

A case for opening up our Government

THE Legislative Council session is certainly not going to end in a whimper: today's adjournment debate is on the Daya Bay nuclear plant project, next week's is on the translation of laws into Chinese and the final discussion the week after is about the Australian consultants' report on hospital administration. Each subject has attracted controversy; each is of great importance to ordinary people, and the views expressed in the council chamber will be read with interest.

The Legislative Council in recent years has evolved into a forum in which a wide range of opinion is expressed. It has grown away from the simple "rubber stamp" image of the past, when it was perceived as a group of biddable Government supporters whose purpose was to lend an air of legitimacy to official policy.

The change has come about because of a commitment to more open government, which grew as much from an awareness of past mistakes in heeding public opinion as it did from a realisation that the community needed to be further involved if the transitional period on which we have now embarked was to proceed smoothly.

The evolution was made possible by the injection of new ideas into the council through the appointment of younger members and the introduction of elections. A new breed of councillor is emerging — younger, more aggressive and less acquiescent. The process of change is not without difficulty, and the dispute about overseas trips to study nuclear plants is evidence of the pressures simmering within the council. On the surface, it appears a disagreement over who gets a free trip, of offended dignity and lost face. In fact it is an indication of the realignments the council must undergo before a balance is struck between older members who are perhaps resistant to change and the newer ones who demand it. As such it can only be a healthy sign.

Some members, made uneasy by the risk of offending either China or the colonial authorities, place the concerns of the ordinary people into third place. Their proper milieu is the committee room, where no intrusive reporters are allowed, where disagreements can be glossed over before the full council assembles for its decorous public performances.

New members tend to be more "radical" — a relative term in view of the immaturity of Hongkong's political process. But often they reflect an awareness that the fate of this territory must involve its people, and if they are sometimes a little too strident, they must be forgiven; they are new to the democratic game.

(Anyone interested in displays of demagoguery would be advised to spend an hour or two with the British *Hansard*.)

The clashes which have taken place between the two camps and those which are to come are an inevitable consequence of the new "democratic" freedoms. Differences of opinion are healthy, and lead to workable compromises: the mellowing of views over direct elections is a case in point.

If this process is to be nurtured, however, changes are needed to the Legislative Council system. There is little danger of spontaneity at council meetings. Virtually everything which is said has been scripted, and the only opportunity for a free exchange of views is in supplementary questions. While it is to the Governor's credit that the limit of five such questions on any one topic has been relaxed, there is still a major restriction on the range of queries members can raise. They are still not free to question matters of policy unless they wish to propose a motion.

The reason for this limitation is that the Legislative Council is intended to function as a law-making body, while policy is decided by the Executive Council, the meetings of which remain closed to the public. If advantage is to be taken of the tentative moves towards more representative government, the secretiveness which these limitations impose must be lifted.

There are several ways this could be achieved: the introduction of a proper Question Time; the lifting of restrictions on questions of policy; the opening of committee meetings to the public. The aim should be to expose official policy to scrutiny; this would in turn encourage informed debate and would aid the growth of the communal self-confidence which Hongkong needs to face the future with equanimity.

In the place of a true parliamentary system in which the policy-makers are accountable to the electorate, Hongkong has an oligarchy in which civil servants owing their allegiance to the Crown hold key positions in society as a kind of trust. The only independent arbiters of their performance are Legislative Council Unofficials, who should take, and be allowed, every reasonable opportunity to exercise this function.

The need for informed public involvement in the governing of Hongkong becomes more pressing every year, and one way this can be encouraged to the fullest is for a greater degree of openness all round. This would strengthen the framework within which policies are made and laws enacted, not weaken it.