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從香港最低工資立法重新審視「管治」和「空洞化」概念

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Hart on Natural Rights

論哈特自然權利

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This article critically examines Hart's justification of natural rights in his influential paper, "Are There Any Natural Rights?" Argumentation of this article will advance in two parts. In the first part, Hart's justification of equal natural right to be free will be assessed. I suggested that there is a correlation between a moral right and a moral justification that a possessor of moral rights is allowed to limit another's freedom and to determine another's performance. Then, in part two, this article will argue that Hart's conclusion is untenable and is undermined by two theoretical mistakes. In sum, the primary thesis advanced in this paper is that Hart's arguments fail to provide a successful justification to demonstrate the existence of a natural right of all men to be equally free. However, my critiques do not imply there exists no natural rights at all.

這篇論文將會批判性地檢驗哈特在他一篇具影響力的文章〈存在任何自然權利嗎?〉中對自然權利的論證。這篇文章的論證過程將分兩部份展開。首先，文章會探討哈特對平等的自然權利的論證。我認為道德權利與其持有人可限制他人自由及決定他人表現的道德論證之間存在相互關係。然後，在第二部份，這篇文章會論證哈特的結論站不住腳且受到兩個理論層面的錯誤所削弱。總而言之，這篇文章的首要目的是證明哈特的理論未能對人類皆平等地享有自由的自然權利的存在提供有力論證；不過，我的批評並不意味著自然權利是不存在的。

1. Introduction

This two part essay aims to provide a critical examination of Hart's justification of natural rights in his influential paper, "Are There Any Natural Rights?" In part one, I shall canvass Hart's arguments to justify the existence of one natural right, the equal right of all men to be free. By outlining his justification and clarifying some definitions, we can see how Hart comes to the conclusion that, "if there are any moral rights at all, it follows

that there is at least one natural right, the equal right of all men to be free.”¹ However, in part two, I shall argue this conclusion is untenable and is undermined by two theoretical mistakes which can be discovered in Hart’s arguments. I will examine these mistakes and demonstrate how Hart fails to use them to strengthen his arguments. However, my critiques do not imply there exists no natural rights at all.

2. Clarification of Key Concepts

2.1 What is a Moral Right?

Before trying to elaborate Hart’s arguments to justify the existence of any natural rights, I shall clarify the definitions of some significant concepts in his justification. First of all, what is a moral right?² To answer this question, we must understand the relation between a moral right and a moral justification. Hart thinks a moral right and a moral justification are correlative. When a person is said to have a moral right, he is perceived as having a moral justification which allows him to choose how to determine how another should act.³ Moral justification, on the one hand, entitles the possessor moral rights to limit another’s freedom and to determine how they should act. Alternatively, it imposes obligations on non-possessors to regulate their actions, either by taking certain actions or not. In fact, Hart argues the generation of moral rights and obligations is constituted by the existence of moral justification. Thus, it is reasonable to consider it having a central role in the constitution of right-obligation relations, indicating that when we say “X has a right to...,” it entails “Y has an obligation to or not to...” or vice versa. To summarise, in Hart’s words, imagine this right-obligation relation as Y (non-right-possessor) is bound by a chain held by X (right-possessor) to use if she chooses.⁴

Before clarifying other concepts, I should emphasise this right-obliga-

1. H. L. A. Hart, “Are There Any Natural Rights?” *Philosophical Review* 64, no. 2 (1955): 175.

2. I shall only focus on moral rights as Hart has already pointed out there is “no simple identification” between moral and legal rights and it is moral rights which directly invokes the existence of natural rights.

3. Hart, “Are There Any Natural Rights?,” 178.

4. *Ibid.*, 181.

tion relation should not be extended to all moral situations. As Hart says, there are other moral expressions such as “right or wrong” and “good or bad” which have strength in specific moral situations.⁵ It would confuse our moral understanding of these moral situations if we only used the right-obligation relation to make sense of them. Additionally, we should be aware that not all moral codes of conduct must include this right-obligation relation.⁶ In fact, there are moral codes which evaluate or judge people’s behaviours only by their compliance with prescriptions. Hart is not concerned about these moral codes and, therefore, we should only focus on those which include a right-obligation relation.⁷

2.2 What are Special Rights?

Though it is clear that a person who has a right is conceived as having a moral justification to limit another’s freedom or to determine how another should act, what kinds of moral justifications do we need to have to generate a moral right? In answer, Hart has suggested two types of moral circumstances where people would use the right-obligation relation to describe their behaviours.

(A) When the claimant has some special justification for interference with another’s freedom which other persons do not have (“I have a right to be paid what you promised for my services”); (B) when the claimant is concerned to resist or object to some interference by another person as having no justification (“I have a right to say what I think”).⁸

Hart called (A) and (B) the special rights and the general rights, respectively. In the moral circumstance (A), a person is still perceived as having a moral justification which allows her to limit another’s freedom or determine how she should act. However, the moral justification is special to its possessors because it can only arise out of “special transactions between individuals or out of some special relationship in which they stand to each other.”⁹ Only people involved in the creation of special justification have the

5. *Ibid.*, 181.

6. *Ibid.*, 176–177.

7. There is a contrary view that some prescriptions-only-moral codes must assign rights to all moral agents. See Hillel Steiner, “The Natural Right to Equal Freedom” *Mind* 83, no. 330 (April 1974): 194–201.

8. Hart, “Are There Any Natural Rights?,” 183. See also H. L. A. Hart, *Law, Liberty, and Morality* (Oxford: Oxford University Press, 1989), 20–21.

9. *Ibid.*, 183.

rights to interfere with another's freedom or are obligated to be bound by a particular right-possessor.

This type of special justification is usually found in many special transactions among human social behaviour. Hart's observations have distinguished four types of special transactions which generate special right-obligation relations among individuals. The first type of special rights arises from promises.¹⁰ If X promises Y whether or not to do Z, X is actually perceived as voluntarily self-imposing an obligation on herself to perform certain actions, even if it may create or confer a right on Y allowing him to interfere if she fails to fulfill her promise. The central premise of this special transaction is it would entitle the promisee (Y) a temporary legitimate authority or sovereignty over the will of the promisor (X) so that (X) is obligated to fulfill her promise to (Y).¹¹ The second type of special rights is slightly different from promises. It is generally created when a person voluntarily grants another person a right "to interfere in matters which but for this consent or authorization he (the right grantor) would be free to determine for himself."¹² The difference from the first type is it does not aim to impose obligations on the promisor to carry out certain actions. Instead, it aims to confer a legitimate power to the promisee to limit the freedom of the promisor or to interfere with her actions according to the terms of agreement. The third type of special rights is found in the mutual restrictions among humans.¹³ This special transaction is usually conceived as one of the social mechanisms to make further rules, creating the structure of legal rights and political obligations. In this social situation, it is not because of the moral worth of those rules that people are willing to obey them but because these rules are the outcome of people's social cooperation through their submission to the moral justification of mutual restrictions. The social-contract tradition has long used this special transaction to explain why people have a political obligation to obey certain social and political institutions. The fourth type of special rights is normally found in the case of parents and children.¹⁴ The relationship between parent and child is said to be special because it is restricted to the involved parties and is closed to outsiders. It implies this special right-obligation relation only

10. Ibid., 183.

11. Ibid., 184.

12. Ibid.

13. Ibid., 185.

14. Ibid., 187.

“arises out of the special relationship of the parties (though it is in this case a natural relationship) and not out of the character of the actions to the performance of which there is a right.”¹⁵ To summarise, special rights are only created from the voluntary special transactions among individuals, or from some special relationship, such as parent and child, which directly impose obligations to be fulfilled and confer rights to interfere with the actions of involved parties.

2.3 What are General Rights?

In contrast with the positive characteristics of special rights, general rights have relatively negative characteristics which aim to defend rights possessors from the restriction or coercion of unjustified interference. Like the possessors of special rights, general rights possessors also have a moral justification, allowing them to limit another’s freedom or determine how another should act.¹⁶ This moral justification is, therefore, justified mainly because it arose from the equal natural right to be free of the involved parties.¹⁷ However, unlike special rights, general rights are not created from any special transactions or special relationship among individuals; they are rights possessed by every individual, provided they are capable of choice, and these possessors would have directly imposed obligations not to interfere with another possessors’ freedom.¹⁸ For example, every individual has a general right to say what they think because they have an equal natural right to be free, entitling them a right against another’s interference to undermine their freedom of speech. Thus, general rights are conceived as more directly connected with our equal natural right to be free than special rights because “the assertion of general rights directly invokes the principle that all men equally have the right to be free; the assertion of a special right invokes it indirectly.”¹⁹

3. Hart’s Justifications of Equal Natural Right to be Free

Elaborating on Hart’s arguments to justify the existence of one natural right, (our equal natural right to be free), I think there are two sets of argu-

15. *Ibid.*, 187.

16. *Ibid.*

17. *Ibid.*, 188.

18. *Ibid.*

19. *Ibid.*

ments found in Hart's essay. The first is derived from the moral justification of overall moral rights and the second is derived from the moral justification of special rights. Firstly, how does the moral justification of overall moral rights justify our possession of the equal natural right to be free? Introducing his influential paper, "Are There Any Natural Rights?," Hart contends:

I shall advance the thesis that if there are any moral rights at all, it follows that there is at least one natural right, the equal right of all men to be free. By saying that there is this right, I mean that in the absence of certain special conditions which are consistent with the right being an equal right, any adult human being capable of choice (1) has the right to forbearance on the part of all others from the use of coercion or restraint against him save to hinder coercion or restraint and (2) is at liberty to do (i.e., is under no obligation to abstain from) any action which is not one coercing or restraining or designed to injure other persons.²⁰

These arguments suggest that if there are any moral codes of conduct, including any general rights or special rights, we could, therefore, claim that all individuals ought to have at least one equal natural right to be free. As Hart says, this assertion does not have special conditions which presuppose the contents of this natural right; it is a pure assertion which stands apart from any particular moral positions. Consequently, it would not be found only in moral codes consistent with the moral position of the egalitarian universalism but is naturally and purely entailed from the existence of moral rights in moral codes of conduct. It has not arisen from any special transactions or out of any special relationship among individuals nor created or conferred by any voluntary actions of the individuals.²¹ However, there is one precondition to possessing this natural right. Hart thinks the possessors of this natural right are adult humans capable of choice. This natural right would entitle the possessors a right to be against another's use of unjustified interference, allowing them to do whatever they want unless these actions constitute the use of unjustified interference to another.

In contrast, the second set of arguments is presented in a more rigorous way in the third section of Hart's paper.²² As clarified above, in the case of special rights, A is conceived as having a legitimate right to interfere with B only if B has voluntarily created or conferred a right to A through special transactions or out of a special relationship. Hart believes the requirement

20. *Ibid.*, 2.

21. *Ibid.*

22. *Ibid.*, 188–191.

of B's voluntary consent indicates that everyone who wants to interfere with B's freedom should provide a moral justification to support their claims. Based on this observation, Hart continues to infer that only if B has originally possessed a moral claim against all kinds of unjustified interference is A morally required to provide a special justification to demonstrate his possession of a special right to interfere with B's freedom. The moral claim originally possessed by B is conceived as another form of the equal natural right to be free. Hart contends that, "If we justify interference on such grounds (the requirement of special transactions and relations between individuals), given when we claim a moral right, we are indirectly invoking as our justification the principle that all men have an equal right to be free."²³

Before presenting my critiques of Hart's justifications, I shall respond to one reasonable challenge which may arise from Hart's arguments. This possible challenge shall reject my claim there are two independent sets of arguments in Hart's presentation and argues that he has provided only one set of arguments to justify the existence of the equal natural right to be free. So what should be the set of arguments for Hart's justification? It should be the second set of arguments presented above. In this challenge, the first set of arguments is not necessarily totally irrelevant but should be correctly conceived only as an introduction to some important thoughts in Hart's authentic justification. Therefore, what the first set of arguments is trying to ask us is "What are natural rights?," "How do they exist in human life?," "Who should possess these natural rights?" and "How do they affect the interaction between humans?" All these questions aim to lead to the ultimate question "Are there any natural rights?" answered by the second set of arguments in the third section of Hart's paper.²⁴

However, is this a successful challenge to my interpretation of Hart's arguments? I think not. Although I accept the first set of arguments is closely related to the second set of arguments and many of its contents are shared in the justification of the existence of equal natural right to be free, I argue they should be considered as two separate sets of arguments, each deserving a particular examination. This is because these two sets of arguments represent two different approaches to invoke the justification, that all individuals equally have the right to be free. As Hart says, the first set of arguments, mainly represented by the general rights, *directly* invoke the principle

23. *Ibid.*, 190.

24. *Ibid.*, 188–191.

that all individuals equally have the right to be free. However, the second set of arguments, represented by the special rights, *indirectly* invoke the principle.²⁵ Consequently, it is whether the principle is *directly* or *indirectly* invoked which signifies the division of these two approaches in Hart's justification. As I will show, these two approaches actually suffer from different theoretical mistakes and these could be intelligibly demonstrated only if we consider Hart's justification to be constituted by the two separate sets of arguments.

4. Critique of the Arguments

4.1 Critique of the First Set of Arguments

In the following sections, I shall demonstrate the theoretical mistakes I have found in Hart's justification. The first belongs to the first set of arguments and the other to the second set of arguments. In this section, I shall examine the first mistake in Hart's justification, a theoretical inconsistency in Hart's first set of arguments. As Hart says, "by saying that there is this right, I mean that in the absence of certain special conditions which are consistent with the right being an equal right."²⁶ What he clearly addresses here is that natural right is justified on grounds independent of any moral position. Therefore, we should not find any assertions or preconditions in Hart's justification consistent with the moral characters of the equal natural right to be free. But is it true we cannot find any of them in his justification? Unfortunately, the answer is no. If Hart wants to have the equal natural right to be free justified, he needs to base his justification on a particular moral position which may involve some form of universal egalitarianism.²⁷

In the first set of arguments, Hart argues that "if there are any moral rights at all, it follows there is at least one natural right, the equal right of all men to be free."²⁸ By possessing this natural right, adult humans capable of choice are entitled a right against another's unjustified interference. They are also allowed to perform all kinds of actions, provided these actions would

25. *Ibid.*, 188.

26. *Ibid.*, 2.

27. I am indebted here to N. G. E. Harris, "Hart on Natural Rights," *British Journal of Political Science* 2, no. 2 (January 1972): 125–127.

28. Hart, "Are There Any Natural Rights?," 2.

not create any limitation of another's freedom. But what possible grounds could there be for Hart to say that all men capable of choice are entitled to this natural right? A closer look at Hart's arguments could provide us with hints to answer this question.

There are two approaches to make sense of Hart's claim that "adult human beings who are capable of choice are entitled to an equal natural right to be free." The first approach is positive understanding and the other is normative understanding. For positive understanding, Hart's claim indicates that adult humans capable of choice possess this right *naturally*, just as people capable of walking possess two feet. It is a purely factual description of the human state. In contrast to positive understanding, normative understanding considers Hart's claim as a moral justification which supports that adults capable of choice *should* possess an equal natural right to be free, meaning that even though men have the capability of choice, they do not necessarily possess an equal right to be free. In fact, we need to provide sufficient arguments and justification to support this possession.

So which one should be Hart's own understanding of his claim? I think it should be positive understanding. In the discussion of the equal natural right being compatible with some principles of inequality, Hart cannot provide any particular moral codes of conduct to reject them. However, these principles have falsely used the verb "right" to describe some human actions.²⁹ It is similar to using the verb "run" to describe someone dancing on a stage. Moreover, if Hart provides any particular moral codes of conduct to reject these moral principles, he would commit a fallacy of inconsistency in his claim that the existence of an equal natural right to be free is a pure assertion which stands apart from any particular moral position. Based on these two evidences, we shall, therefore, contend that Hart would probably take a positive understanding to make sense of his claim.

But what's wrong with positive understanding? The problem is that positive understanding does not *naturally* entail a conclusion that all possessors of an equal natural right to be free *should be* equally free to do whatever they want, provided these actions do not constitute any restrictions of another's freedom. Imagine there is a city in China, one day the governor suddenly declares a law without adopting any democratic procedures. This law requires the police to seize ten citizens *randomly* on the street and put them in prison every day. The citizens would be forced to stay in prison for the

29. Ibid., 190.

whole day and no one, including the governor, could exempt them from it. Clearly, Hart could not simply reject my example based on his arguments to the “We are Germans; they are Jews” example; that the interference is justified on grounds of “the general character of the activities interfered with (e.g., the folly or cruelty of “native” practices) or the general character of the parties.”³⁰ As I have said, the citizens are *randomly* chosen with no reference to their actions or their identities. If so, how might Hart respond to this example? According to the logic of special rights, he is committed to claiming that, if the governor has not provided a legitimate special justification, he does not have a right to interfere with the citizens’ freedom. But why *should* the governor follow Hart’s claim to constrain his freedom to interfere with the citizens if this claim is merely *a factual description of human status*? The governor may argue that Hart’s claim is only a factual description of human status. Another form of the positive claim is people who are capable of walking *ought to* possess a pair of feet but this does not lead to the conclusion that people *should be* free to walk wherever possible. For the same reason, it does not *logically entail* the conclusion that adult humans capable of choice *should be* free from another’s unjustified interference to perform their actions.

However, there is one way for Hart to turn his claim of factual description into a normative prescription. Hart could argue that if the conclusion, “all adult human beings who are capable of choice *should be* free from another’s unjustified interference to perform their actions,” is sensitive to the fact that, “all adult human beings capable of choice *ought to* possess an equal natural right to be free,” then it must be because there is another principle, “possessors of natural right *should be* equally free to perform their actions,” to support the justification of the conclusion.³¹ However, I do not think Hart would accept this suggestion because his assertion of the absence of certain special conditions consistent with the equal natural right to be free necessarily constrains him from accepting a moral principle to justify his claim that all possessors of natural right *should be* equally free to perform their actions. If Hart violates the restriction, he would commit a fallacy of inconsistency in his own arguments. Therefore, Hart would probably prefer his arguments remain unchanged to avoid this theoretical mistake.

30. *Ibid.*, 190.

31. I am indebted here to David Miller, “Political Philosophy for Earthlings,” in *Political Theory: Methods and Approaches*, ed. David Leopold (Oxford: Oxford University Press, 2008), 29–48.

However, what is the point of us upholding his claim, which is only a factual description of human status and has no normative force to regulate people's performance? As I have presented an example to demonstrate the consequence of fully accepting Hart's claim as the guiding principle of our society, we could see there are still strong reasons, for example, that political domination and unjustified interference are bad in themselves, for us to maintain the implication of Hart's claim, that all men capable of choice should be free to perform their actions. However, we could choose to relinquish his assertion of the absence of certain special conditions in the justification of our claim of the equal natural right to be free. Thus, I shall contend that Hart's claim is a philosophically rigorous analysis of human status but is not a desirable political principle.

4.2. Critique of the Second Set of Arguments

In the second set of arguments, Hart argues that A is perceived as having a special justification to interfere with B only if B has voluntarily created or conferred a right to A through special transactions or out of a special relationship. I have already introduced in section two examples of the special justification including promises, authorisations, mutual restrictions and special relations. In the case of these special rights, A is required to possess a special justification to interfere with B's freedom because B originally possessed a moral claim against all kinds of unjustified interference. This observation implies that B has a right against another's interference and A is obligated not to interfere with B except if B has voluntarily conferred on him a right to do so. Hart continues this inference by saying that, if B has such a right, it necessarily entails that B has a natural right to be free and, by generalisation, other adult humans like B who are capable of choice should also possess this natural right. Thus, Hart contends that, if there are any moral rights, there is at least one natural right, the equal right of all men to be free.

