Viewing Globalization, Democracy and Human Rights from the Standpoint of Hong Kong

Li Siu-cheong

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This term paper departs from the observations accumulated during the Umbrella Movement taken place in the year 2014, which is a movement transformed from a planned non-violent civil disobedience movement called the Occupy Central with Love and Peace movement, aiming to call for a "democratic" way of electing the Chief Executive of the Hong Kong government. From the experience of engaging myself in the movement, which people in general call this as a large-scale democracy movement, I was guided to rethink the concepts of "democracy", "human rights" and "global solidarity". Therefore, in this paper, I shall outline the reflections made upon the Umbrella Movement, after that the insertion of the conceptual framework made by Michael Hardt and Antonio Negri, then go into the discussion of democracy, followed by the intertwinement of globalization, democracy and human rights, and last but not least to make an attempt to articulate Hong Kong's context.

THE UMBRELLA MOVEMENT

It has been nearly three years already. Time flies. I was involved in a "big event", a historical event that I am certain that it plays a significant role in my personal growth. I was at my 19,

had my first semester of my year-3 undergraduate study. It was a hot September as usual. I was an intern in a local "pan-democrat" political party in the 2014 summer, drafting a "civil disobedience handbook" with other interns in the political party. In other words, we were preparing for the eye-catching Occupy Central movement, which we were all doubtful whether the movement would take place in October that year. And then everything went very fast in that summer, which was an unforgettable vacation—I was very busy and went home very late every night and was not sure whether things I was working on were contributing to the "democracy progress" of Hong Kong. And then, everything just moved on till September and I was back to school to kick off the first semester of my third-year university life. I attended the first classes for all the courses and then joined the student strike led by the Hong Kong Federation of Students. I joined the open lectures outside the government complex in Admiralty and the historical 26th September, which was the last day of the planned student strike action, came. And then, in that evening, at around 9 pm I was told by a friend that there was a plan to rush into the civic square, which was surrounded by the fences. And while I was wondering whether to be a part to intrude into the civic square, there were noises from somewhere, and I knew something happened.

This is how I was involved in the movement. I stayed overnight there, served to be backup of the whole action. It was just because I was not the one who had the courage to rush into the civic square but I did know that I had the obligation to support the whole thing, and hence I stayed and did whatever I could do to back up the fellows in there. It was a memorable night; we rushed to everywhere and to play hide-and-seek with the cops, avoiding the crowd being dispersed by the cops. My friends and I just wanted the whole thing to continue with no convincing reason but we saw people were very brave at that night. And then things went worse in the following few days. Everyone at the scene was very nervous and finally on the 28th September afternoon, the cops released 87 tear-gas bombs in Admiralty. The police's operation triggered many citizens rushing to Admiralty, expressing their anger against the police force and the regime. In October, participants started to bring tents to the three occupied sites, in which everyone was treating the occupying movement as a long-term event.

While people were very angry at the police force's brutal acts to the civilians, and the supporters keep visiting the occupied sites whenever available, I gave a try to record people's voices at that time. After experiencing so many traumatic experiences in confronting the police, my friend and I prepared a marker pen and a sketchbook, and walked around the occupy sites

to invite them to write down if we were granted "democracy" in Hong Kong and what would be the ideal Hong Kong in their minds. I chose to do this for two reasons: 1) I wanted to record something from this historical moment, and 2) I wanted to know why they wanted democracy (i.e. the urge to universal suffrage) happened to the people there, why democracy was so important and what if Hong Kongers are granted democracy? We then set up a Facebook fan page called "I speak my ideal HK" (你想講‧理想港) (https://www.facebook.com/ispeakmyidealhk/) to share the ideas collected from the crowd onto the page. And now, I reviewed the Facebook page again, and I am amazed by what really happened: some of them wanted to have more public space, some wanted equality, some wanted street food and some wanted to escape the "slavery from the tycoons". In the mainstream media, the movement was generally depicted as an "instrumental movement" (Law, 2015), meaning that the whole Umbrella Movement had a very core goal (or function) which was to fight for universal suffrage. However, Law (2015: 5) asserts that for the whole movement itself, other than an "instrumental imagination", it might be more accurate to be viewed as an "expressive movement", meaning that instead of just focusing on whether the goal of requesting for universal suffrage can be made, one should pay attention to what the voices are throughout the movement.

