legitimacy of both Hong Kong's government and Beijing. No government can sustain its power without support from the people (66). Beijing's efforts to interpret opinion polls and interfere with the design of questionnaires bespeak its fear and caution of the territory's civil society.

Tai proceeds to justify civil disobedience, having outlined relevant actors and possible scenarios for Hong Kong's political future. He reconciles his identity as a law professor with his 'unruly' campaign. First, he argues that civil disobedience is not in fact unruly. It is a legitimate alternative strategy when the people have exhausted all other legal means (187). Inspired by Gene Sharp and Martin Luther King, Tai justifies the urgency and the need for collective action expressed in movements such as Occupy Central. In particular, the campaign for universal suffrage requires immediate action. Universal suffrage is a pointer to social justice and equality, and Tai boosts the morale of the pan-democrats through a quote by Martin Luther King: 'justice too long delayed is justice denied'. Second, the arguably sentimental mobilisation is advantageous to the ostensible 'rational' negotiation. As argued by Gene Sharp, the function of negotiation is limited to delivering justice, and is even dangerous in the process of democratic transition. Tai applies this principle to Hong Kong. He illustrates that the 2010 constitutional reform package negotiated by some Hong Kong pan-democrats and the Beijing government led not to democratic progress, but instead created a split within the pan-democratic camp. Tai instead proposes the mechanism of deliberation, rather than of negotiation. The former pays attention to social justice, whereas the latter is an exchange of interests (145). However, deliberation is not a gift given by the

authorities or the Communist Party, in a top-down process. It has to be fought for in a bottom-up process using various means. Social activists in Hong Kong should do their utmost to persuade both the policy makers and the general public, using coercion, exerting pressure, shaming, informing, moralising, touching, arguing, and enticing policy makers (101–6). Occupy Central is designed to balance of sense and sensibility, combined with many strategies to influence politicians and the public.

Tai mobilises the people to act, and meanwhile assures the Communist Party that universal suffrage does not necessarily challenge its exercise of sovereignty over the special administrative region. He argues that Beijing should be confident in four aspects. First, the Communist Party should be certain that pan-democrats in Hong Kong are patriots, though their patriotism is expressed in a different way from party-line patriotism. Second, Beijing ought to be more optimistic about the capabilities of the pro-establishment camp and its ability to win elections under universal suffrage. Third, the rationality and democratic quality of Hong Kong citizens merits Beijing's trust, because Hong Kong people can judge independently and avoid being manipulated by populist appeals. Last, but not least, the Beijing government must be confident of its own economic performance and its popularity among various constituencies. Tai jettisons the argument that the fight for democracy is a zero-sum game, because neither pan-democrats nor the Communist Party are trying to eliminate the other: 'On the road to democracy, we have adversaries, but no enemies' (158), and what democrats want is a fair opportunity to compete with other actors. Universal suffrage, therefore, is a platform of constructive and benign competition. Consequently, and in the long run, the central government will profit from an authentic universal suffrage which sustains the prosperity of Hong Kong. Democracy reinforces the legitimacy of the government and allows it to deal with deep-rooted problems.

In order to further persuade Beijing that the fight for democracy is not traitorous, Tai stresses that Hong Kong's democracy is not a complete duplicate of the Western model, and that is already adapted to local conditions. He argues that universal suffrage is a compromise between different actors with different expectations and calculations, and that the idea of universal suffrage will be localised if procedures are local and the discussion revolves around local conditions. The result of Occupy Central might be a new model of how elections should be held. Though Tai is not specific about this new democratic formula, he does propose methods for getting there: according to Tai, deliberation and an atmosphere impregnated with deliberative culture localise the Western concept of democracy. Thus, although the practice of deliberation is learnt from the USA, Tai tries to devise a form of deliberation with Hong Kong characteristics. Its process secures procedural justice and embraces inclusive participation and plural voices: the discussion of Hong Kong's political future is not the preserve of pan-democrat politicians alone, but rather reflects the lifestyle of ordinary citizens, in which Hong Kong citizens have a say. The 'deliberation day', as Tai terms it, demonstrates that a real democratic system does not bring about mob politics and populism. The biggest difference between the American and Hong Kong versions of deliberation is that whereas the former is organised and monitored by the US government (top-down), the latter is self-organised (bottom-up).

In the context of Hong Kong, the best venue for holding such a process is the university. The university can serve as the beginning of a deliberation culture if it invites the public and entertains a free debate. It is regrettable that Tai only mentions the US as a template and to the localisation of democracy in a general way; he remains too vague to be convincing. He offers no inkling of how Hong Kong people comprehend democracy. As a law professor, Tai clearly prefers procedural democracy to substantial democracy. This has the potential to become an Achilles heel when the Communist Party promotes its 'democratic model' and 'election' template in the absence of freedom, human rights, and equality.

Overall, this book provides a crisp understanding of the current political landscape in Hong Kong. As a book calling for action, it is accessible to the general public and invites debates among intellectuals. The author acknowledges that he might be naïve or idealistic about the fight for universal suffrage. The possibility of cooperation between pro-establishment supporters and pan-democrats is questionable. The speculation that Beijing has sincerity and willingness to give a green light to universal suffrage in Hong Kong is largely unfounded. It is a particular pity is that this book does not draw a direct linkage with Taiwan, and Taiwan's dynamic civil society – we drew attention to Taiwan's 2011 Occupy Taipei movement, and its more recent Sunflower Student movement, at the start of this review. Reference to Taiwan would not only make more convincing the argument that democracy can thrive in a Confucian culture, but also establishes solidarity between these two political entities living in the shadow of the People's Republic. But this absence might be intentional: the author is probably trying to avoid Beijing accusing Occupy Central of being in line with Taiwan's independence movement, or even with Hong Kong's new autonomy movement. After all, Tai does not radically question existing institutions in Hong Kong. He wants to maintain the *status quo*, and universal suffrage as promised in the Basic Law is a part of this.

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