So what's wrong with these arguments? Hart has mistakenly supposed that "me being under an obligation to someone to do A gives him (entails that he has) the right to force me to do A."³² Considering the case of prom-

32. Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), 91. See also Eric Mack, "Hart on Natural and Contractual Rights," *Philosophical Studies* 29 (1976): 283–285 and William K. Frankena, "Natural and Inalienable Rights," *Philosophical Review* 64, no. 2 (1955): 219. For a more detailed discussion, see Eric Mack, "Natural Right and Contractual Rights," *Ethics* 87, no. 2 (January 1977): 153–159.

ises Hart mentioned, A has promised B to look after her aged mother in her absence. In this case, Hart would say that special right is created in a special transaction between A and B. Thus, B has a legitimate right to request A to look after her mother in her absence and A is obligated to do this to redeem his promise. However, this does not entail a justification that B has a legitimate right to force A to look after her mother even if A fails to redeem his promise. This is because the subject matter of the promise is only A's action to look after B's mother but does not include B's interference of A's freedom. So, if A does not look after B's mother, he is undeniably doing something wrong and B has a moral claim to request A to redeem his promise. However, B is not allowed to force A to look after her mother. In some cases, B is conceived as having a legitimate right to force A but it must be because A has already promised B that B would be allowed to force him to look after her mother if he fails to redeem the promise.

Although this moral claim does not confer on B a right to interfere with A's freedom, it does grant nobody but B a moral power to release A from the obligation to look after her mother. As Hart says, the right-obligation relation indicates a form of human connection that A (the non-right-possessor or the promisor) is bound by a chain held in the hand of B (the right-possessor or the promisee), to use if she chooses.³³ Consequently, B possesses a moral right to choose to request A to redeem his promise or to release him from it but B does not have a moral right to interfere with A's freedom.

However, although B does not possess a right to interfere with A's freedom directly, Hart may argue that B does possess a right to interfere A's freedom indirectly. B could request a central legal authority, established by another form of special transaction, a mutual restriction (presupposed it has the voluntary submission from both A and B), to force A to look after her mother. As in the case of promises, B also needs to provide a justification for her petition to the legal authority to interfere with A's freedom. She needs to demonstrate that she has a special transaction with A but A, however, refuses to redeem his promise. Although this would not confer B the right to interfere with A's freedom, she still has a right to request the legal authority to interfere with A if she chooses. This implies that B does have an indirect influence on A's freedom and it is possible it would turn into a direct interference of A's freedom. Therefore Hart may contend that a special justification would confer a right to B to interfere with A's freedom,

33. *Ibid.*, 181.

though it is only a right to indirect interference.

Does this mean Hart could rescue his arguments from the mistake I have demonstrated above? Again, the answer is no. This justification of a right to indirect interference is based on the idea of mutual restriction. As I have shown, mutual restriction is one of the special transactions which shares the same form of special justification for the constitution of promises. That is, special rights are only created from the voluntary special transactions between individuals or out of some special relationship, such as parent and child, which would allow the possessors to interfere in the actions of involved parties. For this reason, it also suffers from the same theoretical mistake which could be found in the special justification of promises. The legal authority is conceived as having a right to interfere with A's freedom only if A has already conferred the right through the special transaction of mutual restriction. This means that the terms of mutual restriction between A and B is the subject matter to determine whether the legal authority possesses a right to interfere the involved parties. If A has not submitted his voluntary consent to specific terms of interference, no one is allowed to interfere with his freedom even if he fails to redeem his promise. However, it does not mean there is nothing B could do to punish A. Indeed, she could request the legal authority to prohibit A from enjoying the benefit of the mutual restriction or she could simply nullify the special relationship between them. However, B could not request the legal authority to force A to redeem his promise.

5. Conclusion

In this essay, I closely examined Hart's arguments to justify his claim that, if there are any moral rights, there must be at least a natural right of all men to be equally free. I argued there are two mistakes in Hart's arguments. In summary, in the first section, I outlined and articulated the key concepts of Hart's justification of equal natural right to be free. Beginning by explaining the concept of right that serves as a central role in Hart's arguments, I suggested there is a correlation between a moral right and a moral justification that a possessor of moral rights is allowed to limit another's freedom and to determine another's performance. Then, I examined the meanings and the implications of special rights and general rights in Hart's arguments to construct a framework for my later analysis. I then began to present

Hart's justification of the existence of a natural right. I argued there are sets of arguments which could be found in Hart's paper, "Are There Any Natural Rights?" I explained how my interpretation of Hart's arguments could be justified and the implications. In the third section, I presented my own critiques to these two sets of arguments. I argued that the first set of arguments could lead to a fallacy of inconsistency that Hart himself could not accept plausibly. To avoid this consequence, Hart could only accept a positive understanding of his arguments which turned it into a less desirable political principle. For the second set of arguments, I argued that Hart has falsely presupposed the idea that possessing a right must entail a consequence of interference. As I have shown, the terms of special transactions are the only subject matter to determine whether someone could interfere with another's freedom. To conclude, I must emphasise that my critiques do not necessarily imply there exists no natural rights at all. The primary thesis advanced in this paper is that Hart's arguments fail to provide a successful justification to demonstrate the existence of a natural right of all men to be equally free.

Bibliography

- Frankena, William K. "Natural and Inalienable Rights." *Philosophical Review* 64, no. 2 (1955): 212–32.
- Harris, N. G. E. "Hart on Natural Rights." *British Journal of Political Science* 2, no. 2 (January 1972): 125–27.
- Hart, H. L. A. "Are There Any Natural Rights?" *Philosophical Review* 64, no. 2 (1955): 175–91.
- . *Law, Liberty, and Morality*. Oxford: Oxford University Press, 1989.
- Mack, Eric. "Hart on Natural and Contractual Rights." *Philosophical Studies* 29 (1976): 283–85.
- . "Natural Right and Contractual Rights." *Ethics* 87, no. 2 (January 1977): 153–59.
- Nozick, Robert. *Anarchy, State, and Utopia*. New York: Basic Books, 1974.
- Miller, David. "Political Philosophy for Earthlings." In *Political Theory: Methods and Approaches*, edited by David Leopold, 29–48. Oxford: Oxford University Press, 2008.
- Steiner, Hillel. "The Natural Right to Equal Freedom." *Mind* 83, no. 330 (April 1974): 194–210.

Urban Redevelopment Policy Process in Contemporary Hong Kong: A Case Study of the H15 Redevelopment Project

當代香港的市區重建計劃：H15重建計劃的個案研究

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Public policy process can be explained by relative influences of the state and societal factors which could be regarded as the nature of state power. In this aspect, the theories of pluralism including classical pluralism and neo-pluralism, Marxism, elitism and corporatism could provide us with theoretical perspectives on urban redevelopment policy process. The objective of this study is to analyze the mode of urban redevelopment policy making process in the perspective of neo-pluralism. This study seeks to analyze whether the urban redevelopment policies are settled by political bargaining, whether the Government has its policy preference in urban redevelopment policy process, and whether the business sectors enjoy privileged position in urban redevelopment policy process. The case of Lee Tung Street/McGregor Street H15 Redevelopment Project will be adopted. It would be an appropriate example to understand the interaction between the stakeholders during the policy making process.

公共政策過程可理解為國家和社會因素互相影響而產生的。在這方面，多元化理論，包括古典多元化理論和新多元主義、馬克思主義、精英主義和社團主義，可為我們在市區重建政策的過程提供理論觀點。本研究的目的，是希望用新多元主義的理論，分析市區重建的模式。研究旨在分析市區重建政策是否政治談判的結果；政府在市區重建政策的過程中是否有其政策偏好，以及商業團體在市區重建政策的過程有否享有特權地位。H15 利東街及麥加利歌街的重建項目將是本文研究的個案。這是一個恰當的例子，有助了解持份者在政策制定過程之間的互動。

Introduction

The Hong Kong Government did not pay much attention to urban redevelopment in 1950s. This is partly because the Government paid more attention on problem of squatter thus lacking the resource to deal with slum clearance, and the private sector was quite active in urban redevelopment.¹ Slum clearance program had been carried out by the Hong Kong Government at first. This was later followed by comprehensive urban renewal. Comprehensive redevelopment programs by the Government are needed to improve the environment and living conditions of residential areas in the main urban areas. The Government identified the following objectives in urban redevelopment :²

- to upgrade existing substandard urban areas to at least meet the currently accepted minimum standards through redevelopment or rehabilitation;
- to plan for conveniently located government, institution and community facilities, open spaces, shopping, residential and industrial uses in an orderly manner;
- to provide a safe and convenient pedestrian movement system within the area;
- to control the use an configuration of land or buildings; and
- to upgrade the transport system and to provide for convenient public transport.

In order to achieve the above objectives, the Government has initiated a number of urban redevelopment schemes mainly for private housing areas.

The Town Planning Board was established under the Town Planning Ordinance in 1939. And it has involved in urban renewal since early 1960s. According to the Town Planning Ordinance, Chapter 131, section 3, the Board is responsible for preparing statutory plans (Outline Zoning Plans and Development Permission Area Plans) on the basis of the direction of the Governor (Chief Executive after 1997) for the layout of areas. The Governor also appoints all the members of the board under section 2(1) of the Ordinance, and the Board consists of about 37 members including the Chair-

1. Anthony Gar-On Yeh, "Public and Private Partnership in Urban Redevelopment in Hong Kong," *Third World Planning Review* 12, no. 4 (November 1990).

2. Ibid.

man, the Vice-chairman, five official members and about 30 non-official members.³

In the early 1960s, the prevalence of dilapidated buildings, as well as the overcrowded and unhealthy conditions of inner city residential areas pointed towards the need for government intervention. In 1964, the Governor appointed a Working Party on Slum Clearance. In 1965, the Working Party recommended the designation of Sheung Wan as an Urban Renewal District, within which a specific area was identified as a Pilot Scheme Area. The Town Planning Board was ordered by the Governor to prepare a statutory plan for the Urban Renewal District, and land resumption power was given to the Board in order to implement the Scheme in 1969. A layout plan for the Pilot Scheme Area was later completed and adopted in 1970. However, the scheme was behind the original schedule due to inadequate funds, insufficient coordination among government departments and concerned agencies, and re-housing problems.⁴

In early 1970s, Hong Kong Housing Society proposed an "Urban Improvement Scheme." Hong Kong Housing Society, an independent non-profit organization, is the earliest single agency responsible for urban renewal and undertook the first renewal project in 1974.⁵ Under Urban Improvement Scheme, to which the Executive Council agreed to provide financial support, Hong Kong Housing Society had finished 30 projects from 1974 to 2002.⁶ Although the design concept is desirable, urban renewal has not been undertaken successfully on a comprehensive scale.⁷

In the late 1970s, the Government selected some areas as "Comprehensive Redevelopment Area." Within these areas, private owners participated in redevelopment program, in which the Government was not responsible for the resumption of land. Take the case of Tsim Sha Tsui "Four Streets" as an example. In 1978, the Land Development Policy Committee, which were formed by members from the Environment Protection Department

3. Town Planning Board, "Town Planning Board annual report 2005: Establishment and Functions," 2005, http://www.info.gov.hk/tpb/en/about_us/Annual_Report/2005_03.pdf (accessed October 30, 2008).

4. Yeh, "Public and Private Partnership in Urban Redevelopment in Hong Kong."

5. Ting Kwok Lai, "A Study of Implementation Mechanisms for Urban Renewal Projects in Hong Kong, 1996," <http://www.hkhs.com/pdf/18/chairman.pdf> (accessed November 7, 2008).

6. Hong Kong Housing Society, "Spearheading Green Initiatives with Social Mission, 2002," <http://www.hkhs.com/pdf/18/chairman.pdf> (accessed November 7, 2008).

7. Yeh, "Public and Private Partnership in Urban Redevelopment in Hong Kong."

and other government departments,⁸ approved land owners of the ‘Four Streets’ to form a development companies to carry out comprehensive redevelopment of the street block. According to the Master Layout Plan of the area, the owners were invited to take part in comprehensive development. However, disputes among owners and arguments between tenant and owners as well as the problems on vacant possession slowed down the progress of the project.⁹

In sum, the Government made various attempts in urban redevelopment from 1960s to 1980s. However, these attempts were slow in progress and the impact was limited. By contrast, private sector, including private developers and property owners, played a more active role in the urban redevelopment process. Private sector contributed significantly in redeveloping the domestic, official and commercial properties in old districts. Yet, it had little impact on the improvement of the neighborhood or overall environment of the old districts because in-situ redevelopment is small in scale.¹⁰

As a result, the concept of public-private participation in urban redevelopment was proposed by the Land Development Policy Committee in 1984 and it was accepted by the Executive Council in June 1985. Therefore, Land Development Corporation was established in 1988 with the objectives of speeding up private sector redevelopment in selected areas, encouraging participation of land owners, improving the quality and economic benefits of developments by assembling larger sites, ensuring equitable treatment of tenants and minimizing the need for direct government subsidies.¹¹ Although Land Development Corporation is a self-financing and independent statutory public corporation, it is able to recommend the Government to resume land under the Crown Lands Resumption Ordinance.¹² However, the progress of land resumption was still slow due to the lack of land acquisition power in the Land Development Corporation and burden of unexpected high financial costs.¹³

8. Stephen S. Y. Lau and Keith K. M. Dao, “A Case Study of Airport Noise Associated with Hong Kong’s Kai Tak Airport,” *Hong Kong Papers in Design and Development* 1 (1998): 14–17.

9. Yeh, “Public and Private Partnership in Urban Redevelopment in Hong Kong.”

10. *Ibid.*

11. *Ibid.*

12. Hong Kong Place, “Construction and Building—Urban Redevelopment Project, 2008,” <http://www.hk-place.com/view.php?id=224> (accessed November 7, 2008).

13. Kenneth Li, “Social Factors Get Priority in Urban Rethink,” *Hong Kong Standard*, August 19, 1999, A01.

In order to speed up the progress of urban redevelopment, Urban Renewal Authority was established in 2001 with land acquisition power and financial independence. Urban Renewal Authority took over the 25 urban renewal projects announced by Land Development Corporation. Urban Renewal Strategy provides policy guidance to the work of the Urban Renewal Authority.¹⁴ According to Section 20 of Urban Renewal Authority Ordinance, Development Bureau is required to consult the public before finalizing the Urban Renewal Strategy.¹⁵ Together with projects newly proposed in Urban Renewal Strategy, there are totally 225 urban redevelopment projects to be undertaken by the Urban Renewal Authority. Urban Renewal Authority has adopted the “4Rs” strategy, known as Redevelopment, Rehabilitation, Revitalization and pReservation, to address the problem of urban decay and improve the living conditions of the residents. Urban Renewal Authority co-operates with Hong Kong Housing Society while the latter would provide financial support to the former to undertake some of the redevelopment plans.¹⁶

Analytical Framework

Objective of the research

The objective of this study is to analyze the mode of urban redevelopment policy making process through studying the case of H15 Redevelopment Project in order to find out whether neo-pluralism is the dominant mode of urban redevelopment policy making process in contemporary Hong Kong.

14. Huang Jinwen, “‘Duitan hui’ jia bin: Wanzai quyihui zhuxi Huang yingqi nuishi Houban hezuo anli fuxiang: Lidongjie zhongjiang xiangmu (H15)” [Guest of Dialogue Session: Wan Chai District Council’s Chairperson Ms Ada Wong: Partnership case sharing: Lee Tung Street project (H15)], January 19, 2006, <http://www.hkcss.org.hk/convention/wongyingkay.htm> (accessed November 11, 2008).

15. Development Bureau, “Urban Renewal and Buildings,” 2004, <http://www.devbplb.gov.hk/eng/policy/urs.htm> (accessed March 29, 2009).

16. Hong Kong Place, “Construction and Building—Urban Redevelopment Project,” 2008, <http://www.hk-place.com/view.php?id=224> (accessed November 7, 2008).

Research Questions

This study investigates the following research questions:

- Are the urban redevelopment policies settled by political bargaining?
- Does the Government have its policy preference in urban redevelopment policy process?
- Do the business sectors enjoy privileged position in urban redevelopment policy process?

Significance of the Study

Urban redevelopment has become a controversial issue in recent years while there are an increasing number of criticisms focusing on the unequal position in bargaining and negotiation processes. Take the demolition of the Star Ferry pier in December 2006 and the demolition of the Queen's pier in 2007 as examples. The demolitions of these two piers have triggered strong public sentiments and protests among the local community. They have not only stirred up a major outcry among local communities, but also the general discussion on the lack of concern of cultural heritage conservation in the Government's urban redevelopment policy.¹⁷ Furthermore, a group of citizens who took part in the movement to preserve the Star Ferry Pier stated that the Government carried out fake consultation and sided with the business group while ignoring public opinion.¹⁸

In addition, in the Macpherson Stadium Project in 2008, a green group urged the Urban Renewal Authority to scrap its plan which including high-rises in the redevelopment of an indoor sports centre in Mongkok, as they argued that the project would worsen ventilation and block light to surrounding low-rise buildings in the district.¹⁹

Although urban redevelopment has become a hot issue recently, rare academic studies in such aspect could be found, some of them are as follows:

- In Urban redevelopment in Hong Kong, Issac Ng studies the difficulties in land resumption faced by the Government, for instance, the lack

17. Hilary Tsui, "The Demolition of Star Ferry Pier: Urban Reclamation versus Cultural Heritage in Hong Kong," *Eurozine*, October 29, 2007, <http://www.eurozine.com/articles/2007-10-29-tsui-en.html> (accessed November 15, 2008).

18. "Yiqun canyu baoliu tian xing matou yundong de shimin," "Gao quan xianggang shimin shu" [A Letter to All Hong Kong Citizen], December 14, 2006, <http://www.inmediahk.net/node/172591> (accessed November 15, 2008).

19. Colleen Lee, "Group Attacks High-Rise Plan for Mong Kok," *South China Morning Post*, May 19, 2008, City3.

of financial resources for compensation and legal authoritative body to resume the land.²⁰

- Terence Lai conducted a research titled *Is there a room for arbitration in Hong Kong urban renewal development?* in 2004, focusing on the arbitration during land acquisition and highlighting the importance of law in urban renewal.²¹
- In 2005, Lo Pui Kwan wrote a thesis about the role of social movement in urban redevelopment. By a case study in Sai Ying Pun and Sham Shui Po in Hong Kong, she tried to find out the factors affecting the residents' participation in the movement organizations and how the tactics are formed by the organizations in order to negotiate with government.²²
- In sum, Issac Ng, Terence Lai and Lo Pui Kwan focused on difficulties in land resumption faced by the Government, the importance of law in urban renewal, and the role of social movement in urban redevelopment respectively.

Although there are studies about urban redevelopment in Hong Kong, their foci are the aspects of land resumption, social movement and the role of law.

All of them missed the aspect of distribution of political power in the urban redevelopment policy making process. In Hong Kong, the inequality in political power has often been criticized. Therefore, it is important to study whether the civil society groups are left in less-advantaged position to influence policy decision as it is claimed while, on the contrary, the business is privileged. This study will provide information in the aspect of nature of state power in the urban redevelopment process, thus filling the gap in the current literature.

Besides, this study can enrich the study of Mr. Fong Chi Hang on policy process. In *An Analysis of the 2003 "Zero-Three-Three" Civil Service Pay Reduction Settlement in Hong Kong: A Neopluralist Perspective*, Fong argues that the current policy process in Hong Kong is under the frame-

20. Isaac Ng, "Urban Redevelopment in Hong Kong: The Partnership Experience," *International Journal of Public Sector Management* 11, no. 5 (1998), 414–420.

21. Terence Hon Tai Lai, "Is there a Room for Arbitration in Hong Kong Urban Renewal Development?" (MA's thesis, City University of Hong Kong, 2004).