Inspired by the differences observed between the dominant discourse and the viewpoints made by the people when being asked what an ideal Hong Kong would be if Hong Kongers are "granted democracy", it guides me to rethink what democracy is, other than the very narrow imagination of representational democracy electoral method? Also, is democracy a prerequisite of the happy life raised by the people, or can democracy bring the described happy life described by the people? And, does democracy bring us equality, and do human rights equate to equality in the present condition, when referring to the current globalized intertwinement of power? I would like to make good use of this short term paper, to reorganize my very personal, precious and unforgettable experience, which took place nearly three years ago, and to reapproach what we were claiming ourselves to be believing in that massive movement—a movement full of blood and tears.

MULTITUDE BY MICHAEL HARDT AND ANTONIO NEGRI

To start with the analysis of the concepts mentioned above, it is first worth visiting Michael Hardt and Antonio Negri's very critical writing. In Hardt and Negri's (2004) work *Multitude*,

the notion of "war" is reconceptualized. It is put forward, as a very important statement of the book that in today's world, wars are not the separated, isolated ones but rather are inter-related of which we have to imagine in a global fashion (Hardt and Negri, 2004: 5). In it, Hardt and Negri point to the very global sense and the very everyday sense in redefining the notion of "war". Unlike the concept of war immediately popping up in our mind, which is about fights between countries causing a great number of casualties, rather, it is in a form that exists in our everyday life, the "general matrix for all relations of power and techniques of domination", not necessarily having bloodshed involved (Hardt and Negri, 2004: 13). Dismissing the usual conceptualization of war, about weapons fighting across countries, Hardt and Negri (2004) also draw our attention to the many civil wars happening across the globe, in which there are a lot of "wars" taking place at this moment, even to imagine in a more basic unit, war is the primary organizing principle of society. Therefore, by reconceptualizing the notion of "war", one should be able to have the sense that for all relations of power, there is war entailed in since wars are everywhere in our everyday ordinary life.

However, what is suggested by Hardt and Negri (2004) is more than pointing out that war is the basic unit of our everyday life. They assert that wars (especially the civil wars) should not be viewed as isolated wars in different countries, but they should instead be linked up and viewed to be consisting of the countries which are "in wars" and those which are not "in wars". Hardt and Negri (2004) insist that this "global state of war" is a "permanent social relation", diffusing through the socio-economic and political life, and blurs the distinction between the domestic and the international and that between legitimate and illegitimate violence. Moreover, when one declares that "a war starts there", this means that there is an enemy to be fought against: an ideology, a person or an organization, etc. For instance, the liberal politicians, journalists and scholars would construct incidents into "just wars" in opposition to the alleged "injustice" such as the violation of the principle of democracy and human rights. These constitute the contemporary international political order which does not necessarily involve casualties.

In such a war, Hardt and Negri highlight the superpower, the United States, which is "the state of exception" (Hardt and Negri, 2004: 7). The term "state of exception" was originally derived from the legal language, referring to the temporary suspension of the constitution and the rule of law. Hardt and Negri invite us to think of this legal term with reference to the "exceptionalism of the United States", in which the U.S. positions itself as the exception from

the law and the exception from the corruption of the European forms of sovereignty, serving as the beacon of republican virtue (Hardt and Negri, 2004: 8). In other words, with these exceptions, the U.S. is constructed into a very exceptional superpower, holding the hegemony, and in the times of its military violating the rules, it does not have to be worried of being punished as it is the exception. The September 11th incident happened during the process of the book *Multitude*, in which Hardt and Negri wrote about terrorism in articulation to the notion of "global war"; yet, due to the limited scope and the focus of this short paper, it is unfortunately unable to delve into the discussion of the fight of terrorism and globalization, which, in Hardt and Negri's theoretical flow, is a neo-liberal globalization.

