

The Prerequisites of Democracy in Hong Kong under One Country Two Systems

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Abstract

The formula of one country two systems is put forward by Chinese leader Deng Xiaoping as a way of dealing with the issue of unification of China. China resumed its sovereignty over Hong Kong in the year 1997, and permitted Hong Kong to exercise capitalism under the principle of one country two systems. What happened in Hong Kong in the past few years showed an inharmonious picture to the world which obviously violated the formula of one country two systems prescribed in the Basic Law. This article conducts an analysis of the prerequisites of democracy in Hong Kong that the establishment of democracy must conform to the rules of sovereignty and law, expounding why it is wrong to ask for democracy with extreme behavior.

Keywords

One country two systems; Hong Kong turmoils; Popular sovereignty; Political virtue; Democracy and law; One person one vote.

1. Introduction

Hong Kong is different from any other city in China due to its long history of colonization, and is unique because of the policy of one country two systems. The formulation of policies by a given country must be combined with its own conditions. [1] According to the condition of China, Deng Xiaoping, the great Chinese leader put forward the concept of “one country two systems”. When Hong Kong returned to China in the year of 1997, its capitalism was well preserved rather than be transformed into socialism. This creation is derived from the philosophical ideas of the great thinkers as what Deng said, “if the concept of one country two systems has international significance, that should be attributed to Marxist dialectical materialism and historical materialism or, in the words of Chairman Mao Zedong, to the principle of seeking truth from facts.” [2] It is clear that the feasible policy of “one country two systems” is built on facts and truth instead of on impulse, and moreover, it embodies the wisdom of philosophy: it brings benefits to each other as long as people insist on coexisting and integrating rather than on annihilating and isolating. As far as Hong Kong and the mainland are concerned, the “coexistence” of two systems is under the same umbrella of China. In the basic law of the Hong Kong special administrative regions of the People’s Republic of China, it writes “The Hong Kong Special Administrative Region is an inalienable part of the People’s Republic of China,” [3] and in terms of the relationship between the local administrative region and the central people’s government, it regulates that “The Hong Kong Special Administrative Region shall be a local administrative region of the People’s Republic of China, which shall enjoy a high degree of autonomy and come directly under the Central People’s Government.” [3] It must be pointed out that “a high degree of autonomy” is totally different from “self-governing”. If some people attempt to separate Hong Kong from China in the name of democracy, they will break the basic law, and what’s worse, it is likely for them to be deprived of the freedom of asking for democracy once they violate the law by means of civil disobedience. Freedom is not a fruit of

every climate, and it is not therefore within the capacity of every people. The more one reflects on this doctrine of Montesquieu, the more one is conscious of its truth. [4] Like freedom, democracy is not within the capacity of every people. In the following parts, this essay will have an analysis on democratic issues from the perspective of the popular sovereignty, the laws, the moral and political virtues so as to help people understand the absolute democracy does not exist at all.

2. Democracy is Exercised under the Sovereignty

When speaking of sovereignty, Lu Ping, Director of China's Hong Kong and Macao Affairs Office, put an emphasis on the great difference between resuming the exercise of it and regaining it by stressing that it was incorrect to use the term "regain sovereignty" because the sovereignty of Hong Kong had always belonged to China, and that Great Britain had occupied Hong Kong by force so that China was unable to do it. [5] Not only has China resumed the exercise of sovereignty over Hong Kong, but has also rooted out the problem of "self-governing". By insisting on the deletion of Hong Kong and Macao from the list of non-self-governing territories China has put an end to the annual public discussion of Hong Kong in the Decolonization Committee of the United Nations. [6] Although the fact that China possesses full sovereignty over Hong Kong is irrefutable, it is still necessary to trace back those historical events and once again to get it exposed to the world. Histories make men wise, and therefore we must learn about history in order not to stray away from the right orbit.