22. Pui Kwan Lo, "Interactions between Residents/Social Activists and the Government during the Negotiation Period in the Participation and Mobilization of Urban Redevelopment Movement: Case Studies in Sai Ying Pun and Sham Shui Po in Hong Kong," (MPhil's Thesis, City University of Hong Kong, 2005).

work of neo-pluralism and demonstrates his standpoint by researching into the civil service pay reduction.²³ Also, this paper can broaden the academic discussion of whether neo-pluralism is the dominant mode of public policy process in Hong Kong.

The importance of studying neo-pluralism lies in its theoretical implication. In the view of neo-pluralism, the business is at a privileged position to influence the policy process. This implies a government-business relationship that the government serves the interest of the business while putting the needs of the public at a secondary position. Indeed, stressing the private interest of the business while neglecting the public interest of all is by no means a desirable governance model. Studying the policy process could, on one hand, gain a clearer picture of the reality and, on the other hand, clarify the potential problem so as to seek for possible solution if necessary. This is of vital important especially when Hong Kong has often been accused of government-business collusion. The study of urban redevelopment policy process could act as mirror to reflect the whole picture of the policy making process in Hong Kong.

Scope of the study

The scope of this study is to examine whether the theory of neo-pluralism is applicable to Hong Kong by analyzing the political interactions among different stakeholders in the urban redevelopment policy process. Hence, the compensation process will not be examined in this study. Similarly, the current review on urban renewal strategy is also not the focus of this study and thus will be excluded from analysis.

Research Methods

Research methodology

Adjustments on political environment are frequently made from time to time and the object of policy process studies is usually a unique sequence of events which is rarely replicated. Besides, since many relevant activities, particularly in those power processes among different actors, are hard to

23. Brian C. H. Fong, "An Analysis of the 2003 "Zero-Three-Three" Civil Service Pay Reduction Settlement in Hong Kong: A Neopluralist Perspective," *Asian Profile* 36, no. 6 (2008): 559–580.

observe, people who did not engage in the incidence may not have sufficient information necessary for analyzing the policy process.

To cope with these problems, Michael Hill states that case studies are often used in policy process studies with qualitative methods. Case studies could offer an in-depth examination of a single instance, and thus able to deal with the complexity of policy process while qualitative methods like interviews would provide an alternative way to gather those “hidden information” from the actors.²⁴

Therefore, this research is conducted with the method of case studies as well as other qualitative method, including qualitative interviews and documentary reviews. Evidence-based and logically-argued analysis is adopted to examine the data collected.

The case of H15 Redevelopment Project is chosen as the case to study, since it is regarded as a significant case as it involved many different kinds of actors such as the residents, Urban Renewal Authority and Professionals, Academics and Cultural Practitioners...etc., and great conflict of interests between different parties were reflected during the negotiation process. In most of the cases, conflict of interests would mainly display in the compensation process. However, in the case of H15 Redevelopment Project, the conflict is displayed not only in the compensation process, but also in the future plan of redevelopment.

Furthermore, as the “dumbbell proposal” is the city’s first participatory urban renewal plan as an alternative to the Urban Renewal Authority proposal, the way the Town Plan Board and Urban Renewal Authority deal with the proposal may reveal the nature of state power behind the policy process.

The information of the case is gathered by the following methods:

- In order to collect first hand information, qualitative interviews were conducted. Invitations were sent to the major political actors, including members of Urban Renewal Authority, Town Planning Board members, and representative of the citizens. The list of proposed interviewees is at Appendix.
- The documentary review includes government document like minutes of Legislative Council, District Council and Town Planning Board, press releases by Development Bureau, Urban Renewal Authority and civil associations, as well as commentaries, newspaper articles, and aca-

24. Michael Hill, *The Policy Process*, 4th ed. (New York: Prentice Hall, 2005).

demic papers and journals.

The Study of Policy Process

According to Heywood, the analysis of policy process could be divided into four stages, policy initiation, policy formulation, policy implementation and policy evaluation.²⁵ However, it could also be in the context of the whole political system as policy is a result of an “input-output” process in the political system, which is related to how different political actors interact with others.

Ham and Hill state that public policy process can be explained by relative influences of the state and societal factors, which Michael Hill describes as “Nature of State Power.”²⁶ Hence, the policy process can be reviewed from the standpoint of the “Power Structure” of society.²⁷

James Lee in urban politics school states that the core of the urban policy decision-making process is in fact politics. There are political conflicts, negotiations and bargaining within the urban policy process. Furthermore, politicians and different interest groups try to gain support so that they can influence the urban policy.²⁸

This study is going to analyze the urban policy process in the context of the whole political system.

Nature of State Power and Policy Process

Nordlinger summarizes five main theories of power distribution within a state, namely classical pluralism, neo-pluralism, Marxism, elitism, and corporatism:²⁹

1) Classical pluralism: Classical pluralism suggests that the political power is widely and evenly distributed among different groups in society. Robert Dahl and Charles Lindblom state that the policy process is under the principle of rule by many, i.e. polyarchy, in which all individuals and groups are able to access for bargaining and negotiation in an open platform

25. Andrew Heywood, *Politics*, 2nd ed. (New York: Palgrave Macmillan, 2002).

26. Christopher Ham and Michael Hill, *The Policy Process in the Modern Capitalist State* (New York: Harvester Wheatsheaf, 1993).

27. Hill, *The Policy Process*.

28. James Lee, “Urban Politics,” in *Contemporary Hong Kong Politics: Governance in the Post-1997 Era*, ed. Lam Wai-man et al. (Hong Kong: Hong Kong University Press, 2007).

29. Ham and Hill, *The Policy Process in the Modern Capitalist State*.

for policy development.³⁰

In *Who Governs?*, Dahl further emphasizes that all groups representing different individuals are able to influence the policy process, and no single group or person is at the dominant position even though some groups or persons are economic powerful and political privileged.³¹

In addition, classical pluralism suggests that state is neutral in policy processes and follows the will of citizens. According to Schwarzmantel, the state is “the servant of society and not its master.”³² He points out that the state is a pincushion passively absorbing the pressure added on it. In other words, the state acts as an umpire or referee in society.

2) *Neo-pluralism:* According to Heywood, neo-pluralism is a revised form of pluralism that takes account of the imbalance of the market and the disproportionate power of private business.³³ Although the political power is widely dispersed in society, the distribution of power is in fact unequal among groups and individuals.³⁴ Dahl also points out that inequality of the ownership of economic resources would result in concentration of political power in the hands of few, i.e. business sectors, instead of in the hands of many. This is known as “deformed polyarchies.”³⁵

The imbalance of political power is originated from the role of the corporations in the economic development as they could control the amount of investment and the employment rate of the region, which are crucial for politicians to maintain popular support. Under this circumstance, corporations are able to take advantages from the government easily.³⁶ Therefore, they are privileged in the bargaining and negotiation process.

Moreover, neo-pluralism suggests that the state has her own sectional interest. Heywood points out that the government officials like civil ser-

30. Robert A. Dahl and Charles E. Lindblom, *Politics, Economics and Welfare* (New Brunswick, NJ: Transaction Club, 1992).

31. Robert A. Dahl, *Who Governs? Democracy and Power in an American City* (New Heaven, CT: Yale University Press, 1989).

32. John Schwarzmantel, *The State in Contemporary Society: An Introduction* (New York: Harvester Wheatsheaf, 1994), 52.

33. Heywood, *Politics*.

34. Christopher Ham and Michael Hill, *The Policy Process in the Modern Capitalist State* (New York: Harvester Wheatsheaf, 1993).

35. Robert A. Dahl, *A Preface to Economic Democracy* (Berkeley: University of California Press, 1985).

36. Charles E. Lindblom and Edward J Woodhouse, *The Policy-making Process*, 3rd ed. (Englewood Cliffs, NJ: Prentice Hall, 1993).

vants and police officers would also pursue their own sectional interests.³⁷ In this sense, the government could be seen as an interest group or a political actor who has its own preference in the policy process. Thus, she is not neutral in the neo-pluralistic point of view.

3) *Marxism:* From the Marxists perspective, the power of state is highly concentrated in the hands of the bourgeoisie, while others have no access to the policy process. They conceive the state as well as the policy process as an instrument of class oppression. According to Poulantza, the role of state is to maintain the long term interest of capitalism.³⁸ This is also reflected in the policy process. Karl Marx in Communist Manifesto points out that “the power of the modern state is merely a device for managing the common affairs of the whole bourgeois class.”³⁹

Ralph Miliband further analyzes that civil servants and public officials are the representatives of the industrial and business leaders, i.e. the capitalists, as they share the similar background.⁴⁰

In other words, the state is not neutral and is in favor of the capitalists, the bourgeoisie are disproportionately privileged as they enjoy the sole power in making policies, which enables them to benefit themselves.

4) *Elitism:* According to Heywood, elitism refers to “the belief in or practice of rule by an elite; the theory that political power is concentrated in the hands of the few.”⁴¹

Michels suggests that there is “the iron law of oligarchy,” in which power is concentrated in the hands of a small group of dominate figures who can organize and make decisions, rather than in the hands of an apathetic rank and file in all of the organizations including the governments.⁴² According to C. Wright Mills, the policy process is under control of a nexus of leading group which is comprised by the power elites, and the policies are reflections of their values.⁴³ Hence, the government is not neutral.

37. Heywood, *Politics*.

38. Nicos Poulantza, *Political Power and Social Classes* (London: New Left Book, 1973).

39. Ian D. Thatcher, “Past Reception of Communist Manifesto,” in *The Communist Manifesto: New Interpretations*, ed. Mark Cowling (Edinburgh: Edinburgh University Press, 1998), 66.

40. Ralph Miliband, *The State in Capitalist Society* (New York: Basic Book, 1969).

41. Heywood, *Politics*, 423.

42. Heywood, *Politics*.

43. C. Wright Mills, *The Power Elite* (New York: Oxford University Press, 1956).

The high socioeconomic status, academic qualifications, bureaucratic positions and good political connections of the power elites enable them to enjoy an “access to the highest level of executive branch of the government.”⁴⁴ Furthermore, Mills emphasizes that the pressure of election is largely absorbed by middle levels of power, e.g. congress and state governments. As a result, public have a very limited access to the core of policy process.⁴⁵

5) Corporatism: Corporatists’ theories suggest that organized interests are incorporated into the processes of governance. These interests are granted an access to the institution and privileged in the policy process. In reality, commercial sectors and organized labor are privileged as they enjoy institutionalized access to the government. They are known as “peak associations.” In other words, there are formal bonding between the government and these two sectors. Together with the government, they form a “tripartite.” Those who are not represented by the peak associations, including the consumer and promotional groups, could hardly express their opinion to the government. Under this circumstance, state officials, business and unions have the greatest political power.⁴⁶

As Marks suggests, “it is an approach to problem solving that demands co-operation between state and functional interest groups.”⁴⁷ In other words, corporatists suggest that the state serves as an inter-mediator between business groups and labor unions, and the government tries to balance the interest between them.⁴⁸

To conclude, there are five theoretical approaches to the analysis of the interaction among various political actors in policy process. They include classical pluralism, neo-pluralism, Marxism, elitism and corporatism. The main ideas of these theories are summarized at Table 1. Indeed, the nature of state power is a contestable realm, in which different theorists put forward their own understanding of the state. However, there is few studies examined the nature of state power with clear criteria to see which theory

44. Heywood, *Politics*, 79.

45. Mills, *The Power Elite*.

46. Heywood, *Politics*.

47. Gary Marks, “Neocorporatism and Incomes Policy in Western Europe and North America,” *Comparative Politics* 18, no. 3 (April 1986): 253–277.

48. Ham and Hill, *The Policy Process in the Modern Capitalist State*.

Table 1. Nature of State Power

	Classical-Pluralism	Neo-pluralism	Marxism	Elitism	Corporatism
Access to Public Policy Process	There is an open platform for all the groups and individuals in the policy process	There is an open platform for all the groups and individuals in the policy process	Public is unable to influence the policy process	Citizens are lacking platform to engage in policy process	Commercial sectors and organized labor enjoy prior privilege in accessing the platform of policy process
The Role of State	The state is neutral	The state has its own sectional interest	The government itself is a capitalist government which is in favor of the business sector	The government is not neutral as it is running under the direct guidance of the elites	The government act as a mediator between businessmen and labors
Distribution of Political Power	Political power is widely and evenly distributed among individuals and groups	Although political power is widely distributed, it is uneven. Business sector is privileged	Political power is concentrated in the hands of the bourgeoisie	Elites have monopolized the political power and they are the centre of policy making	Political power is mainly shared by the government, commercial sectors and organized labor

could best describe the reality. This study will try to determine whether neo-pluralism is the dominant ideology in the nature state power with the criteria proposed by Charles Lindblom.⁴⁹ Since the five ideologies are, to certain extent, mutually exclusive, which means if the reality is in line with the criteria of neo-pluralism, it is unlikely to match with criteria of the others. As a result, the studies could determine whether neo-pluralism could provide a fuller explanation.

Theoretical Framework

The following part would analyze the urban redevelopment policy process in Hong Kong with the views of Neo-pluralism, and determine whether it is the dominant ideology in the nature of state power. The policy process of urban redevelopment is analyzed with the following perspectives: access to the policy process, the role of state, and distribution of political power.

1) Access to the policy process: Neo-pluralism suggests that there is an open platform for various stakeholders to influence the policy process. In the perspective of urban redevelopment policy making process in Hong Kong, it could be revealed in the public consultation procedures and the composition of the Town Planning Board.

Under Section 20 of the Urban Renewal Authority Guidelines (Chapter 563), the Secretary for Planning and Lands is required to consult the public before finalizing the Urban Renewal Strategy (URS). The Urban Renewal Strategy spells out the principles, objectives and targets of urban renewal, the role of Urban Renewal Authority, the land assembly process, and the processing of projects.⁵⁰ In short, the Urban Renewal Authority takes it as a guideline to work.⁵¹ On the other hand, the Guidelines state that “urban renewal strategy will be reviewed and updated regularly (every two or three years).”⁵²

Furthermore, under section 23 of the Urban Renewal Authority Guide-

49. Lindblom and Woodhouse, *The Policy-making Process*, 3rd ed.

50. Chi Kwong Law et al., *Study on Urban Renewal Policies for the Urban Renewal Strategy Review* (Hong Kong: University of Hong Kong, 2008). <http://www.ursreview.gov.hk/en/doc/Policy%20Study%20Inception%20Report-final-E.pdf> (accessed November 18, 2008).

51. Urban Renewal Authority, “Wanchai District Council Position Paper: On Urban Renewal of Wanchai,” November 2004, HK LegCo CB(1)263/04-05(04), <http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw1123cb1-263-4e.pdf> (accessed November 11, 2008).

52. Law et al., *Study on Urban Renewal Policies*.

lines, the commencement date of the development project will be published in the Gazette and information about the development project will be made available for the public inspection for a period of two months.⁵³ “Within the publication period, any person who considers that he will be affected by the development project and wishes to object to the implementation of the development project may send to the URA a written statement of his objections to the project under section 24(1) of the URAO.”

In addition, the Town Planning Board will make its statutory plans and the Urban Renewal Authority’s Development Scheme Plans available for the public consultation for three weeks. The public could propose amendments to the plans during this period. Meanwhile, Urban Renewal Authority has to consult with the relevant District Council at the stage of Master Layout Plan preparation.⁵⁴ As for the composition of the Town Planning Board, except a vice-chairman and official members, there are about thirty non-official members appointed by the Chief Executive. Generally, they are from different fields such as business/industry, academic, social work, education...etc., and representing the interest of the public.⁵⁵ They could act as representatives for the public to influence the policy process of urban redevelopment as the Town Planning Board is one of the vital institutions in the process.

To sum up, the consultation procedures and the composition of the Town Planning Board provide the public with an open platform to influence the redevelopment policy.

2) *The role of state:* Urban Planning in Hong Kong is a top-down process. Unlike a bottom-up process in which a policy is the outcome of the Government in respond to the public demand, the urban policy in Hong Kong is initially formulated by the officials, and open for the public to bargain and negotiate afterwards. In this sense, the Government is not a neutral agency

53. Urban Renewal Authority, “Urban Renewal Authority Guidelines on the Submission of Objections to Projects to be Implemented by way of Development Project,” 2008, [http://www.ura.org.hk/usrAtt/800000/Guidelines_on_Objection_Submission_\(E\).pdf](http://www.ura.org.hk/usrAtt/800000/Guidelines_on_Objection_Submission_(E).pdf) (accessed November 18, 2008)

54. Town Planning Board, Minutes of 845th Meeting of the Town Planning Board, October 21, 2005. http://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m845tpb_e.pdf (accessed October 30, 2008)..

55. Town Planning Board, “About Us,” 2008, http://www.info.gov.hk/tpb/en/about_us/intro.html (accessed November 12, 2008).

merely providing a platform for the public.⁵⁶

The Urban Renewal Authority Ordinance provides an institutional framework for Urban Renewal Authority to carry out the task of urban renewal. Urban Renewal Strategy provides the guidelines for Urban Renewal Authority to work while Urban Renewal Authority has to run in line with those objectives, for example, tackling the problem of urban decay, reducing the number of inadequately housed people, and so on.⁵⁷ Whereas both of the ordinance and the policy document were published by the Government, her policy preference could be reflected by the Urban Renewal Authority.

3) Distribution of political power: Neo-pluralism suggests that the business sector enjoys a privilege position in policy making process. In the perspective of urban redevelopment policy making process in Hong Kong, it could be revealed in the composition of the Town Planning Board.

Urban redevelopment policy making in contemporary Hong Kong usually faces criticism on the ground of uneven distribution of bargaining power. Take the composition of the Town Planning Board as an example. The Board consists of a Chairman, a Vice-chairman, five other official members and about thirty non-official members.⁵⁸ Furthermore, all of them are appointed by the Chief Executive. To review the composition of the Board, for example, in year 2003, seven non-official members out of thirty-two were from the business and industry field. Compared with other fields, the business and industry field is the one enjoying most seats in the Board.⁵⁹ Moreover, there are critics arguing that the Board members from the field of business and industry have countless ties to the interest of the land developers. Hence, the business could enjoy a privileged position in the policy process.⁶⁰

56. Alison Cook and Mee Kam Ng, *Building Sustainable Communities: The Wanchai Experiment* (Hong Kong: Centre of Urban Planning & Environmental Management, The University of Hong Kong, 2001).

57. Development Bureau, "Urban Renewal and Buildings," 2004, <http://www.devb-plb.gov.hk/eng/policy/urs.htm> (accessed March 29, 2009).

58. Town Planning Board, "About Us," 2008, http://www.info.gov.hk/tpb/en/about_us/intro.html (retrieved November 12, 2008).

59. Housing, Planning and Lands Bureau, "Town Planning Board—Statutory Powers, Composition and Criteria for Appointment of Members," LegCo Panel on Planning, Lands and Works, June 2003, HK LegCo CB(1)1831/02-03(03).

60. Ronny Ka-wah Tong, motion on "The Development of 18 Distinctive Town Planning and Urban Areas," 2004, http://www.ronnytong.org/fs/view/banners/Planning_Policy_Debate_24Nov2004.pdf (accessed November 12, 2008).

Briefly, though the Town Planning Board has provided an open platform in which different kind of political actors could express their views to influence the policy process, the composition of the Board implies that particular field, i.e. the business and industry field, is probably enjoying a privilege position in policy making process.

To summarize, with the characteristics of the political environment mentioned above, the urban redevelopment policy in contemporary Hong Kong is likely in the form of neo-pluralism. Therefore, Neo-pluralism is adopted as the theoretical framework for analyzing urban redevelopment policy making in the territory.

