

SPEECH AT OPENING DINNER

MARTIN LEE CHU-MING, QC, SC, JP, HONG KONG

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Introduction by John Joseph Clancey

I wish to thank Martin for donation to underwrite cost of dinner and for the words he is about to speak to us. Martin is a successful, humble senior counsel trying to incorporate dialogic/consultative processes in Hong Kong politics. He was elected to the Legislative Council for a few years, and then stood for geographical seat. He is the founding chairman of a highly successful Democratic Party. He began as a teacher before going on to study law. I've watched him in courts and before large crowds at Legislative Council. In many ways, he approaches things as a teacher, helping others find a new perspective or understanding on issues. He has encouraged appellate courts to set new precedents and persuaded people to take hope despite difficult circumstances or in their struggle for democracy. Martin was also very involved in drafting a good Basic Law for Hong Kong. After the Beijing Tiananmen massacre in 1989, Martin resigned and has been under a stronger-than-ever conviction to fight for democracy in Hong Kong and other parts of China.

Martin Lee Chu-ming, QC, SC, JP

I am not an expert in cruelty. I do not believe in corporal punishment. I'm afraid in this part of the world there's much cruelty. There's an infamous declaration from ASEAN leaders talking about "Asian values". They meant to tell visitors from abroad (US, Europe) – it's not right for you guys coming from where you are to tell us what to do. You are now in Asia, we have Asian values. We respect you, so respect our culture and respect us when you come here (i.e. shut up and don't criticise us for these alleged human rights violations). Let us now discuss this argument of cultural relativism, one frequently employed by autocrats or oppressive governments against those arguing for the cessation of practices of torture in Asian countries. If you lock up individuals from all the civilisations – if you lock them up, they all yearn to be free. If you break their arm, they will all scream and writhe in excruciating pain. If you put a bullet in the head of each one, they all die. So why are Asians different when it comes to cruelty and infringement of human rights? Were we born to be cruelly treated? How long it took our former colonial masters to achieve universal suffrage! Let democracy develop along Chinese timetable. But they (the Chinese) don't follow their own timetable! They said, let's start with our villages. In another five years, maybe we can change a town, in another five years, maybe major cities, in another five years it will be the entire country.

Democracy doesn't take time to develop. It does not require years to teach a people how to choose between twelve people which one they prefer. We can elect our entire legislature in 2020 – but is it going to come? No! We are going to have Chinese-styled democratic elections. The authorities will know the result before the first vote is cast. They want to make sure even the nomination process is controlled. An election committee (1200 persons elected by functional constituency – Beijing controls 950), elected the last representative. They will turn the election committee into a nomination committee. Two candidates will be chosen for the Hong Kong people to elect someone. It's a non-choice even though, hallelujah, it is one person one vote, because the candidates will be the two heads on one dragon – whichever head is chosen, the same terrifying dragon will still rule the roost.

Leung Chun-Ying (more popularly referred to as C. Y. Leung) is an undercover communist party member but of course he denies it. The Chinese Communist Party has been functioning in Hong Kong all these years, even under British rule. They have always had undercover, long-term agents/moles who will never confess until and unless the Chinese Communist Party leadership permits it. Many senior government officials and secretaries are members of the Chinese Communist Party but they'll never own up to it. Democracy has therefore been delayed, despite outward appearances of having elections.

So far we have inherited rule of law from the British. The British, as our former colonial masters, have left behind some kind of "rule of law" in every one of their former colonies. How long can the rule of law continue without genuine democratic foundations? No matter how good judges are, if the legislature passes oppressive laws that do not protect but impinge upon human rights, a judge is still powerless. He can only resign or carry out that law. Of course, a Chinese leader recently came to Hong Kong and declared that "our judges must cooperate with our government". How can rule of law and human rights be guaranteed/preserved with this system? There simply is no separation of power.

I am glad there are so many of you here, and that I have the privilege to share our problems. Think of Singapore. My good friend Dr Chee Soon Juan was sent to jail for acting upon his political convictions. You all have terrible experiences to share too. In Hong Kong we have not reached that stage yet, but we're supposed to be part of China now. A big promise was made that Hong Kong people will rule Hong Kong under the "one country two systems" principles. But practically speaking, this is not the case. Chinese Communist Party cadres are now ruling Hong Kong. We have little meaningful no autonomy. This is a breach of that big promise made in 1984 when the joint British-PRC declaration was first announced. What's the world doing about it? Which government would dare risk losing trade with China by mentioning human rights? That is the reality we are dealing with. The world doesn't care two hoots what happens and what is happening to HK. Self-preservation comes first. I want to share with you a piece of good news, though. Younger generations are now coming up to protest. They have the wisdom to know what is good for them and what is bad for them. There has been "patriotic education" designed by Beijing to brainwash our kids. I have no objection to singing national anthem in the morning. Students in most countries do that. I have no objection to students being taught about Chinese history – fine! They should know their countries, particularly when they're born in Hong Kong, formerly a British colony for so long. But they must be encouraged to think independently. They should have open discussions in school, grow up and be useful Chinese nationals, useful to China and useful to Hong Kong. But the Hong Kong government has given huge subsidies to pro-Communist actors and agencies, and has come up with a textbook of China that only glorifies the country and doesn't teach the entire truth. Some things are downright lies. And the students are not just swallowing it, at least. My old school – Kowloon Wai Yen College, my former teacher who also teaches civic education, he has a lot to do with setting the paper. One day, because he wanted to know how well he would perform for the subject he teaches, he sat for the test and scored 4. Now the top grade possible is 5, 5* and 5**. He got only 4. Yet he was so happy when interviewed, and he exclaimed, "What makes me happier than seeing my students outperforming me?" Therein lies our future. Good, committed, dedicated teachers – yet they are few.

For the short term, things look pretty bad for Hong Kong. I can't see how things are going to improve in China either, with problematic one-party rule. I was sharing with some delegates at my table: if you are always in government, you never think about the unfairness or cruelty of the government, because that's you! Extracting confessions through torture and cruelty seems expedient. You cannot appreciate the difficulty of the situation unless, like the former school master, you also sit for the public exam. For instance, you only have twenty minutes to do a long question, I must consider this when I set the paper.

For the long term, I am optimistic. There's no good reason for this, simply that democracy and human rights are now internationally accepted. Even if China were the last country in the world to acknowledge, accept and have this, it's still inevitable. This is the contagion of ideology and ideas. Whatever religion you have, please pray for one another. It will take time, yes. I may not live to see it. But it's a hope for future generations, your children and your children's children. The most corrupt use the slogan "love your country" but send their children away from China to receive an overseas education and then to work and live permanently overseas. If you're an optimist, however, you would see such actions as demonstrative – at least these officials and rich men know things are bad in China.

I'm therefore optimistic that in the long run, things will look up. In the meantime, we'll just have to sweat it out.

Thank you, I'm happy to take questions!