For understanding sovereignty well, let us reflect on those great thoughts of Rousseau in *The Social Contract*. Rousseau stated that the public person thus formed by the union of all other persons is called the state in its passive role and sovereignty when it plays an active role. [4] From this statement we can take the hint that the sovereign is "the whole body of the people." In the opinion of Rousseau, each person finds himself doubly committed, first, as a member of the sovereign body in relation to individuals, and secondly as a member of the state in relation to the sovereign. Corresponding to the double roles, people have to take into account both the private wills and the general ones, both the local wills and the national ones when they exercise the right of democracy. For every individual as a man may have a private will contrary to, or different from, the general will that he has as a citizen. Whoever refuses to obey the general will shall be constrained to do so by the whole body. [8] Accordingly, whether the democracy could proceed smoothly in Hong Kong depends not only on Hong Kong people, but also on the people of the mainland and the other parts of China due to the fact that the will of the nation is from all Chinese. If anyone denied his or her membership of the state, it would be ridiculous for him or her to ask for exercising any power, including the right of democracy.

Sovereignty is inalienable as what Rousseau said, "Sovereignty, being nothing other than the exercise of the general will, can never be alienated; and that the sovereign, which is simply a collective being, cannot be represented by anyone but itself--power maybe delegated, but the will cannot be." [4] The history of half-being colonized is a symbol of China's past humiliations and an embarrassment to her pose as champion of the Third World, so Chinese are very sensitive to "separation" and long more for the reunification of the country than any other people of the world. No matter what the radicals do in Hong Kong, or any other place of China, they are too fragile to wrestle with the "general will"; no matter what they do or say, they are unable to represent "the collective being", the whole people of China. Plato explicitly maintains that all private concerns must be subordinated to the good of the community as a whole. [7] It is shameful to discredit the state for personal gain. Some young people in Hong Kong who have been misguided should think over what Rousseau said, "after the state is instituted, residence implies consent: to inhabit the territory is to submit to the sovereign". [4] Only by submitting to the sovereign, can they appeal for the other rights like democracy.

3. Laws are the Guarantee for Democracy

In whatever form the democracy is presented, socialist democracy or bourgeois democracy, its implementation depends more on political virtue of the civil servants than on the one of the voters. Montesquieu well interprets political virtue in *The Spirit of the Laws*, "I call virtue in a republic is love of the homeland. The political good man, who has the political virtue I have mentioned, is the man who loves the laws of his country and who acts from love of the laws of his country." [8] It is noticed that some officials of Hong Kong took part in the parade which had been forbidden by the Hong Kong police. What they did obviously violated the spirit of the law. Deng Xiaoping pointed out that "We shall have the opportunity to identify professionally competent people to use for the administration of Hong Kong after 1997. There is only one requirement for participants: they must be patriots, that is, people who love the motherland and Hong Kong. [2] What measures could be taken if some civil servants and administrators fought against their motherland in the name of democracy?

Madison said, "if men were angels, no government would be necessary." [9] It is not government, but the sense of morals and laws that bring about change for the better. Without the help of the law, the government would lose the instrument to transform the devils into angels. The law is the most powerful weapon to overcome the evil in human nature. Speaking of the full use of the law, the America did set a good example for us by prescribing that all civil officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other High Crimes and Misdemeanors. [10] Similarly, the article 23 in the Basic Law has also stipulated that the Hong Kong Special Administrative Region shall enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the Central People's Government, [3] but the government of the Special Administrative Region had run into obstacles in enacting relevant laws, as a result, Hong Kong has no laws protecting its security. [5] Since what happened in Hong Kong has challenged security and sovereignty of the country, the National People's Congress as the supreme legislative institution of the People's Republic of China is to enact the law of national security.