Case Study and Analysis

The case of the H15 Redevelopment Project

The Lee Tung Street/McGregor Street H15 Redevelopment Project was one of the 25 projects publicly announced by the former Land Development Corporation in January 1998. Its development scheme plan, which mentioned that Lee Tung Street and McGregor Street fall within an area zoned “Comprehensive Development Area,” was prepared in accordance with the Land Development Corporation Ordinance and approved under the Town Planning Ordinance and by the Chief Executive in Council in 1999. Thereafter, a Planning Brief was endorsed by the Metro Planning Committee of the Town Planning Board to guide the future development of the “Comprehensive Development Area” in question. Yet, no action has been taken until the Urban Renewal Authority formally announced commencement of the project in October 2003.⁶¹ The H15 Redevelopment Project covers 8900 square meters which includes 54 buildings with about 930 households and over 100 small local shops, affecting 647 property interests in total.⁶²

After the commencement of the project in 2003, many residents of Lee

61. Urban Renewal Authority, “Wanchai District Council Position Paper: On Urban Renewal of Wanchai”; Town Planning Appeal Board, “Town planning appeal no. 18 of 2005,” 2007, <http://www.devb-plb.gov.hk/tpab/eng/doc/decisions/2007/1805.pdf> (accessed November 11, 2008).

62. H15 Concern Group, “Yalin Fangan” [Dumbbell Proposal], 2005, http://h15.hk/h15_page_5.htm (accessed November 11, 2008).

Tung Street argued that despite a concept planning competition, the Urban Renewal Authority had not had any public consultation for the future type and nature of the redevelopment at all. Therefore, the Lee Tung Street H15 Concern Group, a group formed with different parties including members of district council, non-government organizations, professionals such as surveyors, urban planners, architects, Arts and cultures experts, mass media, and etc., was established seeking to strive for Civil Governance.⁶³

With the assistance of those professionals, the H15 Concern Group drew up a “Dumbbell Proposal” where “Dumbbell” means that the middle section would retain the characteristics of Wan Chai in the 1950s and 1960s whilst the other two ends would be developed.⁶⁴ In general, the “Dumbbell Proposal” suggested the retention of 32 existing tenement buildings along Lee Tung Street and 3 pre-war buildings at 186–190 Queen’s Road East, the construction of 5 new composite residential and commercial buildings of not more than 30 storeys (but subsequently revised to between 23 to 34 storeys in the revised proposal in 2007), the provision of a residential care home for the elderly with a day-care unit and the provision of open spaces at ground and podium levels.⁶⁵ These suggestions could not only preserve old buildings of the 1960s, but also make it possible to achieve the goal of exchanging “an apartment for an apartment, a shop for a shop.” Furthermore, the social network could be preserved and the “people-centered” approach could be realized.⁶⁶ In 2005, it won the silver award of the Hong Kong Institute of Planners, which is the highest award that the institution has presented.

The H15 Concern Group submitted its “Dumbbell Proposal” for the first time to the Town Planning Board in March 2005. After the consideration by the Metro Planning Committee of the Town Planning Board, the Committee decided to reject the proposal on the following grounds:

63. Civil Governance is a societal management model, in which civil society groups are the main bearer with the cooperation between the government and civil society groups as the essence. Huang Jinwen, “‘Duitan hui’ jiabin: Wanzai quyihui zhuxi Huang yingqi nuishi Houban hezuo anli finxiang: Lidongjie zhongjiang xiangmu (H15).”

64. *Hong Kong Hansard, 2005–2006, 7542–5.*

65. H15 Concern Group, “Wanzai Lidongjie yu Maijialigejie ‘zhonghe fazhan qu’ zhi zhongjiang fazhan nantu jiangyishu” [Proposal of Master Layout Plan of Lee Tung Street and McGregor Street CDA], November 2007, http://leetungvideo.files.wordpress.com/2007/11/s16-application-2007_h15.pdf (accessed November 11, 2008)

66. *Hong Kong Hansard, 2005–2006, 7544.*

(a) there is insufficient information in the submission to demonstrate that the proposed development could achieve the planning intention; to improve the environment of the area through comprehensive redevelopment and allow efficient land use within the application site;

(b) there is insufficient information in the submission to justify the preservation of the 36 old buildings on Lee Tung Street and to demonstrate how they can integrate with the new buildings within the application site;

(c) there is insufficient information to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding road network;

(d) there is insufficient information in the submission to demonstrate that the proposed development would not generate adverse environmental and landscape impacts on the application site and the surrounding areas; and

(e) the implement ability of the proposed development scheme is doubtful in view of the current land ownership situation and non-compliance with the Buildings Ordinance.⁶⁷

The H15 Concern Group submitted a revised proposal to the Town Planning Board afterwards, in July 2005. After the Town Planning Board had had a consideration about the further submissions and comments from the various relevant Government departments and the public sector, it decided to reject the revised proposal for the following reasons, which are more or less the same as those relied upon by the Metro Planning Committee in rejecting the proposal in March 2005:

(a) there is insufficient information in the submission to demonstrate that the proposed development can achieve the planning intention to improve the environment of the area through comprehensive redevelopment and allow efficient land use within the application site;

(b) there is insufficient information in the submission to demonstrate that the existing old buildings in Lee Tung Street should be preserved and how the proposed new buildings can integrate with old buildings to be preserved within the application site;

(c) there is insufficient information in the submission to demonstrate that the proposed development is sustainable from traffic point of view;

(d) the proposed development may generate adverse environmental, landscape and visual impacts; and

67. Town Planning Appeal Board, "Town planning appeal no. 18 of 2005," 2007, <http://www.devb-plb.gov.hk/tpab/eng/doc/decisions/2007/1805.pdf> (accessed November 11, 2008).

(e) the implement ability of the proposed development scheme is doubtful.⁶⁸

Two years later, in 2007, the H15 Concern Group conducted an appeal to the Town Planning Appeal Board for the Metro Planning Committee rejecting the revised application in 2005. It was a defeat suit in the end. Furthermore, in the view of the Urban Renewal Authority, Carrie Lam states that the authority rejected the H15 Concern Group's proposals because, as they claimed, there is no special architectural or historic value in the old buildings on the street was found by preservation experts. Besides, after inspections, structural engineers also claimed that the buildings were too dilapidated to preserve.⁶⁹ Therefore, the Urban Renewal Authority has finally decided to demolish the old buildings on Lee Tung Street. On the other hand, revamping to feature Hong Kong's first wedding traditions and culture gallery, where all wedding card shops formerly operated in Lee Tung Street will be offered priority to lease premises to operate their businesses in the "wedding city."⁷⁰ The Master Layout Plan set by the Urban Renewal Authority suggests that the three historical tenement houses along Queen's Road East would be preserved and finally provide 67,948 square meters for residential, 11,749 square meters for retail, 3,170 square meters for GIC including residential care home for the elderly, day care centre, refuse collection point and public toilet, and not less than 3,000 square meters for public open space, was approved by the Town Planning Board in May 2007.⁷¹

In November 2007, a Master Layout Plan was conducted by the H15 Concern Group on the basis of the proposal approved by the Town Planning Board in May 2007. And it was submitted to the Town Planning Board afterwards. However, the Urban Renewal Authority continued the demolition of Lee Tung Street during the Christmas holidays, which is two weeks before the Town Planning Board hearing the second proposal to re-

68. Ibid.

69. "Lee Tung Flats not Worth Keeping: Carrie Lam," *news.gov.hk*, December 27, 2007, <http://www.news.gov.hk/en/category/infrastructureandlogistics/071227/html/071227en06002.htm> (accessed November 11, 2008).

70. "Wan Chai Revamp to Feature Wedding Gallery," *news.gov.hk*, December 20, 2007 <http://news.gov.hk/en/category/infrastructureandlogistics/071220/html/071220en06009.htm> (accessed November 11, 2008).

71. Urban Renewal Authority, "Lee Tung Street/McGregor Street Project," 2008, <http://www.ura.org.hk/html/c800000e23e.html> (retrieved November 11, 2008); Urban Renewal Authority, "Progress of work of the Urban Renewal Authority," Legislative Council Panel on Development, June 2008, HK LegCo CB(1)1951/07-08(04), <http://www.legco.gov.hk/yr07-08/english/panels/plw/papers/dev0624cb1-1951-4-e.pdf> (accessed November 11, 2008).

develop Wedding Card Street put forward by the H15 Concern Group on 11th January 2008.⁷² In response to the demolition, Secretary for Development Carrie Lam explained that “any person can make a proposal to the Town Planning Board, but if the board halts any project as a result of such proposals, though, it would make it difficult for Hong Kong’s town planning to proceed.”⁷³

The last proposal conducted by the H15 Concern Group was finally rejected by the Town Planning Board on 11 January 2008. Demolition of the H15 Redevelopment Project has already completed and Road closure gazetted on 25 April 2008.⁷⁴ Thereafter, the Renewal Authority has invited interested parties to submit Expression of Interest in the joint development of the H15 Redevelopment Project twice. The first invitation was from 15 August 2008 to 26 September 2008 and the second one was from 11 March 2009 to 24 March 2009. The Urban Renewal Authority eventually received 15 submissions in both of the invitations.⁷⁵

A chronology summarizing the development process of the H15 Redevelopment Project is at Table 2.

Data Analysis

In the previous paragraphs, we have discussed that the characteristics of the environment of the urban redevelopment policy in contemporary Hong Kong is likely in the form of neo-pluralism. From this angle, if we accept that neo-pluralism is applicable to Hong Kong’s urban redevelopment policy, it would be plausible and logical for us to adopt a neo-pluralist perspective in the analysis of the case of the H15 Redevelopment Project.

From the view of neo-pluralism, policy making process should have the following characteristics:

- There is an open platform for various stakeholders to influence the pol-

72. “An Appeal from Professionals, Academics and Cultural Practitioners on the Lee Tung Street Project. Dialogue Instead of Confrontation: Stop the Demolition of Lee Tung Street Consult the public on URA’s new ‘Wedding City’ Proposal Review the Urban Renewal Strategy.” <http://www.petitiononline.com/leetung/petition.html> (accessed November 11, 2008).

73. “Lee Tung Flats not Worth Keeping: Carrie Lam.”

74. Urban Renewal Authority, “Progress of work of the Urban Renewal Authority”

75. “Li dong jie chongjian xiangmu shou 15 fen yixiangshu” 利東街重建項目收15份意向書 [Lee Tung Street Redevelopment Project Received 15 Expressions of Interest], *RTHK*, September 26, 2008, http://www.rthk.org.hk/rthk/news/expressnews/20080926/news_20080926_55_525962.htm (accessed November 11, 2008).

icy process

- The government is a political actor with her own policy preferences in the political process.
- Imbalance political power exist where the business sector exerts considerable influences over others

In applying the theory of neo-pluralism, our examination on the case of H15 Redevelopment Project will be focused on the following aspects: a) the access to the policy process; b) the role of state; and c) the imbalance of political power

Access to the policy processes of the H15 Redevelopment Project

Since the commencement of the H15 Redevelopment Project was formally announced in 2003, many meetings that providing platforms for various stakeholders with different interests to discuss the Project have been formally held.

Take the meeting which held in 2004 as an example. A discussion about the Lee Tung Street Project was held at the meeting on 23 November 2004 in the Legislative Council. In the meeting, various stakeholders such as members of Legislative Council, public officials and citizens (e.g. H15 Concern Group members and Wan Chai District Council) expressed their views on the H15 Redevelopment Project. Abraham Shek Lai-him, representing real estate and construction industry in functional constituencies seats, stated that the Urban Renewal Authority should consider the alternative development plan conducted by the H15 Concern Group to preserve the Street as a wedding card centre; Miss Chan Yuen-han, the member of the Democratic Alliance for the Betterment and Progress of Hong Kong, and Mr. Lee Wing-rat, third Chairman of the Democratic Party, also opined their views towards the issue. After their expression of opinions, Mr. Billy Lam, the Managing Director of Urban Renewal Authority, responded to those comments and questions respectively.⁷⁶

On the other hand, it is to recognize that public is able to express their opinions during those legal processes of urban redevelopment projects in Hong Kong. According to Wong Ying-kay, the former chairman of Wan Chai District Council, citizens could express their opinions through many

76. Legislative Council Secretariat, "Panel on Planning, Lands and Works: Minutes of meeting," November 23, 2004, HK LegCo CB(1)509/04-05.

Table 2. Chronology of the Development of the H15 Redevelopment Project

Date	Event
September 2003	The Town Planning Board endorsed the Planning Brief, which set out the planning objectives and requirements for the Lee Tung Street and McGregor Street Project (H15 Redevelopment Project), which was one of the 25 priority urban renewal projects by the former Land Development Corporation in 1998.
October 2003	The Urban Renewal Authority started planning of the H15 Redevelopment Project.
February 2005	A group of affected local residents sought approval from the Town Planning Board to a Master Layout Plan in respect of the captioned development. The proposal (so-called dumbbell proposal) emphasized the adoption of a “people-centered” approach and preservation of social network and local character.
March 2005	Wan Chai District Council organized a public consultation forum to seek views from the public on the Master Layout Plan and later relayed these opinions to the Town Planning Board. Wan Chai District Council requested that the spirit in the Master Layout Plan submitted by the residents should be incorporated into the Planning Brief.
July 2005	A revised proposal conducted by the H15 Concern Group was submitted to the Town Planning Board. It was rejected at the end.
November 2005	Planning Department consulted the Wan Chai District Council on the revised Planning Brief.
February 2006	Wan Chai District Council’s Urban Renewal Task Force carried out a large-scale public engagement exercise to solicit public views on the revised Planning Brief. The views gathered during the exercise were submitted to the Town Planning Board for consideration in May 2006.
June 2006	Town Planning Board endorsed the revised Planning Brief with a view to strengthening the planning intentions, including the adoption of a “people-centred” approach, in the future scheme.
November 2006	Urban Renewal Authority prepared Master Layout Plan for submission to Town Planning Board and consulted Wan Chai District Council on its proposal. Wan Chai District Council endorsed the general concept by a majority vote at the meeting on 21.11.2006, and urged the early implementation of the project.

Table 2. (continued)

Date	Event
April 2007	The H15 Concern Group conducted an appeal to the Town Planning Appeal Board for the Metro Planning Committee rejecting the revised application in 2005. It was a defeat suit in the end.
May 2007	Town Planning Board approved the Master Layout Plan submitted by Urban Renewal Authority.
November 2007	A Master Layout Plan conducted by the H15 Concern Group on the basis of the proposal approved by the Town Planning Board in May 2007 was submitted to the Town Planning Board.
December 2007	Urban Renewal Authority continued the demolition of Lee Tung Street
January 2008	The latest proposal conducted by the H15 Concern Group was finally rejected by the Town Planning Board
April 2008	Demolition of the H15 Redevelopment Project was completed and Road closure gazetted
September 2008	The Urban Renewal Authority invited interested parties to submit Expression of Interest in the joint development of the H15 Redevelopment Project. 15 submissions were eventually received.
March 2009	The Urban Renewal Authority invited interested parties to submit Expression of Interest in the joint development of the H15 Redevelopment Project again. 15 submissions were eventually received.

Source: "Lee Tung Street Redevelopment Project received 15 expressions of interest." [in Chinese.] *RTHK*. September 26, 2008. http://www.rthk.org.hk/rthk/news/expressnews/20080926/news_20080926_55_525962.htm; Town Planning Appeal Board. In the Town Planning Appeal Board: Town planning appeal no. 18 of 2005. 2007. <http://www.devb-plb.gov.hk/tpab/eng/doc/decisions/2007/1805.pdf>; To, K., Cheung, F. and Chan, K. L. et al. An appeal from professionals, academics and cultural practitioners on the Lee Tung Street Project. 2008. <http://leetung.no-ip.org/en>; Urban Renewal Authority. Legislative council panel on development: Progress of work of the Urban Renewal Authority. 2008. <http://www.legco.gov.hk/yr07-08/english/panels/plw/papers/dev0624cb1-1951-4-e.pdf>; "Wan Chai District Council. Fifteen Developers Contests for Lee Tung Street Redevelopment Projects," *Hong Kong Economic Journal*, March 25, 2009, 6.

ways. For example, citizens could express their opinions to the District Council, political parties, members in Legislative Council and public officials; citizens could express their opinions to the Legislative Council and Complaints Division of the Legislative Council, and even phone to the radio broadcast.⁷⁷ And, as mentioned by Ip Kwok-him, the Non-Executive Directors (non-official) of Urban Renewal Authority, the Urban Renewal Authority has in fact held a lot of workshops.⁷⁸ Therefore, citizen could make use of those workshops as a path to express their opinions.

Besides, as mentioned previously, under section 24(1) of the URAO, any person who considers that he will be affected by the development project and wishes to object to the implementation of the development project may send to the Urban Renewal Authority a written statement of his objections within the publication period. This was proved in our subsequent interviews with Lo Chi-hong, Ip Kwok Him and Yau Chung-hok. The legal process in fact includes built-in public consultations, e.g. public hearing and public representation, and the ordinance restricts the Authority to consider the public's opinions before making decisions.⁷⁹ Yau further specifically mentions that during the stage of Master Layout Plan preparation, the Urban Renewal Authority has to consult District Council and residents.⁸⁰

With regard to the case of H15 Redevelopment Project, Ip states that consultations were conducted when drafting Master Layout Plan. At this stage, consultations were conducted with Wan Chai District Council, residents and small shops tenants in Lee Tung Street, and consultations were held not only through District Council, but also through workshops directly held by the Urban Renewal Authority. The consultations have lasted for quite a long time and different opinions were taken into considerations so as to modify the Master Layout Plan step by step.⁸¹

The concept of "Wedding city" could serve as an example illustrating the condition of different parties' "access to political process."

According to Dr. Ng Ka Chui, Non-Executive Director (non-official) of Urban Renewal Authority, the concept of "Wedding city" is in fact the result of the bargaining between citizens and the Authority.⁸² Indeed, the

77. Interview with Wong Ying-kay, February 6, 2009.

78. Interview with Ip Kwok-him, March 2, 2009.

79. Interview with Lo Chi-hong, February 25, 2009.

80. Interview with Yau Chung-hok, March 3, 2009.

81. Interview with Ip Kwok-him, March 2, 2009.

82. Interview with Dr. Ng Ka-chui, February 28, 2009.

creation of the “Wedding city” was conducted in light of the concepts and original ideas of the wedding card street as well as the citizens’ opinion.⁸³

During the process of drafting Master Layout Plan, the Town Planning Board has required the Urban Renewal Authority to absorb citizens’ opinions. According to Mr. Lo Chi-hong, the Principal Assistant Secretary (Planning and Lands) of Development Bureau, Town Planning Board has advised Urban Renewal Authority to absorb some concepts included in the “Dumbbell Proposal” before finalizing her Master Layout Plan.⁸⁴ Besides, Mr. Leong Kah Kit said “at the day when Town Planning Board rejected the Dumbbell Proposal, Urban Renewal Authority was required to take citizens’ opinion into consideration and to make amendment to the original Master Layout Plan. Thereafter, Urban Renewal Authority communicated with the Wan Chai District Council and the citizen’s organization, and amended her previous Master Layout Plan with some concepts in the “Dumbbell Proposal.”⁸⁵ In short, the Urban Renewal Authority finally revised her previous Master Layout Plan with the concept of “wedding culture,” thus implying that the voice of citizens was indeed being taken into consideration during the political process.

To summarize the above findings, it points to the fact that there was an open platform for various stakeholders to influence the policy processes of the H15 Redevelopment Project. Various stakeholders, such as public officials, business representatives, members of Legislative Council, citizens, and etc., could express their views towards the Project through both formal and informal ways.

The different interests of the aforementioned political actors are summarized at Table 3.