Given the background of the "global state of war" in the work *Multitude*, it is asserted that democracy, in a global sense, will be suspended. War and democracy are put into opposition in Hardt and Negri's theorization. It is because people have to be obedient to the leader unconditionally during war. Since the war is seen as an exceptional condition—in the global state of war as described by Hardt and Negri, the suspension of democracy tends to become the norm. Provided with this logical argument, in view of the globalized (in terms of capital accumulation) wor8ld order, therefore, the discussion of democracy—the concept which is always repeated and promoted by the exceptional U.S., will be introduced in the coming part, with the intertwinement of the larger context of globalization.

ON DEMOCRACY AND GLOBALIZATION

The discussion of the concept of democracy is a very complicated issue, in which there are many schools in asserting beliefs in democracy. Besides, following the notion of "global state of war", democracy has to be reapproached in a global imagination, to trace back the diffusion of the idea itself before we keep asserting that democracy should be a universal value that every state must follow. However, there is a need to problematize the taken-for-granted "universal value" notion of democracy. In the very ancient notion of democracy, it is, in fact a limited concept just as "monarchy and aristocracy" that only a small portion of the society rules the whole society (Hardt and Negri, 2004: 240). It was until the eighteenth century that revolutionaries who understood that democracy actually means the rule of everyone by everyone, and the concept of "everyone" was recognized and it evolved from the narrow notion of democracy developed from "many to everyone". Despite this, for imposition of the value of democracy in reality, it is worth paying attention that the modern revolutions did not install the universal value of "everyone" immediately. Rather, women, people from different racial

groups and the propertyless were all excluded from the so-called "everyone". They were not granted the right to rule other subjects under the umbrella of a sovereign state. Other than this, another innovation of the modern concept of democracy is the idea of "representation".

The notion of "representational democracy" itself is a paradox. Nowadays, when we talk about democracy, we generally undoubtedly make reference to the mode of representational democracy. Yet, it is criticized that such a representational design is itself a "disjunctive synthesis" (Hardt and Negri, 2004: 241). It connects and cuts, attaches and separates. The representational democracy, of course, has its advantages in terms of feasibility to represent the people. Under the mechanism of representational democracy, the "general will" is collected instead of the "will of all". Thus, if one hopes to follow the very core/revolutionary idea of "democracy", he/she will find that some voices are neglected in the process of representational democracy. Apart from this, if democracy means that everyone is given the power to exercise upon, representational democracy is, in fact, upsetting this principle. Under such a mechanism, we, the people who give votes to political elite candidates, make them to be the representatives of us. Yet, after the so-called democratic election, we are kicked away from the game, we no longer rule and hence are separated from power and government. Following that, in actual operation, what do those representatives have to do to protect their interests (safeguarding their positions in such a democratic electoral mechanism)? Apparatus has to be mobilized to achieve this "check and balance". As a Sociology graduate, I of course understand this very much. The quantitative research methods such as survey have its position here. Inherited from the progressive liberal social scientist tradition which pursues objectivity, rationality and scientifics, the discipline follows its quantitative research procedures. It categorizes people based on demographic information, setting up indicators to divide people into different political groups, and designs different variables to conceptualize the social scientists' observations, so as to test the so-called "hypotheses". Nowadays, this technique is often used by the mainstream media to collect the people's views, but in a way that is already framed by the institutions. Not to forget, most media institutions are controlled by global capital. In other words, people are limited to express their views in the forms framed by the institutions, and then the collected data will be claimed to be representing the people's views, so the elected representatives can use their power to act according to their interpretation of data. After all, they can claim themselves to be democratic representing their votes.