The importance of law can not be over emphasized. The whole society would collapse once the law were easily broken, and every one would become the victim of it. The slogans of "the civil disobedience" and "arriving at justice by breaking the law" advocated by some persons in Hong Kong not only misled the young people there but also brought them into extremes and even ruined them. They don't understand "the legislative power is the heart of the state. It is not only through the law that the state keeps alive; it is through the legislative power." [4] Where could we find democracy if the foundation of the law were destroyed? Violating the law means moral corruption. Although the law does not regulate morals, it is legislation that gives birth to morals; when legislation weakens, morals degenerate. [4] As to the significance of obeying the law, there is nobody who knows it better than Socrates does. Socrates was charged with corrupting the young men and were put in prison for it. He would rather take poison and die there than escape punishment of the law. He claimed that for whoever was a destroyer of laws would surely be thought to be a corrupter of young men and foolish people. [11] Unlike Socrates, who defended the authority of the law, some people in Hong Kong trampled on the law in the name of democracy. It was a strange spectacle in the last few years to see the futile attempts of some extremists in Hong Kong to "establish democracy among themselves." Some who took part in demonstrations lost human reason as their ambitions were excited by the "brutality" of the most radical ones. The Chinese government stated repeatedly that electoral arrangements had to accord with its legal parameters, that it would not be intimidated, and that Occupy Central was illegal. [12] Since some young people in Hong Kong have forgotten the law, it is very necessary to carry out a campaign of enlightening education about the knowledge of Constitution and the Basic Law. It is not a matter of indifference that the people be enlightened.

In a time of ignorance one has no doubts even while doing the greatest evils; in an enlightened age, one trembles even while doing the greatest goods. [8] By no means could people live a peaceful life if they choose to stay in a world of darkness lack of virtue of law and morality, let alone enjoy the right of democracy.

4. Moral and Political Virtues are the Prerequisites of Democracy

In order to have a full understanding of democracy, we shall seek some resources from our forefathers and some great philosophers. President Abraham Lincoln gave an address on democracy that “democracy means government not only by but also for the people.” [13] There are four questions on this statement for discussing: the first, is people might decide who will do the governing by the way of “one person one vote”, but how can they guarantee the candidates they choose serve them without any private concern? The second, is how could the electors avoid being manipulated if they declined in intellectual and cultural value? The third, is, is it possible to maximize democracy in addition to the “majority rules”? The fourth, is, is it reasonable, or possible for people to give a unanimous definition of democracy when it is closely related to ideology? Democracy itself is unable to answer the above questions, but moral and political virtues will play a great role in seeking the answers to them.

Democracy could be enjoyed on the condition that both the electors and the candidates possess political virtues. Original sin makes it difficult for men to exercise freedom in an enlightened way without great resources of character and moral delicacy, [14] and it is true for democracy. The electors might be mobilized during the process of electing due to human beings' greed for power. Politicians seek power and in order to be elected they are ready to capitalize on any divisions which exist in the electorate if these can be used to mobilize voters to the polls. [6] We can not expect all the people have moral and political virtue to resist any temptation, just in this sense, it is incorrect to see the form of “one person one vote” as real democracy. Democracy means not only the right of decision-making, but also taking on responsibility, that is, any individual should be responsible not only for himself or herself but also for his or her country whenever he or she makes a decision. Hong Kong is a city composed mainly of young people, so cultivating a sense of responsibility among them is essential to the prosperity of Hong Kong. As C.Y. Leung said to the participants of a summer camp that Hong Kong society values individuality more than unity, rights more than obligations, and what to fight for more than what to give. But you should also fulfill your duty to sacrifice for the community and acquire the spirit of serving society and contribute to our mother country. [12]

Even if all people have moral and political virtues, democracy can not be defined in the way that the minority people have to follow the majority ones. Lijphart quoted Lewis's words to show how unfair the majority rule is in terms of democracy, “The primary meaning of democracy is that all who are affected by a decision should have a chance to participate in making that decision either directly or through chosen representatives. To exclude the losing groups from participation in decision-making clearly violates the primary meaning of democracy.” [13] Democracy means allowing people as many as possible to take part in the governing, and it could be realized to some degree by negotiation. Contrary to the majoritarian model, the “negotiation democracy” is characterized by inclusiveness, bargaining, and compromise. [15] By no means can the process of bargaining and compromise go on smoothly if some politicians are too stubborn to give in. For politicians, there is no way to separate democracy from politics, and the art of politics originates from skills of negotiating and compromising. As far as democratic politics is concerned, the most dangerous thing is to pursue the political power in the name of democracy, but not to defend the motherland in the name of politics.