The role of state in H15 Redevelopment Project

“Neo-pluralists have accepted that the state can and does forge its own sectional interests.”⁸⁶ According to theorists like Robert Dahl, government agencies can be regarded as a set of pressure groups.⁸⁷ This can also be revealed in the redevelopment policy process of Lee Tung Street.

In a broader sense, the stance of the Government is clearly stated in the

83. Interview with Ip Kwok-him, March 2, 2009.

84. Interview with Lo Chi-hong, February 25, 2009.

85. Interview with Leong Kah Kit, March 4, 2009.

86. Heywood, *Politics*, 90.

87. Hill, *The Policy Process*.

Table 3 Competing Interests of Major Political Actors over the H15 Redevelopment Project

Political Actor	Interest / Policy Preference
SAR Government	To speed up the redevelopment of the old urban areas by setting up the Urban Renewal Authority.
Chief Executive Development Bureau	To formulate the Government's vision on city regenerating policies like rejuvenating the old district concerned and improving the living conditions of the residents.
Urban Renewal Authority	To demolish the old buildings on Lee Tung Street but revamping Lee Tung Street to feature Hong Kong's first wedding traditions and culture gallery.
H15 Concern Group	To strive for a modified redevelopment proposal ("Dumbbell Proposal") with a view to retain the characteristics of Wan Chai in the 1950s and 1960s and to preserve social network.
Wan Chai District Council	To support urban renewal through redevelopment as well as preservation, pursuit the person-centered approach and broadening choices of the residences, facilitate the participation of citizens.
Developers	To maximize their profit margins.

policy address. Tung Chee Hwa, the former Chief Executive, repeatedly pointed out that it is important for Hong Kong to foster economic development. In his first Policy Address, Tung suggests “government will have to maintain the economic vitality of the community.” Furthermore, there were also similar ideas in Tung’s later Policy Addresses.⁸⁸

Besides, the Government has focused on speeding up the urban renewal process for a number of years. In the 1997 Policy Address, Tung states directly that the Government would speed up urban redevelopment.⁸⁹ In 2001, when the Urban Renewal Authority established, the Government also pointed out that the aim of its establishment is to speed up the redevelopment of these old urban areas.⁹⁰ In 2005, Tung pointed out that the bureaux and departments of government would cooperate with Urban Renewal Authority to speed up urban renewal.⁹¹

In short, the Government has had its policy preference of fostering economic development and speeding up redevelopment process since the return of sovereignty in 1997.

It is believed that the H15 Redevelopment Project would bring advantages to the economy. Good business environment can be established since people would be attracted to the district after redevelopment. Under these economic considerations, even though the redevelopment of the street is not a must, the Government insists on redeveloping the district.⁹² Moreover, according to Carrie Lam, the reason behind Government’s reluctance to halt the development project is that it would make Hong Kong’s town planning difficult to proceed.⁹³ The policy preference of the Government is to speed up redevelopment. The case of H15 Redevelopment Project is no exception.

Taking a closer examination, the Government’s preference can be revealed in the operation of two crucial institution involved in urban redevelop-

88. Tung Chee Hwa, “The 2001 Policy Address,” October 10, 2001, http://www.policyaddress.gov.hk/pa01/speech_e.pdf (accessed April 1, 2009).

89. Tung Chee Hwa, “The 1997 Policy Address,” October 8, 1997, <http://www.policyaddress.gov.hk/pa97/english/patext.htm> (accessed April 1, 2009).

90. Tung Chee Hwa, “The 2001 Policy Address,” October 10, 2001, http://www.policyaddress.gov.hk/pa01/speech_e.pdf (accessed April 1, 2009).

91. Tung Chee Hwa, “The 2005 Policy Address,” January 12, 2005, <http://www.policyaddress.gov.hk/2005/eng/index.htm> (accessed April 1, 2009).

92. Huang Jinwen, “Duitan hui” jiajin: wanzai quyihui zhuxi huang yingqi nuishi Houban hezuo anli finxiang: lidongjie zhongjiang xiangmu (H15).”

93. “Lee Tung Flats not Worth Keeping: Carrie Lam.”

opment process, namely the Urban Renewal Authority and the Town Planning Board. The former is a statutory body undertaking the whole (H15) redevelopment project while the latter is responsible for consideration of planning applications.

As for the operation of the Urban Renewal Authority, according to Mr. Yau Chong-hok,

Urban Renewal Strategy is a document which consists with the contemporary urban vision of society. We are carrying out our “people-centred approach” based on the “guiding policies” consisted in the document ... Urban Renewal Authority Ordinance is a law which spells out all of the steps and practices for us to work ... The guiding policy and the ordinance govern all of our work. We can work only under them, and we have to follow them.⁹⁴

In theory, according to the provisions of the Urban Renewal Authority Ordinance, the Urban Renewal Authority can fully in charge of the redevelopment projects and thus endowed with a certain extent of power. In practice, the Government can not only influence but also restrict the Urban Renewal Authority as it is required to follow the guidance of Developmental Bureau⁹⁵. The Government is able to influence the Urban Renewal Authority through a variety of means, for example, financial arrangements, working procedures, or personnel. Moreover, the ordinance even ensures that the Chief Executive is able to provide the Urban Renewal Authority with a direction, and request it to perform certain tasks. In terms of personnel, the Government in fact has a role in the Urban Renewal Authority as there are three official members, i.e. Director of Home Affairs, Director of Buildings, and Director of Planning.⁹⁶ In other words, the Urban Renewal Authority is endowed with a certain extent of power, but it is autonomous only in terms of implementation as it has to follow the overall direction of the Government when drafting the redevelopment plans.⁹⁷

The Urban Renewal Strategy can act as a channel through which policy preferences of the Government are conveyed to the Urban Renewal Authority. The Urban Renewal Authority will then turn the preference into actual

94. Interview with Mr. Yau Chung-hok, March 3, 2009.

95. Interview with Mr. Lo Chi-hong, February 25, 2009 and interview with Mr. Ip Kwok-him, March 2, 2009.

96. Interview with Mr. Ip Kwok-him, March 2, 2009.

97. Interview with Dr. Ng Ka-chui, February 28, 2009.

implementation.⁹⁸ The Urban Renewal Authority plans its projects in accordance with the guiding policies stated in the Urban Renewal Strategy. Developmental Bureau will make sure the Urban Renewal Authority has followed all the articles and policy guidelines. Developmental Bureau will also confer on and approve individual projects of Urban Renewal Authority, and provide guidance when the articles are not clear enough, for example, when value judgement or political consideration is involved.⁹⁹ In general, the direction is transmitted to the Urban Renewal Authority through policy document, the process where government's opinion is need, or even personnel appointment.¹⁰⁰

In short, the Urban Renewal Authority Ordinance sets up the institutional framework for the Urban Renewal Authority to work, in which the guidance of Developmental Bureau and the Chief Executive's power to assign tasks and appoint members is guaranteed. The Urban Renewal Strategy states the guiding principles of the urban renewal work undertaken by the Urban Renewal Authority, and Developmental Bureau is able to step in and offer guidance when the articles are not clear enough. While the Urban Renewal Authority Ordinance and the Urban Renewal Strategy are both published by the Government, she can influence the decision of the Urban Renewal Authority. As Dr. Ng Ka Chui suggests, the Urban Renewal Authority does wherever the Government wants.¹⁰¹ Through the Urban Renewal Authority, the Government exerts her policy preference in the policy process.

Besides, the Town Planning Board consists of all appointed members and the chairman is occupied by a government official. Also, its secretary service is provided by Planning Department.¹⁰² In addition, the chairman is extremely in support of the Government's policy, it is not only an impression, but the truth indeed. When there is an opposition, the chairman can skilfully suggest that "the Government will pay attention to the oppositions. The rest do agree with the proposal, isn't it?" and get the proposal passed.¹⁰³ Thus, the Town Planning Board is able to exert, and indeed ex-

98. Interview with Mr. Lo Chi-hong, February 25, 2009.

99. Interview with Mr. Lo Chi-hong, February 25, 2009.

100. Interview with Mr. Lo Chi-hong, February 25, 2009.

101. Interview with Dr. Ng Ka-chui, 28th February, 2009.

102. Town Planning Board, "About us," 2008, http://www.info.gov.hk/tpb/en/about_us/intro.html (accessed November 12, 2008).

103. Interview with Prof. Lau Sau Shing, 11th February, 2009.

erted, the Government's policy preference.

To summarize, the Government in fact has a preference of enhancing economic development in the H15 Redevelopment Project. Also, the preference of speeding up redevelopment is reflected in the project by the words of Ms. Lam Cheng Yuet Ngor, Secretary for Development Bureau. Meanwhile, the two crucial institutions directly involved, viz. the Urban Renewal Authority and the Town Planning Board, reflect these stances of the Government. Thus, the Government is not neutral, and in fact pursuing her own preference in the policy process. This is in line with the viewpoint of neo-pluralism.

The imbalance of political power in H15 Redevelopment Project

Although the above analysis shows that there is an open platform for various stakeholders to influence the policy processes, the distribution of the political power among them is uneven.

In the first place, since the business and professionals possess substantial economic power as well as great influence in society, they have long been the prime target of political co-optation of the Government. The Government appointed them into the statutory bodies, thus enabling them to exert a great influence in the policy process.¹⁰⁴ A similar pattern can be seen in the Town Planning Board, in which seven non-official members out of thirty-two were from the business and industry field, which is the field enjoying most seats in the Board.¹⁰⁵ Following the same logic, it is highly likely that, due to their advantage of enjoying the majority, they are able to exert a great influence as well.

In addition, one of the principles of judging the plan is whether the proposer has the ability to implement the project.¹⁰⁶ And this is the reason that the "Dumbbell Proposal" is not able to pass the Town Planning Board. The subsequent interview with Yip Mee-yung has further confirmed the findings of that of the Development Bureau. According to Yip, the "Dumbbell Proposal" was finally turned down for the reason that the implementability of the proposed development scheme is doubtful.¹⁰⁷ Consequently, as the general public stands little chance to raise sufficient funds, they did

104. Leo F. Goodstadt, *Uneasy Partners: The Conflict Between Public Interest and Private Profit in Hong Kong* (Hong Kong: Hong Kong University Press, 2005).

105. *Hong Kong Hansard, 2005–2006*, 7261–7600.

106. Interview with Mr. Lo Chi-hong, February 25, 2009.

107. Interview with Ms. Yip Mee-yung, March 28, 2009.

not share the same level of ability to implement the projects as the business sector. Thus, the business sector are usually at a favourable position and able to exert a greater influence to the policy process.

As a result, those who are able to get their Master Layout Plan passed are often developers or the Urban Renewal Authority. When the Plan is passed by the latter, the imbalance of political power could also be revealed during the procedure for inviting tenders.

The Urban Renewal Authority can adopt three different ways to implement the redevelopment, by site disposal to private developers for redevelopment, joint venture partnership with developers or considering redevelopment by the Urban Renewal Authority itself.¹⁰⁸ However, redevelopment projects often demand a huge amount of capital. For instance, the total investment that is necessary for implementing the H15 Redevelopment Project is estimated to be over 6 billion. Although the Urban Renewal Authority has received an initial fund of 10 billions, it is far from enough to carry out the redevelopment projects alone.¹⁰⁹ According to Mr. Ip Kwok Him:

If the Urban Renewal Authority has to take up the building process, it would be so huge that it would provoke larger problems. Therefore, after the Urban Renewal Authority decided the plan of the project, it will then invite tenders for the building of the projects, thus forming a partnership relationship between the Urban Renewal Authority and the developers.¹¹⁰

With regard to the procedure for inviting tenders of the H15 Redevelopment Project, first of all, the Urban Renewal Authority would invite interested parties to submit Expressions of Interest in the joint development of the project. Those interested parties are requested to indicate their development experience and financial capability to undertake the Project. A tender review panel under the Urban Renewal Authority Board will then shortlist qualified companies and invite them to submit tenders for the joint development later on.¹¹¹

The ordinary citizens are once again in an unfavorable position since

108. Urban Renewal Authority, "Redevelopment," 2005, <http://www.ura.org.hk/html/c400000e1e.html> (accessed April 3, 2008).

109. Interview with Dr. Ng Ka-chui, February 28, 2009.

110. Interview with Mr. Ip Kwok-him, March 2, 2009.

111. Urban Renewal Authority, "Invitation for expression of interest - Lee Tung Street/McGregor Street project in Wan Chai," news release, 10 March, 2009, <http://www.ura.org.hk/html/c1002091e312b.html> (accessed April 4, 2009).

they are less likely to fit in with the standards set by the Urban Renewal Authority. In the recent invitation for tenders of the H15 Redevelopment Projects, the Urban Renewal Authority required the developers to guarantee that they are able to invest 6 billion of capital. The citizens are generally unable to raise such amount of funds like the business sector does, and therefore virtually impossible to win the tender and implement the project. Under the criteria as well as layout set out by the Master Layout Plan, the implementation of the project is then deliberated by both the Urban Renewal Authority and the developers who won the bids. As a result, the developers are able to influence the final outcome significantly.

Although civil society groups could also influence the policy process, they could only exert their impact in a more indirect way, e.g. meetings, consultations, District Council, political parties, members in Legislative Council and public officials, and so on. Indeed, the power to control the final product rests in the hand of government and the business class. The developers could determine the final outcome in a more direct way. In short, the citizens could express their opinion, but whether their opinion be adopted and demands be fulfilled are not guaranteed. On the contrary, the developers could do whatever they want provide that they have fulfilled the requirements put forward by the terms of tender and law. The influential power of the developers is obviously greater than the citizens, thus the political power is imbalance.

In sum, the above analysis shows that the business sector can exert substantial influential power in the policy process. They can enjoy the majority of the Town Planning Board, stand a higher chance to get their proposal of Master Layout Plan passed, and influence the decision on the implementation of the project. Under the current institutional framework, the objective result, although not intentionally, is that the business sector is able to enjoy a privileged position in the policy making process.¹¹² This is in line with the distribution of political power described by the neo-pluralism.

Conclusion

This study attempts to find out whether neo-pluralism is applicable to Hong Kong's urban redevelopment policy through the method of case study in

112. Interview with Mr. Leong Kah Kit, March 4, 2009.

which the case of the H15 Redevelopment Project is adopted. Meanwhile, the data collection of this study is mainly based on qualitative interviews and documentary reviews. By interviewing with various stakeholders and reviewing documentaries, we have got a general picture that the mode of urban redevelopment policy process in contemporary Hong Kong is neo-pluralism.

We have examined the urban redevelopment policy process in Hong Kong with three aspects, i.e. the access to the policy process, the role of state and the imbalance of political power.

Concerning the aspects of the access to the policy process, there was an open platform for various stakeholders to influence the policy processes of the H15 Redevelopment Project, in which various stakeholders could express their views through both formal and informal ways. This is consistent with the idea of neo-pluralism that there is an open platform for political bargaining, through which the policy are formulated.

With regard to the role of state, in the case of the H15 Redevelopment Project, the Government indeed had her own policy preference which was to make use of urban renewal as a mean to foster economic growth. In other words, she was not neutral and was in fact pursuing her own preference in the policy process. This is in line with the notion of neo-pluralism that the government could be seen as an interest group or a political actor and has her own preference in the policy process.

As for the imbalance of political power, the business sector could enjoy the majority of the Town Planning Board, stand a higher chance to get their proposal of Master Layout Plan passed, and influence the decision on the implementation of the project. Eventually, they could exert a greater influence and enjoy a privileged position in the policy making process. This fit in with the description of neo-pluralism that although the political power is widely dispersed in society, the distribution of power is in fact unequal among groups and individuals. And the corporations are privileged in the bargaining and negotiation process.

The above-mentioned characterises are in line with the three major characteristics of the neo-pluralism theory. Therefore, it is justified to conclude that the urban redevelopment policy process in Hong Kong as well as the nature of state power can be regarded as a neo-pluralism one.

Limitations of this study

A case study method is employed in our research. As mentioned, each case of policy process is a unique sequence of events, thus the circumstances may vary from case to case. Therefore, to validate the findings, conducting more studies on this aspect is needed.

Furthermore, persons of all categories were interviewed except the Business/Industry sector. To fill in the vacancy of the first-hand information from this sector, we have made a concerted effort to find relevant documentaries and other evidence that provide us with the data necessary for our analysis.

Contribution of this study

Urban redevelopment has become a controversial issue in recent years while there are an increasing number of criticisms focusing on the unequal position in bargaining and negotiation processes. However, in-depth studies about distribution of political power in the urban redevelopment policy making process are rare. This study therefore provides information in the aspect of nature of state power in the urban redevelopment process, thus filling the gap in the current literature.

Besides, it can further consolidate the findings conducted by Mr. Fong Chi Hang, whose study argued that the current policy process in Hong Kong was under the framework of neo-pluralism.

Finally, this study indicates an important and useful verification of that neo-pluralism is the dominant mode of urban redevelopment policy making process in contemporary Hong Kong. Moreover, this can broaden the academic discussion of neo-pluralism as the mode of public policy process in Hong Kong.

Theoretical Implication

In the past, the whole process of urban development was conducted, or even controlled, by the Government. The case of the H15 redevelopment project shows that voices and opinions outside the Government are now able to be expressed or even to influence the process. These point to the fact that civil society in Hong Kong has become more activated as well as mature when comparing with the past.¹¹³ For example, the citizens have formed a

113. Elaine Chan and Joseph Chan, "The First Ten Years of the HKSAR: Civil Society Comes of Age," *The Asia Pacific Journal of Public Administration* 29, no.1 (June 2007): 77–99.

civil society group, the H15 concern group, to strive for their interest, and they even conducted the Dumbbell Proposal to express their opinion on the prospect of the redevelopment project. These imply a changing nature of the urban policy process in Hong Kong. However, the power distribution among them is not yet even.

Despite the changes, however, some aspects remain unchanged. From the era of Land Development Corporation to the age of Urban Renewal Authority, the Government has long been relying on the business sector to perform the task of urban renewal. The Government believes that redevelopment projects should be conducted by the joint effort of the Government and business sector, and the former therefore could make use of the capital and talent of the latter.¹¹⁴ Consequently, the Urban Renewal Authority runs in a form of “self-financed” and forms partnership with the developers when conducting redevelopment projects. However, these have not only limited the options available to the Urban Renewal Authority, but also given rise to the privileged position of the business sector, followed by the public’s perception of nepotism, accusation of favouritism, or even the accusation of government-business collusion.

In fact, the government-business partnership in the arena of urban redevelopment is likely to be originated from, and probably to reflect, the overall government-business relations in Hong Kong. Indeed, the dominant position of capitalists in a capitalism polity like Hong Kong is not difficult to understand.¹¹⁵ As Lindblom suggests, “in a market-orientated system, not only does the government have to collaborate with business, but it must also often defer to business leadership to make the system work.”¹¹⁶ Throughout the years, the issue of government-business relations has been a sensitive issue, or even can be said as a controversy, in Hong Kong. Probably after the outbreak of the Cyberport incident, government-business collusion has become a common as well as influential accusation towards the Government. What is more, the political events triggered by the accusations of government-business collusion have even driven the government

114. Wai Yusun, “Zonghe shequ chongjian” [Comprehensive Urban Renewal], 2002, <http://www.hkila.org/laq/autumn2002/ura.htm> (accessed April 5, 2009).

115. Kin-man Yep, “‘Guanxiang goujie’ tiezheng rushan?” [「官商勾結」鐵證如山? “Government-Business Collusion”: Evidence is Ironclad?], *Hong Kong Economic Journal*, December 8, 2004, 14.

116. Tak-Wing Ngo, “Changing Government-business Relations and the Governance of Hong Kong,” *Hong Kong in Transition: The Handover Years*, ed. Robert Ash et al. (New York: St. Martin’s Press, 2000), 26.

towards the edge of legitimacy crisis.¹¹⁷ In response to the situation, it is worth rethinking about the business-government relation in Hong Kong.