Here, the people and the multitude are put into oppositional concepts. In the case that the collected data in the quantitative research methods are framed as representing the views of the majority of people, the sample gathered in a convenient way is called the "people", which unified voices are constructed with the help of the conceptualization technique of mainstream statistical disciplines. However, if one believes that democracy is about everyone and from below, this marks the difference as an important element in a so-called "truer democracy". To put it another way around, the difference from the concept of the constructed group of "people" is that "multitude" does not put stress on unity but appreciates voices of everyone—it is about everyone from below to the government (Hardt and Negri, 2004: 243). By twisting our true voices into numbers and categories, which ignores our very true expressions and emotions, the product of the concept "people" is created for the operation of representational democracy. If one only follows the mainstream notion of "democracy" and neglects these details, he/she will probably be disappointed by the incapability of representational democracy in empowering the bottom ones to rule.

To situate in the present globalized world, which is a world with global capital flow, I have to incorporate the discussion of capital into the notion of democracy, especially the representational democracy. In making such a connection, I have to touch a bit of the history of cold war. After the WWII, the cold war simply split the world into two parts, which were mainly differentiated by the identification of "capitalist" ideology and "communist" ideology. Having two such big signifiers as capitalism and communism, they are positioned to be in a dichotomy relationship, which is capitalist countries versus communist countries. Therefore the beliefs such as democracy, protection of human rights and protection of free markets are the signifiers of the capitalist world, while the oppositions are seen as the associated meanings for the communist world. To discuss this in more detail, during the era of cold war, it was believed and promoted that the democracies rarely go to wars (in a bloodshed sense), and if there were more states joining the queue of democratization, "a more secured and peaceful world" could be created (von Hippel, 1999: 10). This explicitly portrayed the communist camp as the threats of the world. In the framework of cold war as ideological war, it can be observed that the notion of "democracy" was just a tool in differentiating the communist countries from those "peaceful countries". However, it is also insisted that the word "democracy" was no more than a term strictly defined in terms of "anticommunism" (Hardt and Negri, 2004: 232). Therefore, the notion of democracy (i.e. the very typical representational democracy) was associated with the very capitalist ideology, marking out the communist camp in this part of

history. Of course, the capitalist world, which is seen as a more developed, civilized and advanced world, attracts people's eagerness in asking for democracy (but the democracy here only means the representational electoral system). The notion of "democracy" can be traced back to the history of cold war, reduced to the signified of the capitalist world signifying a more developed and advanced way of living, and fantasized by the "people".

This guides to the discussion of developmentalism. It is argued that "developmentalism as colonialism" (Goldsmith, 1996) that development is just a new word for imperialism. With the belief/ideology of developmentalism, third world countries join the development race, which is led by the Northern world, visioning themselves to be benefitting from the ideology of developmentalism. However, it is revealed that at the end, these third world countries turned out to be colonized. It is by setting up Western elites in the corresponding third world countries playing the roles of colonial administrators to launch different development plans in these under-developed countries. Followed are usually the interventions from the Western power, altering the original economic structure and thus killing the domestic economy. As the economy goes worse, the Western countries probably raise taxes and introduce more transnational corporations (TNCs) into the countries, forcing the peasants to transform into rural peasants and damaging their way to make a living. Finally, it is the global economy and the TNCs colonializing the Northern part of the planet. Given that only is the capitalist representational democratic electoral system recognized by the U.S., other forms of practices of democracy in the non-capitalist camp countries are regarded as non-democracy. And in the operation of representational democracy, scholars have long been pointing out that it is the capitalists who have the largest say, meaning that they are the largest rulers of the state. Representatives are inevitably working hand in hand with the capitalists, displaying an intimacy between the "democratically elected" representatives and the global capital.

By situating Hong Kong's democracy, I suggest that we should never take the notion for granted. We have to rethink what we want from democracy, what is equality? Capital flow? Or bottom-up governance? Progressive liberal social scientists always put forward that democracy (a taken-for-granted representational democracy) can bring us stability, economic growth and better quality of living (it is not rare to hear these sayings, for instance, I attended seminars in my undergraduate study and heard scholars conducting quantitative research to test the correlation between the "degree of democracy" and the "probability of inter-generational poverty", and these discourses have been reported in the mainstream local newspapers).

