

基本法第二十三條公眾意見匯編研究組

RESEARCH TEAM ON THE COMPENDIUM OF SUBMISSIONS ON ARTICLE 23 OF THE BASIC LAW

Variables and Coding Ledger

This document describes the variables included in the research on the Compendium of submissions on Article 23 of the Basic Law, what they were trying to measure and how they were being coded.

CODER

- ✧ Name of the coder responsible for coding the particular submission.
- ✧ This variable allows for detection of systematic error in a coder if needed.

SER_LET

- ✧ Letter prefix of the serial number, as appeared on the upper right hand corner of the first page of a submission in the compendium.
- ✧ According to the government scheme, “A” denotes submissions from organizations, “B” submissions from individuals, “C” standard letters or pre-printed opinion forms, and “D” signature forms.
- ✧ However, in our careful perusal of the submissions, some cases of misclassification are identified (e.g. submission by an organization mistaken as submission by an individual, standard letters not taken out from “A” or “B” sections). But it also has to be noted that though the coders tried their best in reclassifying correctly, given the vast number of submissions and our limited resources and time, it has proven humanly impossible to pick out ALL standard letters from “A” or “B”.
- ✧ In the cases of misclassification, we do not alter the *SER_LET*; instead we update the coding on the variables *IND_V_GP* and *TYPE*. Thus, *SER_LET* can no longer be used as a perfect identifier for the types of the submissions.

SERIAL#

- ✧ The number part of the serial numbers used by the government, omitting the zeroes immediately after the letter prefix.
- ✧ *SER_LET* together with *SERIAL#* serve as unique identifier of any submission printed in the compendium.

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- ✧ Generally, the submissions are numbered in consecutive sequence. However, the following numbers do not have corresponding submissions in the compendium:
 - A10, B1283 to B1299, B2572 to B2599, B3895 to B3899, B5199
- ✧ In addition, some submissions are “cancelled”, for being irrelevant (e.g. talk about flag burning with no bearing whatsoever on BL23), or being an exact duplicate of another submission (exactly the same text, submitted under the same name). (cross-reference: Appendix 11)
- ✧ If a certain individual or group has tendered more than one submission, as long as they are not exact duplicates, we follow the government’s convention in counting them as separate submissions.
- ✧ In the meantime, there are also cases printed in the compendium that are obviously independent submissions, but do not carry a serial number. For these cases, we give the midpoint value of the serial numbers immediately preceding and following the non-numbered submission. For example, if it is located between A1 and A2, then it will be numbered A1.5. (cross-reference: Appendix 11)

VOL

- ✧ Number of the volume in the Compendium where the submission is located.

GC

- ✧ Government categorization of the submission’s inclination toward Article 23 legislation:
 - 1=favor
 - 2=oppose
 - 7=uncertain

NAME

- ✧ Name of the organization or individual

ORG_TYPE

- ✧ Type of group (for *SER_LET*=A only)
 - 1=education group

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- 2=political or focus group
- 3=business organization
- 4=labor union
- 5=professional group
- 6=community group
- 7=religious group
- 9=organization related to publication or news

ORIGIN

◇ Where the submission was originated from:

- 1=local
- 2=overseas
- 3=mixed
- 7=uncertain

◇ We follow primarily the government's classification unless we see signs to the contrary.

DATE

◇ The stated date of submission, or the date stamp of email or fax transmission.

◇ In the absence of such, and if the "received" chop with date is visible, we use the date on the "received" chop as a surrogate. However, if the chop date is beyond December 24, the last day of the consultation period (some overseas submissions were received in January), we use December 24 as the date of submission. Otherwise, the field is left blank.

IND_V_GP

◇ The government's classification of the submissions into 4 categories is far from ideal. Conceptually it carries two different dimensions: organization vs. individual submissions, and unique vs. standard letters / forms. By construct, the resulting categories are not mutually exclusive.

◇ In our coding scheme, *IND_V_GP* and *TYPE* are used to represent the 2 separate dimensions.

◇ *IND_V_GP*:

- 1=submission by group(s)
- 2=submission by individual(s)

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- 3=submission by group(s) and individual(s)
- ◇ Organizations are groups. There are, however, some less obvious cases. If a submission is signed by “a group of individuals”, with no individual signatures, we may consider it a group submission. The exception would be incredible ones such as “the entire populace of Hong Kong”, which will be considered submission by an individual.**TYPE**
- ◇ Type of submission:
 - 1=unique submission
 - 2=standard letter, pre-printed opinion form
 - 3=signature form
- ◇ In a sense, this is an indicator of the level of initiative, those using signature forms having the lowest level and those preparing unique submissions the highest.
- ◇ If a standard letter has been modified substantively, it will be considered a unique submission.

NO_GPS

- ◇ When **TYPE**=1 and **IND_V_GP**=1 or 3, then we count the number of groups represented in the submission. Otherwise, the variable is left blank.