Bibliography

- “An Appeal from Professionals, Academics and Cultural Practitioners on the Lee Tung Street Project. Dialogue Instead of Confrontation: Stop the Demolition of Lee Tung Street Consult the public on URA’s new “Wedding City” Proposal Review the Urban Renewal Strategy.” <http://www.petitiononline.com/leetung/petition.html> (accessed November 11, 2008).
- Chan, Elaine, and Joseph Chan. “The First Ten Years of the HKSAR: Civil Society Comes of Age.” *The Asia Pacific Journal of Public Administration* 29, no.1 (2007): 77–99.
- Cook, Alison, and Mee Kam Ng. *Building Sustainable Communities: The Wanchai Experiment*. Hong Kong: Centre of Urban Planning & Environmental Management, The University of Hong Kong, 2001.
- Dahl, Robert A. *A Preface to Economic Democracy*. Berkeley: University of California Press, 1985.
- Dahl, Robert A. *Who Governs? Democracy and Power in an American City*. New Heaven, CT: Yale University Press, 1989.
- Dahl, Robert A., and Charles E. Lindblom. *Politics, Economics and Welfare*. New Brunswick, NJ: Transaction Club, 1992.
- Development Bureau. “Urban Renewal and Buildings.” 2004. <http://www.devb-plb.gov.hk/eng/policy/urs.htm> (accessed March 29, 2009).
- Fong, Brian C. H. “An Analysis of the 2003 “Zero-Three-Three” Civil Service Pay Reduction Settlement in Hong Kong: A Neopluralist Perspective.” *Asian Profile* 36, no. 6 (2008): 559–580.
- Goodstadt, Leo F. *Uneasy Partners: The Conflict Between Public Interest and Private Profit in Hong Kong*. Hong Kong: Hong Kong University Press, 2005.
- H15 Concern Group. “Yalin Fangan” 啞鈴方案 [Dumbbell Proposal]. 2005. http://h15.hk/h15_page_5.htm (accessed November 11, 2008).
- H15 Concern Group. “Wanzai Lidongjie yu Maijialigejie ‘zhonghe fazhan qu’ zhi zhongjiang fazhan nantu jiangyishu” 灣仔利東街與麥加力歌街「綜合發展區」之總綱發展藍圖建議書 [Proposal of Master Layout Plan of Lee Tung Street and McGregor Street CDA].” 2007. http://leetungvideo.files.wordpress.com/2007/11/s16-application-2007_h15.pdf (accessed November 11, 2008).
- Ham, Christopher, and Michael Hill. *The Policy Process in the Modern Capitalist State*. New York: Harvester Wheatsheaf, 1993.
- Heywood, Andrew. *Politics*. 2nd ed. New York: Palgrave Macmillan, 2002.

117. Tsui, “The Demolition of Star Ferry Pier.”

- Hill, Michael. *The Policy Process*. 4th ed. New York: Prentice Hall, 2005.
- Hong Kong Housing Society. "Spearheading Green Initiatives with Social Mission." 2002. <http://www.hkhs.com/pdf/18/chairman.pdf> (accessed November 7, 2008).
- Hong Kong Place. "Construction and Building—Urban Redevelopment Project." 2008. <http://www.hk-place.com/view.php?id=224> (accessed November 7, 2008).
- Huang Jinwen 黃錦文. "'Duitan hui' jia bin: Wanzai quyihui zhuxi Huang yingqi nuishi Houban hezuo anli finxiang: lidongjie zhongjiang xiangmu (H15)" [「對談會」嘉賓：灣仔區議會主席黃英琦女士伙伴合作案例分享：利東街重建項目 (H15)]. [Guest of Dialogue Session: Wan Chai District Council's Chairperson Ms Ada Wong; Partnership case sharing: Lee Tung Street project (H15)]. January 29, 2006. <http://www.hkcss.org.hk/convention/wongyingkay.htm> (accessed November 11, 2008).
- Lai, Terence Hon Tai. "Is there a Room for Arbitration in Hong Kong Urban Renewal Development?" MA thesis, City University of Hong Kong, 2004.
- Lai Ting Kwok. "A Study of Implementation Mechanisms for Urban Renewal Projects in Hong Kong." 1996. <http://www.hkhs.com/pdf/18/chairman.pdf> (retrieved November 7, 2008).
- Lau, Stephen S. Y., and Keith K. M. Dao. "A Case Study of Airport Noise Associated with Hong Kong's Kai Tak Airport." *Hong Kong Papers in Design and Development* 1 (1998): 14-17.
- Law Chi Kwong, Joseph C.W. Chan, Ernest W.T. Chui, Y.C. Wong, K.M. Lee, and Feon L.Y. Chau. *Study on Urban Renewal Policies for the Urban Renewal Strategy Review*. Hong Kong: University of Hong Kong, 2008. <http://www.ursreview.gov.hk/en/doc/Policy%20Study%20Inception%20Report-final-E.pdf> (accessed November 18, 2008).
- Lee, James. "Urban Policy." In *Contemporary Hong Kong Politics: Governance in the Post-1997 Era*, Edited by Lam Wai-man, Percy Luen-tim Lui, Wilson Wong, and Ian Holliday. Hong Kong: Hong Kong University Press, 2007.
- Hong Kong Hansard, 2005–2006*.
- Housing, Planning and Lands Bureau, "Town Planning Board—Statutory Powers, Composition and Criteria for Appointment of Members," LegCo Panel on Planning, Lands and Works, June 2003, HK LegCo CB(1)1831/02-03(03).
- Legislative Council Secretariat, "Panel on Planning, Lands and Works: Minutes of meeting," November 23, 2004, HK LegCo CB(1)509/04-05.
- Lindblom, Charles E. and Edward J. Woodhouse. *The Policy-making Process*. 3rd ed. Englewood Cliffs, NJ: Prentice Hall, 1993.
- Lo Pui Kwan. "Interactions between Residents/Social Activists and the Government during the Negotiation Period in the Participation and Mobilization of Urban Redevelopment Movement : Case Studies in Sai Ying Pun and Sham Shui Po in Hong Kong." MPhil Thesis, City University of Hong Kong, 2005.

- Marks, Gary. "Neocorporatism and Incomes Policy in Western Europe and North America." 1986. http://www.unc.edu/~gwmmarks/articles/Neocorporatism_Incomes_%20Policy_1986.pdf (accessed 1 November, 2008).
- Miliband, Ralph. *The State in Capitalist Society*. New York: Basic Book, 1969.
- Mills, C. Wright. *The Power Elite*. New York: Oxford University Press, 1956
- Ng, Issac. "Urban Redevelopment in Hong Kong: The Partnership Experience." *International Journal of Public Sector Management* 11, no. 5 (1998): 414–420.
- Poulantza, Nicos. *Political Power and Social Classes*. London: New Left Book, 1973.
- Ngo Tak-Wing. "Changing Government-business Relations and the Governance of Hong Kong." In *Hong Kong in Transition: The Handover Years*, edited by Robert Ash, Peter Ferdinand, Brian Hook, and Robin Porter, 25–40. New York: St. Martin's Press, 2000.
- Schwarzmantel, John. *The state in Contemporary Society: An Introduction*. New York: Harvester Wheatsheaf, 1994.
- Thatcher, Ian D. "Past Reception of Communist Manifesto." In *The Communist Manifesto: New Interpretations*, edited by Mark Cowling, 63–74. Edinburgh: Edinburgh University Press, 1998.
- Town Planning Appeal Board. "Town planning appeal no. 18 of 2005." 2007. <http://www.devb-plb.gov.hk/tpab/eng/doc/decisions/2007/1805.pdf> (accessed November 11, 2008).
- Tong Ka-wah. Motion on "The Development of 18 Distinctive Town Planning and Urban Areas." 2004. http://www.ronnytong.org/fs/view/banners/Planning_Policy_Debate_24Nov2004.pdf (accessed November 12, 2008).
- Town Planning Board. "Town Planning Board annual report 2005: Establishment and functions." 2005. http://www.info.gov.hk/tpb/en/about_us/Annual_Report/2005_03.pdf (accessed October 30, 2008).
- Town Planning Board. Minutes of 845th Meeting of the Town Planning Board, October 21. 2005. http://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m845tpb_e.pdf (accessed October 30, 2008).
- Town Planning Board. "About us." 2008. http://www.info.gov.hk/tpb/en/about_us/intro.html (retrieved November 12, 2008).
- Tsui Sing Yan Eric. "State-business Relations in Hong Kong through Executive Council, 1982-2005: A Network Perspective." Master's thesis, The Chinese University of Hong Kong, 2008.
- Tung Chee Hwa. "The 1997 Policy Address." October 8, 1997. <http://www.policyaddress.gov.hk/pa97/english/patext.htm> (accessed April 1, 2009).
- Tung Chee Hwa. "The 2001 Policy Address." October 10, 2001. http://www.policyaddress.gov.hk/pa01/speech_e.pdf (accessed April 1, 2009).
- Tung Chee Hwa. "The 2005 Policy Address." January 12, 2005. <http://www.policyaddress.gov.hk/2005/eng/index.htm> (accessed April 1, 2009).
- Urban Urban Renewal Authority, "Wanchai District Council Position Paper: On Urban Renewal of Wanchai," November 2004, HK LegCo CB(1)263/04-

- 05(04), <http://www.legco.gov.hk/yr04-05/english/panels/plw/papers/plw1123cb1-263-4e.pdf> (accessed November 11, 2008).
- Urban Renewal Authority. Redevelopment. 2005. <http://www.ura.org.hk/html/c400000e1e.html> (accessed April 3, 2008).
- Urban Renewal Authority. Lee Tung Street/McGregor Street Project. 2008a. <http://www.ura.org.hk/html/c800000e23e.html> (accessed November 11, 2008).
- Urban Renewal Authority. "Progress of work of the Urban Renewal Authority." Legislative Council Panel on Development, June 2008, HK LegCo CB(1)1951/07-08(04). <http://www.legco.gov.hk/yr07-08/english/panels/plw/papers/dev0624cb1-1951-4-e.pdf> (accessed November 11, 2008).
- Urban Renewal Authority. "Urban Renewal Authority Guidelines on the Submission of Objections to Projects to be Implemented by way of Development Project." 2008. [http://www.ura.org.hk/usrAtt/800000/Guidelines_on_Objection_Submission_\(E\).pdf](http://www.ura.org.hk/usrAtt/800000/Guidelines_on_Objection_Submission_(E).pdf) (accessed November 18, 2008).
- Urban Renewal Authority. "Invitation for expression of interest—Lee Tung Street /McGregor Street project in Wan Chai." 2009. <http://www.ura.org.hk/html/c1002091e312b.html> (accessed April 4, 2009).
- Wei Yu Sum. "Zonghe shequ chongjian" 綜合社區重建 [Comprehensive Urban Renewal]. *Hong Kong Land Administration Quarterly* (Autumn 2002): <http://www.hkila.org/laq/autumn2002/ura.htm> (accessed April 5, 2009).
- Wong B. H. Disappeared Space and Buried History, 2007. http://www.ln.edu.hk/mcsln/6th_issue/pdf/feature001.pdf (accessed April 4, 2009).
- Yeh, Anthony Gar-On. "Public and Private Partnership in Urban Redevelopment in Hong Kong." *Third World Planning Review* 12, no. 4 (November 1990): 361–83.
- Yiqun canyu baoliu Tian xing matou yundong de shimin 一群參與保留天星碼頭運動的市民。"Gao quan Xianggang shimin shu" 告全香港市民書 [A Letter to All Hong Kong Citizen], December 14, 2006, <http://www.inmediahk.net/node/172591> (accessed November 15, 2008).

Appendix

Interviews with Major Players of the H15 Redevelopment Project

I) Qualitative interview as a method of data collection

Michael Hill states that case studies are often used in policy process studies with qualitative methods.¹¹⁸ Case studies could offer an in-depth examination of a single instance, and thus able to deal with the complexity of policy process, while qualitative methods like interviews would provide an alternative way to gather those “hidden information” from the actors.

Therefore, conducting qualitative interviews with those major actors who actively participated in the H15 Redevelopment Project are essential to this research. Research was conducted with the method of case studies as well as other qualitative method, including qualitative interviews and documentary reviews. It is hoped that some “hidden information” could be explored through conducting qualitative interviews with the major actors.

II) Invitations for interviews

Against the above background, a list of proposed interviewees has been drawn up after going through the relevant openly available information such as official papers and newspaper reports. The invitation list includes altogether 22 public figures that were known to have played active roles in the negotiation process of the H15 Redevelopment Project:

Government officials

- Ms. Lam Cheng Yuet Ngor, Secretary for Development Bureau

Town Planning Board

Office members

- Mr. Tsang Chun Wah, Former Permanent Secretary for Development (Planning and Lands) (Chairman)
- Mr. Fung Chee Keung, Former Director of Planning (Vice-Chairman)

Non-official members

- Mr. Cham Ka Hung, Former member (Business/Industry sector)
- Mr. Poon Chin Hung, Former member (Legal sector)
- Dr. Wong Chak Yan, Vice Chairman of Town Planning Board

118. Michael Hill, *The Policy Process*, 4th ed. (New York: Prentice Hall, 2005).

- Prof. Lau Sau Shing, Former member (Architecture sector)
- Mr. Lai Kam Cheung, Former member (Social Work sector)
- Dr. Pamela Rumball ROGERS Former member (Heritage sector)

Urban Renewal Authority

- Mr. Cheung Chun Yuen, Chairman

Non-Executive Directors (Non-official Member)

- Mr. Ip Kwok Him
- Mr. Li Wah Ming
- Dr. Ng Ka Chui
- Mr. Howard Young
- Mr. Leong Kah Kit, Former member

Non-Executive Directors (Official Member)

- Ms. Tan Kam Mi Wah, Director of Home Affairs

Citizens

- H15 Concern Group

Wan Chai District Council

- Ms. Wong Ying Kay, Former chairman
- Mr. Chan Yiu Fai, Former councilor

Others—public intellectuals

- Mr. Leung Man To
- Mr. Chu Hoi Dick
- Ms. Ho Loy

III) Responses

Invitations letters and e-mails were sent separately to the above public figures in February 2009. Finally, eight of them have kindly accepted our invitation for an interview, including Prof. Lau Sau Shing, Mr. Ip Kwok Him, Dr. Ng Ka Chui, Mr. Leong Kah Kit, Ms. Wong Ying Kay and H15 Concern Group. Although Ms. Lam Cheng Yuet Ngor herself could not spare time to entertain our request, the Development Bureau has arranged Principal Assistant Secretary (Planning & Lands)⁴, Mr. Lo Chi Hong, to have an interview with us. Similarly, Mr. Cheung Chun Yuen, Chairman of the Urban Renewal Authority, has accepted our invitation for an interview on behalf of Mr. Yau Chung Hok. On the whole, the response rate of the qualitative interviews is about 36.4%.

Balancing in a Unipolar World: The Case of the 2008 Russian-Georgian Conflict

在單極世界中制衡：以2008年俄格衝突為例

Alexander Korolev 薩沙 *The Chinese University of Hong Kong*

After the end of the Cold War and the establishment of a unipolar international order, many scholars came to the conclusion that “balancing” as an instrument of state policy has disappeared. This research proves the opposite. First, it undertakes theoretical analysis of the “balancing dilemma” and defines the system of independent variables which can guarantee the absence of balancing. Second, the system is tested against empirical observations concentrating upon international developments since the September 2001. Research reveals that the current unipole could satisfy only part of non-balancing conditions, which is why a policy of balancing by a secondary power became observable. Third, the case of balancing (Russian foreign policy during and after the August 2008 Russia-Georgian conflict) is investigated. Fourth, the consequences of balancing are explored.

在冷戰結束和建立單極國際秩序以後，很多學者認為「制衡」不再是一種國家政策的工具。本文卻證明事實並非如此。第一，本文以「制衡難題」作框架分析，並指出導致缺乏制衡的自變項的系統。第二，以2001年9月後的國際發展實際情況測試這個系統。研究發現現時單極假設只能解釋部分不制衡情況，因此可以觀察到第二國的制衡政策。第三，本文會以2008年俄羅斯—格魯吉亞衝突期間及其後俄羅斯的外交政策作制衡例子作研究。第四，本文將探究制衡的後果。

Introduction

After the end of the Cold War, American primacy in the global distribution of capabilities has become one of the most salient features of the contemporary international system. Some scholars argued that the multifaceted character of American power placed it in a “category of its own.”¹ Other

1. John G. Ikenberry, Michael Mastanduno and William C. Wohlforth, “Unipolarity, State Behavior and Systemic Consequences, Introduction,” *World Politics* 6, no. 1 (2009):

secondary states cannot balance the prominent power of the United States effectively. Such an extraordinary imbalance has formed what is called the “balancing dilemma”² and triggered global theoretical debate on the balance of power theory, especially its central concept—balancing.

In theory, representatives of different theoretical schools such as Realism, Neo-Liberal Institutionalism and Constructivism from different perspectives delved into the character of domination in a unipolar distribution in search of answers to the question of why, for almost 20 years since the end of the Cold War, balancing against American hegemony has not been observed. Despite the fact that scholars differ in their analytical perspectives and argumentation methodology, all of them have one crucial point in common: balancing, be it external balancing or internal balancing, is hardly possible under the conditions of the current Unipolarity.³ States can buffer, bait, bargain, bandwagon, bond, but not balance.⁴

In reality, however, the Caucasus Crisis (the military conflict between Russia and Georgia which occurred in August 2008) and post-crisis Russian foreign policy in Central Asia appeared to be a deviant case. For Russia, the Russian-Georgian conflict was the first precedent of military involvement outside of Russia since the end of the Cold War; for the US, in turn, it was the first time when American forces were involved in military actions against the Russian Federation.

After completing its military operation in Georgia, Russia attempted to push American military presence out of the post-Soviet space by providing

1–27.

2. The term “balancing dilemma” is an English variant for “*zhìhéng nǎntí*” (制衡難題)—the term coined by Chinese IR scholars and first met in Zhang Yiping’s paper titled “Cong Junshi zhìhéng de Nǎntí Kan Duobianzhuyi de Xìngqì” [From balancing dilemma looking at the rise of multilateralism]. See Zhang Yiping, *Shìjì Jìngjì yu Zhèngzhì* 4 (2006): 46. The term expresses the combination of politico-economic factors that makes balancing against the US by secondary powers impossible. For neorealist explanations see also Feng Liu, “Junshi Weihe Nanyì Shèngchéng?” [Why is it hard for Balance of Power to appear?—Explaining “Balancing Dilemma” from the perspective of structural transformation] *Shìjì Jìngjì yu Zhèngzhì* 9 (2006): 36.

3. For a collection of articles which from different perspectives reject the possibility of balancing in the modern unipolar world see John Ikenberry, “The Institutions and Ideology of Unipolarity,” in *America Unrivaled: The Future of the Balance of Power*, ed. John Ikenberry G. (Ithaca, NY: Cornell University Press, 2002), 211.

4. John G. Ikenberry, “Strategic Reactions to American Preeminence: Great Power Politics in the Age of Unipolarity,” discussion paper presented at the National Intelligence Council, Washington, DC, July 23, 2003.

Kyrgyzstan with \$2 billion worth of support to close the American Air Base in Manos. At the same time, military exchanges between Russia and Latin-American countries were also revived. These initiatives make it possible to classify Russian policy in that period of time as a balancing response against American attempts to dominate in the post-Soviet space.

Using the case of Russian-Georgian conflict, this paper attempts to challenge conventional views about the lack of balance against the US in the post-Cold War world. The main argument of this study is that the “balancing dilemma,” which exists in the modern IR theory, does not fully conform to the reality. The non-balancing conditions can only partly be satisfied by the current Unipole and, as a result, hard-balancing response to American hegemony is a possible foreign policy strategy for other major powers. Furthermore, balancing behavior against the US can be effective.