8

Looking back at history, it is not totally valid to contend that it is Hong Kongers who fought back for the democratization path of the territory. This brings me to the relevance of the June 4th Tiananmen Massacre, while this paper is written a day after I attended the vigil. In recent years, the recently emerged localists have been arguing with the pan-democratic camp whether there is a need for remembrance of the massacre. Some discourses in the mainstream media point out that it is the incident which moves Hongkongers a great step on "the path of democratization". However, one should not ignore the role played by the colonizer, the British Hong Kong Government. The sudden policies favoring democratization of Hong Kong pushed by the British Hong Kong Government near the year 1997 transfer of sovereignty over Hong Kong was one of the strategic moves made by the colonizer to brainwash the local people, contrasting with the June 4th Massacre decision made by the Chinese Communist Party (Kwong, 2015: 74). The colonizer, Britain, which belongs to the capitalist camp with the signified "democracy" carried, indeed is a continuation of the display of its advanced ability in bringing economic prosperity with a gesture of imposing democratization on Hong Kong, using Hong Kong as a platform to downplay the communist camp which is China in this case. This is not to justify the Chinese Communist Party's inhumane treatment in the June 4th Massacre, but to display how the ideological association is at work in the post-cold war era. Besides, this is also a gesture to attract the non-capitalist camp convincing the people that they will be granted the rights in voicing their needs and economic prosperity if they join the development race. Therefore, it would be dangerous if one does not rethink what democracy is, why one wants democracy, and what democracy is for.

HUMAN RIGHTS AND GLOBALIZATION

In view of the people's demand for equality in the Umbrella Movement, in this part, I would deal with the relationship between human rights and democracy, situated in a globalized era. In the Universal Declaration of Human Rights, as stated in Article 1, "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." This points to the very central value of the human rights: equality. There are mainly five types of human rights: economic rights, social rights, cultural rights, civil rights and political rights. Therefore, when one talks about human rights, the above areas should be considered in reviewing a group of people or an individual's condition. Cultural Studies, as a discipline to study articulation and circulation of meanings, in which human rights is a good site for the discipline to stay and to problematize the hegemonic legal language in defining human rights.

Firstly, it is important to review the notion of "democracy then human rights". Tony Evans (2001) looks into the articulation between democracy, human rights and globalization. Echoing Hardt and Negri's (2004) assertion, Evans (2001: 86) argues that democracy and human rights are products of the cold war era, being utilized for moral justification in nowadays' politics of international relations. In achieving global legitimacy in today's world, a country must prepare itself with a good reputation in the area of democracy and human rights. When a country is regarded to be failed to respect democracy and human rights, it risks intervention from the more developed countries, especially from the exceptional superpower, the United States. However, it is too simple to believe that with a complete exercise of the representational democratic electoral system, people's rights would be protected. Rather, the implementation of the capitalist representational democratic electoral system is meant to restore the appropriate global order for the continuous growth of the global capital (Evans, 2001). The implementation of democracy in some less developed countries is not necessarily the result of the victory of people's revolution or because of the state's awaken conscience. Rather, as mentioned earlier, the less developed countries are in the queue of development race, in which they are forced to be a part of the exporting chain supporting consumption in more advanced countries. If these countries' stability is safeguarded by the implementation of low-intensity democracy, the financial aid programs will be provided to sustain the countries' production (at the same time the globe's order in this sense) (Evans, 2001). This means that the democracy system implemented is unable to protect the cultural, social and economic rights of these less developed countries and their people, but instead democracy sustains the people's suffering of economic rights in these countries. Furthermore, to protect the global order (order of the global capital), international organizations do exploit people's rights to protest and their rights to participation. For instance, the global alliance provides military aid for the suppression in Asian countries when people fight for greater equality in which the social actions threaten the interests of the capitalists (Evans, 2001). Returning to democracy, Hardt and Negri's (2004) critique of liberal representational democracy comes true here. Local people are excluded from the decision-making process for the economic development (Evans, 2001), and the development projects even include human rights violation and the people's representatives distancing the people from the ruling power that the countries are not ruled by everyone but ruled by some. These examples clearly show the inability of democracy in safeguarding human rights, and for international organizations, they make use of democracy to maintain the global order, and reproduce both national and transnational inequality.

