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Testimony by Victoria Tin-bor Hui

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Bio

Victoria Tin-bor Hui (許田波) is an Associate Professor in Political Science as well as a Faculty Fellow of the Liu Institute for Asia and Asian Studies (劉氏亞洲研究院), the Kellogg Institute for International Studies, the Kroc Institute for International Peace Studies and the Center for Civil and Human Rights at the University of Notre Dame. Hui received her Ph.D. in Political Science from Columbia University in 2000. She is the author of award-winning *War and State Formation in Ancient China and Early Modern Europe* (Cambridge University Press, 2005) in which she argues that citizenship rights born of military competition – legal protection, freedom of expression and material welfare – indigenously sprouted on Chinese soil long before they blossomed on European soil. When the Umbrella Movement started, she created a blog to explain the movement with regard to theories of the state, contentious politics, constitutionalism and human rights (<https://victoriatbhui.wordpress.com>). Before coming to the U.S., Hui grew up in Hong Kong and earned a B.S.Sc. in Journalism and Communication from the Chinese University of Hong Kong in 1990. She worked as the press officer for the then United Democrats of Hong Kong and its Chair Mr. Martin Lee in 1991-1994. While studying and working in the U.S., she has continued to pay close attention to Hong Kong as her family lives there. She most recently visited the occupy sites during fall break from Oct. 17 to 26.

Testimony

Chairman Brown, Co-chairman Smith, and distinguished members of the Commission,

Though I am originally from Hong Kong, I am speaking today as an academic expert. I do not claim to speak for protestors who have faced down police force and thug violence. I only wish to highlight the significance of what they have been doing.

The protestors' demand is easily summarized by a yellow banner that can be seen everywhere in Hong Kong: "We want genuine universal suffrage (我要真普選)." This refers to the right to nominate candidates as well as the right to vote for the next Chief Executive in 2017.

The Umbrella Movement has witnessed hundreds of thousands of protestors occupying busy streets. At the same time, the local and international media have shown images of counter-protestors roughing up non-violent protesters.

The division among Hong Kong people hinges on one question: Is it possible to preserve freedom without democracy? Hong Kong people, whether they are pro-occupy or anti-occupy, cherish freedom. They want a neutral civil service, an impartial police, an independent judiciary, and a free press. These core values have been eroded in the absence of democracy. Freedom is fast disappearing without democracy.

Hong Kong has seen three Chief Executives since 1997. They were chosen by a narrowly-based Election Committee beholden to Beijing and have successively undercut Hong Kong's core values.¹

The first Chief Executive, C. H. Tung, under Beijing prodding, introduced a draconian national security bill in 2003. He was forced to shelve the bill and then resign after half a million protestors took to the streets. The national security bill can be revived any time. Pro-establishment politicians are talking about re-tabling it so as to prevent another umbrella movement.

The second Chief Executive, Donald Tsang, introduced political appointments to top civil service positions. Without electoral accountability, this practice created cronyism and eroded the meritocratic civil service.

The third and current Chief Executive, CY Leung, has stepped up the appointments of his loyal supporters to key government positions and advisory committees. His extensive appointments of business and political friends have further undermined public accountability and corrupted the government. Under his watch, even the Independent Commission Against Corruption has become the target of a corruption investigation, as testified by the investigation of the former Commissioner Timothy Tong. Worse, CY Leung has been accused of receiving payouts of HK\$50 million and then \$37 million from the Australian firm UGL without publicly reporting them. In addition, the police have come under attack for making arbitrary arrests of protestors and selectively enforcing the law. Media critics of the government have been demoted or fired, with some journalists subjected to physical attacks by thugs.

The rapid erosion of freedom in the past two years has seriously undercut Hong Kong's promised autonomy. Protestors want genuine universal suffrage because the previous system of "freedom without democracy" is broken.

Some Hong Kong people, many in my generation and older, still believe that Hong Kong can keep its freedom without democracy. But this view goes against world experience.² It is not coincidental that Hong Kong has been the only case of "freedom without democracy" in the world -- and this unique case is fast disappearing. All around the world, freedom and democracy are either present together or absent together, strong together or weak together. It is simply impossible to preserve a meritocratic civil service, an impartial police, an independent judiciary, and a free press without democratic accountability.

If protestors are loud and clear about their goal of genuine universal suffrage, it is not easy to get there.

The Umbrella Movement is nearing the end of the second month. As the government has refused to have a meaningful dialogue with protestors, supporters are looking for alternative ways to sustain the movement beyond occupying busy streets. It may be less daunting, though by no means easy, to put pressure on business elites who are in the position to influence the government. All over the world, business elites are naturally pro-regime. But they may have second thoughts if protestors can impose costs on their continued collusion with the government.

Toward that end, protestors are circulating a growing list of businesses for a targeted boycott.³ The government plans to turn the 1200-member Election Committee into a nominating committee for the Chief Executive in 2017. Leading members of this committee are Hong Kong's wealthiest tycoons who dominate most businesses that affect everyone's daily life. Hong Kong's rich and famous may be convinced that keeping the economy open to the world depends on guarding Hong Kong's freedom with democracy.⁴ An open and vibrant Hong Kong will serve their long-term interests better than securing short-term deals and contracts in Beijing.

Ultimately, it is incumbent on the Hong Kong government to address protestors' demand. As bailiffs are clearing occupy sites this week, the government may be tempted to think that the problem will simply go away. But the source of the problem is not the occupy movement; it is the government's erosion of freedom.⁵ Protestors will continue the struggle for genuine universal suffrage with other forms of civil disobedience. Now that the government has also trained an Umbrella generation to be fearless in the face of criminal arrests, police force and thug violence, any repressive measures will only drive hundreds of thousands back to the street. The government has no alternative but to reopen the consultation process on electoral arrangements.

HK's student leaders say that history has chosen them—students have shouldered this burden with immense courage. History has also chosen HK's powerful adults to make right choices.

Thank you.

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¹ Hong Kong is not unlike other world cases in which political incumbents are responsible for the erosion of freedom and democracy. See Juan Linz and Alfred Stepan, eds., *Breakdown of Democratic Regimes*, Baltimore: Johns Hopkins University Press, 1978.

² See Douglass C. North, John Joseph Wallis, Barry R Weingast, *Violence and Social Orders: A Conceptual Framework for Interpreting Recorded Human History*, Cambridge University Press, 2009; Edward D. Mansfield, Jack L. Snyder, “Democratic Transitions, Institutional Strength, and War,” *International Organization*, Volume 56, Number 2, Spring 2002, pp. 297-337; Brian D. Taylor, *State Building in Putin’s Russia: Policing and Coercion after Communism*, Cambridge University Press, 2011.

³ The boycott list (《全港不合作運動 - 抵制建制派商戶大行動》抵制商戶名單) is available at <https://docs.google.com/spreadsheets/d/1NRermxQ6CzkBbAr9v8taH9F0-8R6P-vmsE2qCZhkXGU/htmlview?sl=true>.

⁴ See Joseph T. Siegle, Michael M. Weinstein, and Morton H. Halperin, “Why Democracies Excel,” *Foreign Affairs*, Volume 83, No. 5, September/October 2004, pp. 57-71; Joseph T. Siegle, Michael M. Weinstein, and Morton H. Halperin, *The Democracy Advantage: How Democracies Promote Prosperity and Peace*, New York: Routledge, 2005.

⁵ In academic language, the Hong Kong government is responsible for “constructing” the Umbrella Movement. See Jeff Goodwin, *No Other Way Out*, Cambridge University Press, 2001; Charles Tilly and Sidney Tarrow, *Contentious Politics*, Oxford University Press, 2006.