To support this argument, the paper is divided into four parts. The first part undertakes the cross-theoretical analysis of the “balancing dilemma” (the Dependent Variable) and its causal mechanism (the system of Independent Variables introduced in the theory). In the second part, the system of causal variables of non-balancing is tested against empirical observations of the developments in the international arena since the September 2001. The third part mainly deals with the case of balancing—Russian operations in Georgia and Russia’s subsequent policy initiatives outside the Caucasus region. The fourth part explores the outcomes of the balancing response and provides a forecast concerning the further development of the international system.

1. Unipolarity and the main causes of the “balancing dilemma” in IR theory

In order to answer the questions raised above, it is important, first of all, to define the causal mechanism of the “balancing dilemma.” Up to now, many studies have been conducted on the topic of unipolarity and balancing.⁵ The

5. Relating to this theoretical issue three books were published in recent years: John A. Vasquez and Colin Elman, eds., *Realism and the Balancing of Power: A New Debate* (Upper Saddle River, NJ: Prentice Hall, 2002); John G. Ikenberry, eds., *America Unrivaled: The Future of the Balance of Power* (Ithaca, NY: Cornell University Press, 2002); T. V. Paul, James Wirtz and Michel Fortmann, eds., *Balance of Power: Theory and Practice in the 21st Century* (Palo Alto, CA: Stanford University Press, 2004). The special volume of *International Security*

whole mass of literature can be divided into two parts: the works which argue that, sooner or later, balancing will happen and the international system will eventually recover its balance of power conditions, and the works which argue that balancing will not occur, at least in the nearest future, and thus the international system will remain unipolar and unbalanced.

Scholars who believe in the inevitability of the balance of power are realists, who are in the minority. The most prominent figure here is Kenneth Waltz, who argues that the world will begin to balance against American hegemony and admits that the absence of such balancing would constitute evidence against his neorealist balance of power theory.⁶ Waltz goes on to say that “to all but the myopic, multipolarity can already be seen on the horizon. Moreover, it is emerging in accordance with the balancing imperative,”⁷ according to which the hegemon who possesses the predominant position in the global distribution of power inevitably undertakes too many obligations abroad, exceeds its power limits and sinks into power-overextension and, as a result, diminishes its preeminence.⁸ Even if the Unipole manages to control and restrain itself or seek to maintain its preeminence by employing strategies based more on benevolence than coercion, other states are still prone to worry about their safety in the unbalanced international system, and will either concentrate efforts in order to increase their capability (internal balancing) or try to realign with other secondary states (external balancing).⁹ Through these mechanisms, the system will return to balance of power conditions. In sum, the realist approach tends to see Unipolarity as unsustainable and render it as just a “unipolar moment”¹⁰—just a geopolitical interlude that will give way to multipolarity.

Since the goal of this article is to elaborate and test the theoretical causes of non-balancing, the main focus is made on the second part of the litera-

was also devoted to the issues of balance of power theory and the concept of balancing; see *International Security* 30, no. 1 (Summer 2005). The latest discussion is in the special volume of *World Politics* 61, no. 1 (January 2009).

6. Kenneth N. Waltz, “Evaluating Theories,” *American Political Science Review* 91, no. 4 (1997): 914–915.

7. *Ibid.*, 915.

8. Kenneth N. Waltz, “America as a Model for the World? A Foreign Policy Perspective,” *PS: Political Science & Politics* 24, no. 4 (1991): 669.

9. Kenneth N. Waltz, “Structural Realism after the Cold War,” *International Security* 25, no.1 (2000): 5–41.

10. Christopher Layne, “The Unipolar Illusion: Why New Great Powers Will Rise,” *International Security* 17, no. 4 (1993): 7.

ture, which argues that the “balancing dilemma” (the absence of balancing) is a fact and by any reasonable benchmark, the current international system is one in which both external and internal balancing among great powers is at a historical low.¹¹ Consequently, balancing and the balance of power are not quite possible in the modern unipolar world.

The first cause of the “balancing dilemma” is seen in the huge power gap between the United States and all other countries, which forms an unsurpassable power threshold for any other great power to balance. American power is seen as unprecedented in modern history. It possesses the biggest initial share of the total capability in the great-power subsystem. At the same time, American power is most multifaceted, meaning that the United States possesses a much more complete portfolio of material capabilities. These conditions are considered self-reinforcing, because, as some scholars suggest, once the system is past the threshold, further concentration of capabilities in the hands of the only pole tends to reinforce rather than undermine equilibrium.¹² Thus, power preeminence is the main factor which dissuades other states from balancing against the United States.

Another assumption concerns the nature of American power. Due to American geopolitical conditions, its power is off shore—separated from all the major players by the oceans—and, thus, doesn’t pose an imminent threat to other states’ vital interests.¹³ Besides geopolitical conditions, some scholars emphasize the “post-modernity” of American power—a new qualitative change in the substance of “power” in modern international politics. The main emphasis is placed on soft power, rather than traditional hard power. According to this approach, armies and missiles, firearms and vessels are still the ultimate and decisive hard power factors. However, if we are talking about “everyday politics,” soft power is more and more considerable. It is much harder to contain. “How does one contain power that flows not from coercion but seduction?”¹⁴

11. William C. Wohlforth, “U.S. Strategy in a Unipolar World,” in *America Unrivaled: The Future of the Balance of Power*, ed. John G. Ikenberry (Ithaca, NY: Cornell University Press, 2002), 100.

12. *Ibid.*, 104.

13. Stephen M. Walt, “Keeping the World ‘Off Balance’: Self Restraint and U.S. Foreign Policy,” in *America Unrivaled: The Future of the Balance of Power*, ed. John G. Ikenberry (Ithaca, NY: Cornell University Press), 139.

14. Josef Joffe, “Defying History and Theory: The United States and the ‘Last Remaining Superpower,’” in *America Unrivaled: The Future of the Balance of Power*, ed. John G. Ikenberry (Ithaca, NY: Cornell University Press), 170.

In light of this, the United States, though it possesses the preeminent position in the distribution of capabilities, is seen as a non-aggressive, benevolent actor. American benevolence, its helpfulness and reliability for the other liberal states, prevents them from balancing. Even if those non-liberal states, such as Russia and China, are not satisfied with the current unipolar order, they don't have sufficient capabilities to undertake effective balancing for transforming the system.¹⁵

The analogous points lie in the basis of Stephen Walt's "Balance of Threat" theory, according to which states balance not against power per se, but rather against threats posed by those powers. From this perspective, despite the fact that the United States does possess unprecedented power, it does not pose a significant threat to the vital interests of other states; therefore balancing is unlikely.¹⁶

There are also scholars who approach the issue of non-balancing in the post Cold War period from the neo-liberal institutionalist perspective.¹⁷ According to this approach, the Western international order led by the "liberal hegemony" of the United States was gradually set in place after WWII. This order is based on the common interests and shared values of developed industrialized states and, thus, founds an institutional way to reduce the returns to power. America provides other states with a set of guarantees, such as security, access to American markets and technologies, gives special treatment in trade. Other states, in turn, accept American leadership and stay in the American led international politico-economic system. These mutual benefits increase the stability of Unipolarity. The Western world has already become institutionalized and path dependent. The principle of increasing returns to institutions was firmly embedded in the wider structure of politics and society. As some scholars put it, "Over decades, the core institutions of Western order have sunk their roots ever more deeply into the political and economic structures of the states that participate within the order."¹⁸

15. John M. Owen, "Transnational Liberalism and American Primacy; or, Benignity is the Eye of the Beholder," in *America Unrivaled: The Future of the Balance of Power*, ed. John G. Ikenberry (Ithaca, NY: Cornell University Press), 257.

16. Stephen M. Walt, "Keeping the World 'Off Balance,'" in *America Unrivaled: The Future of the Balance of Power*, ed. John G. Ikenberry (Ithaca, NY: Cornell University Press), 133.

17. John G. Ikenberry, "Democracy, Institutions, and American Restrain," in *America Unrivaled: The Future of the Balance of Power*, ed. John G. Ikenberry (Ithaca, NY: Cornell University Press), 214.

18. *Ibid.*, 216.

The Unipole is also seen as an international stability provider and, therefore, for other actors it is more reasonable to cooperate with it rather than balance against it. Other major powers lie in close proximity to one another and tend to worry more about each other than about the United States. In maximizing their preference for security, status, or wealth, these states find that more local imperatives outweigh the systemic imperative to counterbalance US power when these two levels contradict each other.¹⁹ In other words “local imperatives will overwhelm the systemic resentment of American power in the concrete strategic choices of other major states.”²⁰

Since the United States provides stability, there is fear of US retrenchment. Instead of worrying about US dominance, other states are more concerned that the United States might withdraw and are even happy to defer to U.S. leadership. The United States is a desirable ally for many Eurasian states. European powers can also agree on the leadership of the United States, but not on that of one of Europe’s own powers.²¹ In the same way, Asian allies like Japan, Korea, and Taiwan favor a strong US commitment because they see other states (and each other) as potentially dangerous and because they regard the physical presence of US troops as a nonthreatening guarantee of regional stability.²²

Another explanation as to why American hegemony doesn’t provoke balancing is the assumption that America is a status quo power. Since the United States has already achieved unipolar status, American dominance is the status quo per se. Some scholars argue that in the main theaters of Europe, the Middle East, and Asia, U.S. engagement is the status quo.²³ While most alliance theory concerns counterbalancing by status quo states against an aspiring, revisionist power, “in the current system restoring equilibrium is a revisionist project.”²⁴

The next important cause of the “balancing dilemma” is the low avail-

19. Wohlforth, “U.S. Strategy in a Unipolar World,” 114.

20. Ibid.

21. William C. Wohlforth, “U.S. Strategy in a Unipolar World,” in *America Unrivaled: The Future of the Balance of Power*, ed. John G. Ikenberry (Ithaca, NY: Cornell University Press), 106, quoted in Robert J. Art, “Why Western Europe Needs the United States and NATO,” *Political Science Quarterly* 111, no. 1 (Spring 1996), 36.

22. Walt, “Keeping the World ‘Off Balance,’” 137.

23. William C. Wohlforth, “U.S. Strategy in a Unipolar World,” in *America Unrivaled: The Future of the Balance of Power*, ed. John G. Ikenberry (Ithaca, NY: Cornell University Press), 106.

24. Ibid.

ability of allies under the conditions of the unipolar system. How can states balance against dominant power when allies are simply unavailable? If a major power lacks available allies, then external balancing is not an option.²⁵ In a unipolar system a hegemon possesses the biggest room for choice. The choice set increases with the increase of the capabilities of the hegemon. This increase, in turn, reduces the room for maneuvering for secondary states. Therefore, the availability of allies which would support balancing against the United States for the purpose of security is very low.

The last, but not least important cause of the “balancing dilemma” is the effectiveness of the grand strategy of the United States, which imposes constraints on the policy of other great powers. After the end of the Cold War, the mainstay of American regional and global security strategy was to prevent any other great power from undertaking balancing responses (real or potential). For that purpose, the United States used both hard power and soft power. When using the first, the United States has been actively supporting the eastward enlargement of NATO and has subordinated the alliance to American national purposes. When using the second, the United States has been popularizing American-style democracy and culture. Until recently, the effectiveness of its Grand Strategy helped the US to preserve its dominance and prevent balancing responses by other states.

This brief literature review allows us to conclude that many IR theorists exclude the possibility of effective balancing against the Unipole. In other words, there is a “balancing dilemma” in modern international politics.

In order to answer the main research question of why the “balancing dilemma” was broken, we need to summarize the above mentioned theoretical analysis, and define the main causal forces or conditions of the “balancing dilemma.” In sum, seven important conditions of non-balancing can be discerned (see figure 1). 1) The effectiveness of the US Grand Strategy, which supports the conditions of “hegemonic stability” and maintains Unipolarity, which is favorable for the United States; 2) The American system of alliances encompasses all major powers, which is why all potential balancers can only bandwagon but not balance; 3) It is a benevolent power which usually doesn't harm others; 4) From a regional perspective, the presence of the United States army in a certain region, its peacekeeping functions, *promotes peace in that region*, guarantees its security and internal stability.

25. T.V. Paul, James Wirtz and Michel Fortmann, eds., *Balance of Power: Theory and Practice in the 21st Century* (Palo Alto, CA: Stanford University Press, 2004), 82.

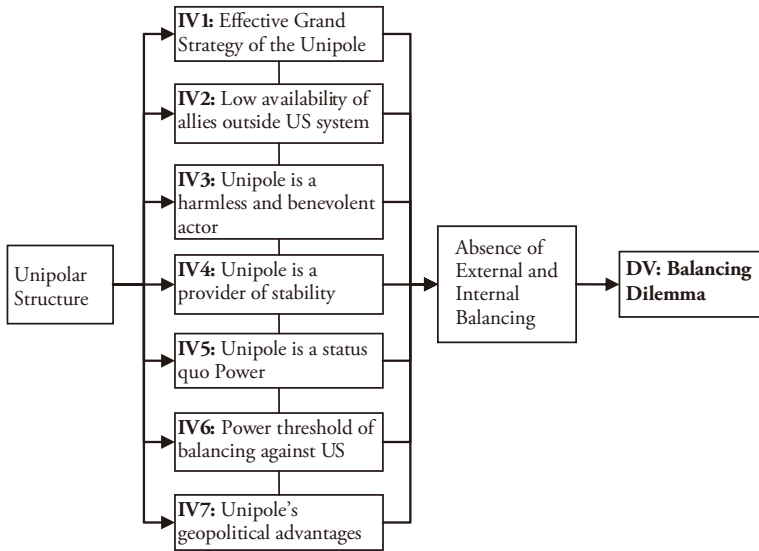


Figure 1. Causal mechanism of the “balancing dilemma”

5) Since the United States is interested in Unipolarity, which has already been achieved, it is a *status quo power*; 6) From the perspective of the global distribution of capabilities, the United States has an uncompromised material primacy—a high *power threshold*—which makes costs of balancing extremely high and undermined its effectiveness; 7) The United States has geopolitical advantages due to its specific *geographical location* and political regime.

After the main causal variables of the “balancing dilemma” are elaborated, they can be tested against empirical observations. The main hypothesis of the paper is that Independent Variables of the “balancing dilemma” found in theory either do not exist or exist in a distorted form in reality. This fact makes balancing possible and even effective.

2. The Balancing Dilemma in Reality

The above analysis demonstrates how the absence of a balancing response to American domination is explained in theory. To check the correctness of those explanations, they should be tested against empirical observations of recent developments in the international arena and, especially, events in the Caucasus Region before and after the Russian-Georgian conflict.

IV1, IV3: US Grand Strategy and its influence on America's benevolent image

By the time of the Caucasus Crisis, the results of the grand strategy, which holds that only a preponderance of US power ensures peace and security, have been far from the proclaimed purposes. There are three main aspects, which led to such state of affairs: the war on terror, the policy of WMD non-proliferation and the policy of spreading democracy around the world.

The war on terror—an untraditional threat—is the domain of special investigation services. Effective responses to the threat of terror require increased intelligence and surveillance activities aimed at detection and elimination of terrorist groups and networks. Particular emphasis must be placed on the detection of the sources of financing for terrorism, one of which is drug-trafficking. It requires high work efficiency by special investigation services and their cooperation with their counterparts abroad. However, in recent years the war on terror has been waged by traditional means with the use of conventional armies and missiles, firearms and warships, producing considerable destruction but not necessary resulting in the successful defeat of the key players involved in terrorist activity and their networks.

As a result, a protest movement of radical groups has been gaining momentum in many countries. All this has turned the war on terror into a strong confrontation between the United States and the Islamic World. This confrontation has not decreased the probability of new terrorist attacks, but, on the contrary, contributed to the instability, chaos and tensions in already unstable regions.

The policy of WMD non-proliferation, like the war on terror, is also far from the proclaimed goals. Within the framework of nuclear non-proliferation policy, the former US President George W. Bush in his State of the Union Address on January 29, 2002 introduced the concept of the “axis of evil,” describing governments that he accused of seeking weapons of mass destruction and supporting terrorism. Among the criteria for inclusion in

this grouping was also the potential to pursue WMD or the capability to do so.

Iraq was one of those states belonging to the axis of evil. However, after much of the information dealing with Iraq and its alleged weapons of mass destruction and terrorist ties have been proven false by Senate-appointed committee investigations, the term “axis of evil” was highly criticized. Furthermore, American policy toward Iraq did not prevent the new waves of WMD proliferation.

In light of military operations in Iraq and the use of threat of invasion as a part of non-proliferation strategy, the other “evil countries” either concentrated their efforts to purchase or create their own nuclear weapon, like Iran, or announced that they have already created it, like North Korea, because the possession of WMD has been seen by them as the only means to prevent invasion and protect their sovereignty from humanitarian intervention.

Finally, the spread of democracy by non-democratic means, according to the theory of democratic peace—a theoretical construct aimed at justifying American foreign policy—led to strong anti-American and anti-democratic trends in many places around the world. Some scholars argue that it happened because the notion of democracy replaced the notion of peace.²⁶ The notion of peace is acceptable by any person and any country, be it a democratic, socialist or authoritarian state. It is universally acceptable. American variant of democracy on the contrary is not necessary welcomed by all. Moreover, democracy is possible only after peace is achieved. It cannot appear without peace.²⁷ However, in the modern world, democracy became something resembling an ideology propagated by non-democratic means and associated with hegemony.

In sum, the United States considerably destabilized the post Cold War hegemonic order through its unilateralist strategy. American grand strategy also diminished the image of the United States as harmless, which has been considered by many IR theorists to be an important explanation for why many other countries don't balance against the United States. The unsuccessful grand strategy increased the possibility for balancing to happen.

26. Alexei Bogaturov, “Konterrevoluciya Cennostei i Mezhdunarodnaya Bezopasnost,” *International Trends* 6, no. 2 (2008), <http://www.intertrends.ru/seventeenth/001.htm>, (accessed April 30, 2010).

27. *Ibid.*

IV2: The low availability of allies outside the American alliance system.

According to the alliance theory, any strategic alliance appears as a reaction of some states to external threats which always exist in the anarchic international system. States join strategic alliances in order to increase their power in dealing with those threats. The main purpose of any alliance is to obtain support from allies and, thus, enhance one's capability in solving urgent strategic problems. Without mutual support between the members, any alliance can hardly be called an alliance.²⁸

It is nothing new to say that NATO has become an instrument of US foreign policy. However, if in such a multilateral organization as NATO European participants do not support American policy initiatives, NATO can go from being an instrument of American policy, to a mechanism for containing the United States. After the end of the Cold War, many European countries demonstrated their unwillingness to support the American policy course. After the collapse of the Soviet Union, NATO lost its cohesiveness and many events, including the Caucasus Crisis, proved this fact.

The reality is that Russia managed to contain the United States through some European NATO participants, especially France and Germany. The NATO summit in Bucharest of April 2008 revealed the reluctance of NATO participants to support the US recommendation to include Ukraine and Georgia in the Membership Action Plan (MAP). After the Russian military operation in Georgia, nobody supported Russia, but, at the same time, the American hard-line approach toward Russia has not received any evident support either. Right after the operation in Georgia, all the other great powers, except Britain, took up neutral positions. France, Germany and Japan—traditional American military allies—all kept political distance with the United States on the issue of Russian operations in Georgia in August 2008. Such inability to obtain European states' support demonstrated the fact that the legitimacy of American leadership in European affairs has diminished, and the system of alliances created by the United States during and after the Cold War has revealed a strong tendency toward "softening." All this reduced the role of the system of American alliances in

28. For more comprehensive theoretical analysis of the nature of alliances, see Stephen M. Walt, *The Origins of Alliances* (Ithaca, NY: Cornell University Press, 1990) and Mark Brawley R., Mark R. Brawley, "The Political Economy of Balance of Power Theory," in *Balance of Power: Theory and Practice in the 21st Century*, ed. T.V. Paul, James Wirtz and Michel Fortmann (Palo Alto, CA: Stanford University Press, 2004), 76–99.

preventing a balancing response, and as a result, balancing became a reality.