NO_INDS

- ◇ When **TYPE**=1 and **IND_V_GP**=2 or 3, then we count the number of individuals represented in the submission. Otherwise, the variable is left blank.

NO_FORMS

- ◇ When **TYPE**=2 or 3, then we input the number of forms represented by the sample submission printed in volume 19 of the compendium. Otherwise, the variable is left blank.

NO_SIGS

- ◇ When **TYPE**=3, then we input the number of signatures represented by the sample submission printed in volume 19 of the compendium. Otherwise, the variable is left blank.

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NO_PAGES

- ◇ Number of pages:
 - 1=1 page
 - 2=2 pages
 - 3=3 pages
 - 4=4 pages
 - 5=5 or more pages
- ◇ This variable could be seen as indicator of the degree of sophistication.
- ◇ The counting of the number of pages in a submission includes all appendices, news clippings, etc.

LANGUAGE

- ◇ Language used in the submission:
 - 1=mainly Chinese (defined as $\geq 80\%$ of the content in Chinese)
 - 2=mainly English (defined as $\geq 80\%$ of the content in English)
 - 3=a mixture of Chinese and English
 - 4=other languages

STAND1 and *STAND2*

- ◇ The government categorized the submissions into:
 - A: The content of the submission enables it to be identified as supportive of the legislation to implement Article 23;
 - B: The content of the submission enables it to be identified as opposed to introducing legislation to implement Article 23 (if the writer supports in principle legislation to implement Article 23 but objects to the proposals in the consultation document, the submission will be categorized as B also); and
 - C: The content of the submission does not enable it to be identified as either A or B.
- ◇ We have decided to separate clearly the stand in principle from the stand regarding the current government proposal, and correlate them with viewpoints or rationales behind the stands (the VIEW variables).
- ◇ The STAND variables are expressed stands in the submission regarding the local enactment of BL23: *STAND1* on principle, *STAND2* on the government's proposal:
 - 1=support
 - 2=inclined to support

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- 3=inclined to object
 - 4=object
 - 7=uncertain
 - 9=not mentioned
- ◇ If the submission contains only simple statement, both *STAND1* and *STAND2* will be given the same code. For example, if the submission in concern stated support for BL23 legislation with little or no qualifications, then both *STAND1* and *STAND2* will be given the code of “1”.
- ◇ Sometimes the stands are not as clearly stated and we understand that the line between interpretation and over-interpretation is a very fine one. We have instructed the coders to decipher the general tone of the submission as positive or negative toward local enactment of BL23, and code “7” only when it is clearly not determinable, and “9” only when the submission does not give any clues as to the general inclination of the writer. We have also cautioned the coders against over-interpreting.
- ◇ This same principle of interpretation applies when a certain submission is written in an ironic tone. For example, there are a few submissions that say one thing in literal sense, but mean the opposite if read between the lines. These submissions tend to push things to the extreme in a tone of sarcasm. If we do not allow a certain degree of interpretation, we would have miscoded the stands of these submissions. Other similar situations include poems or prose written poetically.

VIEW1 to VIEW14

- ◇ Viewpoints or rationales behind the expressed stands:
- 1=mentioned
 - 0=not mentioned
- ◇ They can be divided into 3 groups:
- Group 1: *VIEW1* to *VIEW6*: viewpoints that are often cited in support of legislation, to be coded only when *STAND2*=1 or 2; otherwise they are skipped.
 - ◆ *VIEW1*: protect national security, national interest
 - ◆ *VIEW2*: required by the Basic Law and is our obligation to fulfill
 - ◆ *VIEW3*: embody “One Country, Two Systems”
 - ◆ *VIEW4*: safeguard Hong Kong’s prosperity and stability
 - ◆ *VIEW5*: provide better protection of human rights
 - ◆ *VIEW6*: such legislation is common international practice
 - Group 2: *VIEW7* to *VIEW11*: viewpoints that are often cited in opposition of legislation, to be coded only when *STAND2*=3 or 4; otherwise they are skipped.

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- ◆ **VIEW7**: hurt “One Country, Two Systems”, cause mainlandization of HK
- ◆ **VIEW8**: violate human rights and liberties
 - Mention of either human rights or liberties will do
 - Mention of academic freedom or the example of Li Shaomin will mean that this viewpoint is mentioned
 - Falun Gong’s standard argument
- ◆ **VIEW9**: dampen investors’ confidence, and thereby Hong Kong’s economic prospect
- ◆ **VIEW10**: no need for legislation as existing laws provide adequate safeguard
 - The argument that the legislation proposal is trying to do too much – much more than what is required by the BL (i.e. overdoing) – could be classified under **VIEW10**
- ◆ **VIEW11**: timing of legislation is not right
- Group 3: **VIEW12** to **VIEW14**: queries about aspects of the consultation exercise, often cited in opposition of legislation as government proposed, to be coded only when **STAND2**=3 or 4; otherwise they are skipped
 - ◆ **VIEW12**: consultation period too short
 - Include complaints about both length and breadth of the consultation
 - ◆ **VIEW13**: consultation document lacks clarity and details
 - ◆ **VIEW14**: consultation lacks sincerity
- ◇ There are some submissions that focus on rebutting the arguments of the opposite camp, or in other words, instead of stating the reasons in support of their stands, they take the approach of negating the rationales and thereby the stands of the opposite camp. Our current coding scheme does not accommodate this approach. Therefore, while their stands can be readily identified, they would be deemed to have expressed no viewpoints to support their own stands.