Secondly, it is revealed that the discourse of International Human Rights Law itself is a knowledge of liberalism. In its articles, it is found that the global liberal hegemonic discourse of human rights rejects alternatives, such as group rights and rights to economic and social equality, arriving the liberal cosmopolitanism rather than new ways of conceptualizing rights (Evans, 2005). In liberalism, one of the main core values is individualism, by focusing on the individual rights in the context of human rights. Therefore, when one only utilizes the framework of individual rights in rationalizing everyday discrimination, it does not make sense of accusing one to be discriminating in many circumstances. For instance, when a black African is racially discriminated against in Hong Kong, if we forgo the group rights but just focus on the individual rights aspect, we might say that the African is not hardworking enough (the discourse of meritocracy) so the African is treated differently, which is logical in this sense. However, the person should be viewed from a group rights perspective, which he/she belongs to the group of black African and is being discriminated against his/her membership of the racial group. Moreover, the International Human Rights Law fails to protect people from facing national and international economic planning which includes environmental degradation, privatization of social welfare provision and the scramble to patent the genes of both human and non-human life forms. Not only this, it is not rarely seen that human rights always gives the road to corporate rights to expand themselves, suppressing the protection of rights of people in particular countries. These all illustrate the incompetence of the International Human Rights Law, and indeed it is a tool for the growth of the neoliberal regime.

In summary, democracy does not guarantee equality, which is the core value of human rights. And more ironically, the International Human Rights Law and the international organizations work harder on corporate rights and the global capital's benefits than the benefits of human rights. Human rights, originally seen as the tool to fight against injustice, now becomes a part of the injustice.

CONCLUSION AND REFLECTION

All in all, to revisit my experience in the Umbrella Movement, I choose to review the concepts of human rights and democracy. I showed that democracy is a capitalist cold war product of the representational democratic electoral system, in which representation is not equivalent to the bottom-up principle of "democracy". Instead, such democracy is made to maintain the global order (or capital). Apart from this, I argued that democracy does not mean human rights

and existing institutions do not protect our human rights and equality, they are instead very neoliberal. Therefore, to return to my experience, I would ask rather than going into the existing Eurocentric framework of democratization (democratize and the goal is the liberal representational democratic electoral system), how can the people's wishes I gathered nearly three years ago be fulfilled?

In fact, Hardt and Negri (2004) in the book *Multitude* approaches the alternatives for democracy, especially situated in our today's globalized world. They offer the imagination of the global governance including different voices and inviting the multitudes. However, I would question the effectiveness and how not to fall into the trap of bureaucracy experienced by communist experiments in the past century.

Following up the including problem, I discovered that most of the people in Hong Kong do not have the global imagination when thinking about their current situation, including that related to the larger social and political structure. And my observation is that only those who have more "cultural capital" (such as postgraduate students, scholars or people who are deeply interested in this particular academic field) are able to mobilize the discourse of global capital. In my opinion, I believe that classes outside classrooms can do a lot in this aspect to share this paradigm to the people, who have been very obsessed with Eurocentric ideas, to provide them with alternatives to think about it. (It recalls my memory of the 2006 WTO Hong Kong protest that many Hong Kong people felt indifferent to the protest crowd)

Last but not least, I think it is a good opportunity for Hong Kong academics to think about the path of doing research, to frame the current world faced by us. I am not saying local studies are useless, but I would like to ask what the point of using old paradigms and theories which have been available since decades ago to explain today's situation is. Rather, why do we not try to look into other places' experience and to reimagine the situation of Hong Kong, for instance in the paradigm of "the global state of war" to align the local's situation with other places, which may give good answers to our troubling problems?

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