5. Democracy in the Shadow of America

Democracy means a process of moving forward gradually according to its own situation. In spite of President Bill Clinton's claim in his 1993 inaugural address that the United States is "the world's oldest democracy", universal suffrage was not firmly established in the United States until the passage of the Voting Rights Act in 1965. [13] During this process, the United States didn't copy any ready ones, but established its own democracy. It didn't follow the others' model of democracy, but made great efforts to promote its own invention everywhere, dreaming of ruling all the land by forcing the others to run after them. The United States has taken more than 180 years to realize universal suffrage since its founding in the year of 1776, but this country is hurried to push Hong Kong towards universal suffrage, being unable to wait any longer in spite of the fact that Hong Kong has been under the control of the People's Republic of China for less than 23 years. It bullied not only Hong Kong but also the mainland of China in the name of democracy. America was like an ill brought-up elder brother, who persists in tyrannizing over the younger ones from mere habit, till one of them, by a spirited resistance, though with unequal strength, gives him notice to desist. Bush says that promoting democracy around the world has always been part of the American foreign policy impulse. More precisely, making other countries "more like us" is one of four broad and completing streams of American foreign policy. [12] Knowing this, people will not feel strange to see some young Hong Kong people take part in a parade by holding the American flags. They blindly worship the American democracy to such an extent that they have thrown away their own obligation to establish democracy suitable for Hong Kong. Epstein says that there are no absolute principles for judging countries under the sun. [14] By analogy, there are no absolute principles for judging democracies on the earth. Every country in the world claims to be a democracy, but no country should assert that it possesses the best one. The United States does not have the perfect democracy, on the contrary, it has a defective one, as what Mill said, "in the false democracy which, instead of giving representation to all, gives it to only to the local majorities, the voice of the instructed minority may have no organs at all in the representative body. It is an admitted fact that in the American democracy, which is constructed on this faulty model." [16] Due to the misunderstanding of democracy, some people in Hong Kong still think the American democracy is perfect and follow on the heels of it. Nothing is impossible. Hong Kong might fall into a worse condition under the leadership of a new chief executive officer elected through one person one vote.

6. Conclusion

Through the above analysis, we can draw a conclusion that the crisis in Hong Kong does not originate from the short of democracy, but from misconception of democracy and degeneration of education in the field of morals and laws. At present, it is imperative to reverse the views of the young people on democracy. First, it is wrong to stress democracy alone with no consideration of centralism. Democracy loosens social ties. In order to tighten it, the procedure of centralism should be exercised through political negotiation during the process of promoting democracy. Even if some people hold the idea that statesmen are supposed to give priority to the principle of democracy, they might agree with Wills's opinion that it is necessary to insist on principles, but politicians more often stand for compromise than for principle. Second, it is incorrect to fight against the government for political purposes. Violence is not allowed against mother or father, much less against your country. The central government is like our parents playing the role of a guide; the more powerful it is, the more secure we will feel. The law of the jungle tells us it is unwise to weaken the guide for immediate interest no matter how seductive it is. As long as the government functions under the leadership of the people who possess both moral and political virtues, there is no reason to act in a hostile way towards it. Third, the real

equal opportunity can not be achieved from voting by means of “one person one vote”, but from the reform of social system. According to Marx, the ultimate reason for all real crises always remains the poverty and restricted the consumption of the masses. The realization of commodity capital is restricted not by the consumer needs of society in general, but by the consumer needs of a particular society in which the great majority are always poor and must always remain poor. As far as Hong Kong is concerned, it seems impossible for the rich and the poor to achieve an equal opportunity without making some change to the system of capitalism, in this sense, it is a mistake to see democracy as a way to solve all the issues of Hong Kong. When Hong Kong itself is unable to get rid of the crisis, the people there have the central government to rely on. The formula of one country two systems provides Hong Kong a shelter from the storm. And the more often it is challenged, the more chances are given to establish it with new evidence.

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