CONCERN

- ◇ Whether concerns or worries about specific content of the consultation document are expressed:
 - 1=yes
 - 2=no
 - 3=uncertain

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- ✧ Obviously people in the supporting camp will not see the government proposals as worrying. But for people in the opposing camp, this variable allows us to distinguish submissions that were primarily position stating for head counting purpose as opposed to submissions that tried to respond to the government proposals.

TREASON to *INVPOWER*

- ✧ Only when *CONCERN*=1, then we proceed to code *TREASON*, *SECESSION*, *SEDITION*, *SUBVERSION*, *THEFTSEC*, *TIE_FPO*, and *INVPOWER*, corresponding to the headings of Chapters 2-8 of the consultation document:
 - 1=mentioned
 - 0=not mentioned
- ✧ For details about each of the 7 concepts, the coders were asked to consult the consultation document as well as the 7 booklets published by the BL23 Concern Group.

EX_TER_J

- ✧ In the course of coding, a couple of coders noticed that “extra-territorial jurisdiction” has been mentioned in a couple dozen cases. We have decided post-hoc to include a dummy variable *EX_TER_J* to indicate whether it is mentioned. Similar to the *TREASON* to *INVPOWER* variables, it is being coded only when *CONCERN*=1:
 - 1=mentioned
 - 0=not mentioned

W_BILL

- ✧ Whether the submission is in support of the introduction of a white bill:
 - 1=support
 - 2=oppose
 - 7=uncertain
 - 9=not mentioned
- ✧ There is a clear agenda-setting effect as the idea of putting forth a white bill carries much momentum in the community discourse after Anson Chan suggested it in the media. We do not expect white bill to be mentioned much in submissions tendered before that.
- ✧ There are in fact quite some submissions that do not give stands or viewpoints but only call for the introduction of a white bill.

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- ◇ Submissions that call for a longer consultation period, or the proposal to be spelled out more clearly and in greater details would **not** automatically be assumed that they are in support of a white bill.
- ◇ It is only when the submission clearly states to the effect that a longer **public** consultation period, and/or the proposal to be spelled out more clearly and in greater details are desirable **before the legislating process formally begins** then it can be construed as in support of a white bill.
- ◇ If a submission calls for legislation as soon as possible, it will be construed as opposing the introduction of a white bill, and be given the code of “2”.

CHECK

- ◇ Whether the coder recommends reexamination:
 - 1=yes, 0=no

STUDY

- ◇ Whether the coder recommends further perusal of the case:
 - 1=yes, 0=no

Other observations:

- ◇ Qualification as a submission: If a submission contains nothing but only news clipping, there is neither stated stands nor clues to help decipher the stands, then it should not be counted as a submission.
- ◇ Appendices that are consistent with the stated stands of the submission should be reviewed as part of the submission in the determination of codes for the variables in the coding sheet.
- ◇ In some English language submissions, the term “anti-subversion laws” is used to represent the entire concept of local BL23 enactment. But the coders are cautioned to make the distinction whether the submission concerns itself with subversion alone or the entire BL23 legislation.
- ◇ Some other views expressed:
 - Legislation causes shame on HK, makes HK a laughing stock
 - Johannesburg principle
 - Put forth suggestions that may help make the government proposal more acceptable
 - It is of the right timing to legislate, already 5 years after handover
 - It is the obligation of HKer

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- Affect future of HK (did not say whether positively or negatively)
 - Increase polarization of community
 - Decrease in judicial independence
 - There is a severe lack of confidence in government (so should not introduce such controversial law, so does not matter what the government does, so the people will not trust the officials' words alone. . .)
 - Confuse the concept of patriotism with support of the bill
- ◇ Problem: in volume 19 of the compendium, the sample standard letters and opinion forms (“C”) are printed. However, some of the forms allow expression of either positive or negative views toward BL23 legislation. Some provide a list of views to check. Therefore, it would be wrong to assume that the codes for the samples can be simply generalized to the rest.
- ◇ Technical note: It is very important to note that when a certain variable is left blank (e.g. in a “skip” situation), “.” will be generated when imported into SPSS format, denoting missing values. This is very different from “0” conceptually.