IV4, IV5: The Unipole is a status quo provider of regional stability

Those authors who argue that the engagement of the United States brings stability to a region mainly refer to Europe, and Asian allies like Japan, Korea and Taiwan. In light of this, it is interesting to consider the situation in the Caucasus region several years before the Russian–Georgian military conflict.

The Caucasus region includes Georgia, Armenia and Azerbaijan. All are the countries with unstable political situations and sharp ethnic and social contradictions. Against such background, the United States and NATO started actively participating in the Caucasus affairs and heavily militarized already unstable region (see table 1 below).

The outbreak of the Russian–Georgian conflict took place against the backdrop of a dramatic increase in Caucasus states' military spending. According to the data provided by SIPRI, during the period of time from 2003 to 2007, military spending by Armenia increased by 87%, Azerbaijan by 210% and meanwhile Georgia experienced almost tenfold military increase of 921%. Despite worsening economic conditions, Georgian military spending in 2006 reached the level of 5.6% of GDP. The country was receiving considerable military support from western countries, especially the United States.

In 2003, the United States provided Georgia with \$34 million in sup-

Table 1. Caucasus countries' military spending in 2003–2007 (million of US\$, in 2005 year prices)

Country	2003	2004	2005	2006	2007
Armenia	104	115	141	157	194
Azerbaijan	215	260	305	625	667
Georgia	57.7	80.6	214	362	592
Armenia % GDP	2.7	2.7	2.9	2.8	N/A
Azerbaijan % GDP	2.4	2.6	2.3	3.6	N/A
Georgia % GDP	1.1	1.4	3.3	5.2	N/A

Source: Petter Stelenheim, Catalina Perdomo and Elisabeth Sköns, *SIPRI Yearbook 2008: Armaments, Disarmaments and International Security*, 187–189.

port, which amounted to about 70% of all military spending in Georgia. In 2006 and 2007, the United States was providing Georgia with about 10 million dollars of military support per year. From 2004 through 2007, the annual increase of Georgian military spending amounted to 40%, 166%, 69% and 64% respectively. The official justification of this increase given by Georgia was its intention to join NATO.

The process of the militarization of the region was accompanied by the increasing involvement of NATO, and particularly the United States in the affairs of the Caucasus region. If we are to see the United States as a status quo power, the status quo then is a constant process of expanding the sphere of American influence. On March 6, 2007, the United States House of Representatives, and on March 9th 2007, the US Senate endorsed the NATO Freedom Consolidation Act, which sanctioned further enlargement of NATO territory to the West Balkans and the CIS by facilitating the timely admission of Albania, Croatia, Georgia, and Macedonia to NATO.²⁹

Beginning from 2007, 2000 Georgian servicemen participated in the Multi-National Force in Iraq. The Pentagon had provided combat training to Georgian Special Forces commandos shortly before the Georgian attack on August 7. The presence of many American military advisers and instructors in the Georgian army, broad purchasing of armory by Georgia abroad, together with the offer of better prospects to join NATO gave the Georgian government an inflated opinion of Georgian forces and their ability to react to and solve difficult combat tasks. Various incidents and provocations along the border between Georgia and Abkhazia, and South Ossetia took place with increased regularity.

These developments demonstrate the unstable dynamic in the Caucasus region. These regional trends demonstrated that in case of the Caucasus, NATO and American penetration into the region spurred turbulence rather than bringing stability. These trends made balancing more feasible.

IV6, IV7: The Power Threshold and Geopolitical Conditions

Perhaps, among the variables forming the causal mechanism of the balancing dilemma in the theory, only IV6 (preeminence of US material power) and IV7 (America's geopolitical position) remain unchanged, or changed to an extent insufficient to eliminate their causal influence in the balancing

29. Georgian Association in the United States of America, Inc., "CEEC Commemorates NATO Enlargement and Supports Open Door Policy," *Georgian Association News*, <http://www.georgianassociation.org/News.asp> (accessed March 26, 2009).

dilemma completely. However, despite the fact that such variables as the preeminence of US material power and its geopolitical conditions remain unchanged. This, however, appeared to be insufficient for the “balancing dilemma” to be sustainable. Most of the causal variables of non-balancing did not exist at the moment of the outbreak of the Caucasus Crisis, whereas material preeminence itself is not sufficient for the absence of any balancing response to be guaranteed.

3. The case of balancing: the Russian-Georgian five-day war and subsequent developments

Before a hypothesis on balancing can be investigated empirically, it is necessary to be able to recognize balancing behavior. What kind of state policy counts as balancing? In the literature, there remains considerable confusion about what balancing is. Balancing is a multidimensional concept that cannot easily be treated as a simple dichotomy of balancing or nonbalancing. Balancing comes in different degrees and forms. Even if we treat it as a dichotomy, before we can make statements about balancing and nonbalancing behavior, we need some operational criteria for distinguishing between the two.³⁰ This raises a host of analytical problems when classifying behavior as balancing or nonbalancing.

According to the literature on balancing, when classifying a country’s behavior as balancing, a researcher needs to think in terms of a range of balancing behavior. Attention should be paid to different dimensions and degrees (aspects) of balancing. Those aspects include the scale or magnitude of balancing (whether it is absent, weak, moderate or strong); the timing of balancing (when it occurs); and the extent of balancing (the number or proportion of states that engage in balancing behavior).³¹

There are more detailed qualifications of balancing. According to Jack S. Levy, to qualify as balancing, military intervention must be substantial and directed against the strongest power or the greatest threat.³² It would not be balancing if war is forced on the potential balancer by a direct military

30. Jack S. Levy, “Balances and Balancing: Concepts, Propositions, and Research Design,” in *Realism and the Balancing of Power: A New Debate*, ed. John A. Vasquez and Colin Elman (Upper Saddle River, NJ: Prentice Hall, 2002), 133–139.

31. *Ibid.*, 134.

32. *Ibid.*

attack by the expansionist state. Balancing involves a situation in which “a state is not directly menaced by a predatory state but decides to balance against it anyway to protect its long-term security interests.”³³ There are also questions relating to the intentions and motivations of the balancer and the perceptions of targets, though for Waltz, outcomes of balanced power do not necessarily require deliberate balancing behavior by states. The policy of signaling by states their intentions with respect to intervention should also be incorporated into conception of balancing.³⁴

Even after identifying a common set of theoretical propositions about balancing, it is still difficult to shift the debate from the level of abstract arguments to the level of empirical evidence. Following the arguments described above, we will consider the Russian-Georgian war in terms of its extent, timing and magnitude, which are different dimensions of balancing.

The Extent of the “Five-day War”

The balancing signals started well before the outbreak of military conflict between Russia and Georgia. On December 12, 2007, the Russian decision to withdraw from the Treaty on Conventional Armed Forces in Europe came to force. This was a response to the US decision to deploy the National Missile Defense system in the Czech Republic and Poland. Moscow was signaling that it was loosening its hands for actions on its flanks. This signal, however, had not been paid sufficient attention by the NATO member states.

The Russian-Georgian war, also called the “five-day war,” started on August 8, 2008, when the central Georgian government started shelling Tskhinvali (the capital of South Ossetia). Georgia was defeated and the independence of Abkhazia and South Ossetia’s independence were recognized by the Russian Federation. Since the two newly recognized republics can hardly guarantee their statehood and security by their own means, the establishment of close military relations with Russia is in their interests. The Russian ground forces, air force and navy were deployed in the territory of Abkhazia and South Ossetia. It was also declared that the borders of the two republics would be protected by the Border Guard Service of Russia.

Being a regional conflict, the “five-day war” reached far outside its regional context and became an issue of international relations, because it

33. Randall L. Schweller, “Bandwagoning for Profit: Bringing the Revisionist State Back In,” *International Security* 19, no.1 (1994): 83.

34. Levi, “Balances and Balancing,” 135.

touched the interests of Russia, the United States and a range of European countries. After naval maneuvering in the Black Sea, US-Russian relations and NATO-Russian relations in the military realm came extremely close to the level of the cold-war-style bloc confrontation. It was the first time since the collapse of the Soviet Union that Russia used military force outside of its state borders. The United States, on the other hand, in fact, was a direct participant in the conflict. At the moment when the “five-day war” began, there were 130 American military specialists in the Georgian armed forces. Besides, the United States delivered 2,000 Georgian soldiers from Iraq to Georgia and provided Georgia 200 million dollars of military aid.³⁵ This fact well demonstrates the broad international implications of the local five-day war.

It is also interesting to look at the proportion of Russian and Georgian military forces in the Caucasus region.

Russian military base in Gyumri (Armenia) consists of 3,200 personnel, 74 tanks, 330 Infantry Fighting Vehicles (IFV), ninety artillery systems and 18 MIG-29 jet fighters, plus forces from the Black Sea Fleet of RF, plus 360 jet fighters from the nearest 6th Air Army of RF. No matter how skeptical one is about their combat capacity, these forces should have become a serious factor for Georgia when it was planning military activity on the Caucasus mountain theatre.

The general proportion of forces of the parties involved allows one to draw the conclusion that the Georgian government either assumed that Russian armed forces would not engage in military conflict over South Ossetia and Abkhazia, or it estimated the combat capacity of those forces to be less than that of Georgia. Moreover, during the conflict Georgian forces shot down two Russian ground-attack Su-25 aircraft in the mountains, which would hardly be possible without the involvement of electronic warfare surveillance. Such combat capacity could be achieved only by using the Airborne Early Warning and Control System (AWACS) or its analogs, which are absent in the Georgian army.

On August 26, 2008, Russian president Dmitry Medvedev officially recognized the independence of Abkhazia and South Ossetia. According to NATO's entry requirements, any potential member of the alliance must have no territorial problems. After the recognition of the independence of

35. Sizov, “Piatidnevka Protivostoyaniya,” [Five-Day War] <http://www.intertrends.ru/seventeenth/015.htm>, (accessed May 7, 2010).

Abkhazia and South Ossetia, Georgian membership in NATO became a remote prospect and the spread of NATO influence in the post-Soviet region would be contained considerably. The “five-day war” can be seen as a result of a long-running accumulation of tensions between Russia on the one hand and the United States on the other. Its balancing nature becomes more obvious when the timing of the conflict is taken into account.

The Timing of the “Five-day War”

The eastward spread of NATO continuously encroached upon the Russian sphere of influence—the former Soviet republics. After some Eastern European and Baltic states joined the Alliance, the process of its enlargement had not ceased and it had started stretching towards the region of the Caucasus. Despite the fact that the April 2008 NATO summit in Bucharest did not include Georgia in the NATO Membership Action Plan, it was promised at the summit that sooner or later Georgia would join the Alliance. It was perceived in Moscow as a direct threat to Russian security. However, the war was not forced on Russia by a direct military attack against Russian sovereignty. The Russian counter-attack on Georgia involves a situation in which Russian sovereignty itself was not directly menaced, but Russia decided to balance against NATO expansion in the region to protect its long-term security interests.

Table 2. Military forces of Caucasus countries and NCND^a of Russian Federation

	Armenia	Azerbaijan	Georgia	NCMD
Number of soldiers (thousands)	42	66.8	21	88
Land-based army	39	56.8	17.8	
Tanks	110	220	102	800
IFV (Infantry Fighting Vehicle)	104	127	91	200
BTR ^b	136	468	44	
Artillery systems	229	270	109	900
Jet fighters	16	27	9	360

Source: *The Military Balance 2007–2008* (London: IISS, 2008), 165–167; 212–221.

^a The North Caucasus Military District is a military district of the Armed Forces of the Russian Federation. It now comprises the Republic of Adygeya, the Republic of Dagestan, the Republic of Ingushetia, the Kabardino-Balkar Republic, the Republic of Kalmykia, the Karachayevo-Cherkess Republic, the Republic of North Osetia-Alaniya, the Chechen Republic, Krasnodar Krai, Stavropol Krai and Astrakhan, Volgograd, and Rostov oblasts.

^b Equivalent to armored personnel carrier (APC) in English.

At the same time, the international situation in August 2008 appeared to be favorable for Russia to take more decisive steps toward the protection of its geopolitical interests in the post-Soviet space. First, the fact that Georgia first launched a military attack on Ossetians provided a rationale for military response by Russia. Second, the factor of American support to Georgia had diminished, since the United States had been absorbed in predicaments in Iraq and Afghanistan. Having its own foreign policy exigencies and facing presidential elections, the United States was not able to involve itself in the military conflict directly. The price of such involvement would have been too high. Third, European countries, especially so-called “Old Europe”, rely heavily on Russia’s natural resources, and thus are not interested in any tensions with Russia. Fourth, in light of the struggle against terrorism, cooperation with Russia is of critical importance for the United States and most of Europe, because Russia plays a considerable role in nuclear nonproliferation and resolving problems of European security. This factor becomes more important due to a comparatively positive perception of Russia by the Islamic world and prospects of constructive dialogue between Russia and Iran over the issues of nuclear energy use. In light of this, it can be assumed that Russia’s response was directed not only against Georgia, but also, and perhaps mainly, against the stronger power of the United States and NATO, which were actively spreading their influence in the region. The choice of time allows one to classify the five-day war as a balancing response.

The Magnitude of the “Five-day War”

In terms of magnitude, the “five-day war” resulted in a loss by Georgia of a considerable part of its territory. The armed forces of the country were defeated. All jet fighters (9 units) and warships (8 units) were destroyed. The major part of tanks were either destroyed or seized (at the moment of the outbreak of the conflict Georgia had 102 tanks at its disposal). Among four army brigades, one (the 3rd brigade) was defeated, the 4th brigade scattered. The death toll of the conflict was about 200. The injured amounted to 2,000.³⁶

36. Sizov, “Piatidnevka Protivostoyaniya,” <http://www.intertrends.ru/seventeenth/015.htm> (accessed May 15, 2010)

Post-conflict balancing

What is more considerable in terms of balancing is the post-conflict Russian foreign policy. The consequences of the Russian-Georgian conflict spread far beyond the Caucasus region. Balancing behavior of lesser magnitude but broader geographical scale developed right after the conflict.

On February 3, 2009, six months after the conflict, Kyrgyzstani President Kurmanbek Bakiyev announced that Manas Air Base would soon be closed.³⁷ President Bakiyev said that economic considerations and the negative public attitude towards the base contributed to the decision.³⁸ A bill calling for the closure of the base and the eviction of U.S. forces was passed by the Kyrgyz parliament by a vote of 78 to one on February 19, 2009.³⁹ The following day, February 20, an official eviction notice was delivered to the U.S. Embassy in Bishkek, according to the Kyrgyzstani Ministry of Foreign Affairs.⁴⁰

The news of the base's closure followed the announcement of a new agreement between Russia and Kyrgyzstan in which Kyrgyzstan will receive \$2 billion in loans and \$150 million in financial aid from Russia.⁴¹ Most observers see the two events as connected, and believe that Russian financial assistance was offered on the condition that US forces were expelled from Kyrgyzstan.⁴²

37. Ria Novosti, "Kyrgyzstan is closing American Manas Air Base," *Russian News Agency outlet*, February 3, 2009, http://www.rian.ru/defense_safety/20090203/160879889.html (accessed January 7, 2011).

38. Center for Research on Globalization, "Kyrgyzstan to shut down NATO's air base," *Russia Today News Agency*, February 4, 2009, <http://www.globalresearch.ca/index.php?context=va&aid=12153> (accessed July 15, 2010).

39. "Kyrgyz MPs vote to shut US base," *BBC News Online*, February 19, 2009, <http://news.bbc.co.uk/2/hi/asia-pacific/7898690.stm> (accessed January 7, 2011).

40. "The United States Receives Formal Air Base Eviction Notice," *EurasiaNet*, February 20, 2009, <http://www.eurasianet.org/departments/news/articles/eav022009.shtml> (accessed January 7, 2011).

41. Isabel Gorst, "Kyrgyzstan to shut US military base," *Financial Times*, February 3, 2009, <http://www.ft.com/cms/s/0/8d9e47de-f227-11dd-9678-0000779fd2ac.html> (accessed January 7, 2011).

42. For relevant news see Anvar Rahmetov, "Tracking Russia's Assistance Package to Bishkek," *EurasiaNet*, February 8, 2009, <http://www.eurasianet.org/departments/insightb/articles/eav021809.shtml> (accessed January 7, 2011); Joel Brinkley, "Why is Russia bribing Kyrgyzstan?" *San Francisco Chronicle*, February 22, 2009, <http://www.sfgate.com/cgi-bin/article.cgi?f=/c/a/2009/02/21/INNN15VE8O.DTL> (accessed January 7, 2011); Clifford Levy, "Poker-Faced, Russia Flaunts Its Afghan Card," *New York Times*, February 21, 2009, <http://www.nytimes.com/2009/02/22/weekinreview/22levy.html> (accessed January 7, 2011);

Referring to the closure of Manas Air Base, Pentagon spokesman Geoff S. Morrell directly accused Russia of “attempting to undermine American use of that facility.”⁴³ US Secretary of Defense Robert Gates also said that, “The Russians are trying to have it both ways with respect to Afghanistan in terms of Manas. On one hand you’re making positive noises about working with us in Afghanistan, and on the other hand you’re working against us in terms of that airfield which is clearly important to us.”⁴⁴ However, Russian President Dmitry Medvedev distanced Russia from the announcement, saying that it was “within the competence of the Kyrgyz Republic” to decide how the Manas base functioned.⁴⁵

On June 23, 2009 a new deal was reached between the United States and Kyrgyz governments. It was ratified by the Kyrgyz parliament two days later, and signed into law by President Bakiyev on July 7.⁴⁶ Under the terms of the new agreement, US payment for use of the facilities increased from \$17.1 million to \$60 million. An additional \$117 million were to be given to the Kyrgyz government, including \$36 million for upgrading the airport with additional storage facilities and aircraft parking, \$21 million for fighting drug trafficking in the country, and \$20 million for economic development.⁴⁷

The facility’s official title was also altered under the new agreement. Instead of being referred to as “Manas Air Base,” it will become the “Transit Center at Manas International Airport.” According to a Kyrgyz government spokesman, the facility ceased to be an air base in August 2009, after which point its legal status would be altered to a logistic center. Additionally, security around the base is now handled by Kyrgyz personnel, as opposed to American servicemen.⁴⁸

It is still difficult to argue if these events were the deliberate policy un-

Mark Thompson, “Obama Loses a Key Base for Afghanistan,” *Time Magazine*, February 19, 2009, <http://www.time.com/time/world/article/0,8599,1880686,00.html> (accessed January 7, 2011).

43. Gorst, “Kyrgyzstan to shut US military base.”

44. Thompson, “Obama Loses a Key Base for Afghanistan.”

45. Gorst, “Kyrgyzstan to shut US military base.”

46. “Kyrgyz parliament approves U.S. base deal,” *Reuters*, June 25, 2009, <http://www.reuters.com/article/worldNews/idUSTRE55O1DP20090625> (accessed June 25, 2009).

47. Deirdre Tynan, “US Armed Forces to Remain at Air Base for Afghan Resupply Operations,” *EurasiaNet*, June 23, 2009, <http://www.eurasianet.org/departments/insightb/articles/eav062309b.shtml> (accessed January 7, 2011).

48. Michael Schwartz, “In Reversal, Kyrgyzstan Won’t Close a U.S. Base,” *New York Times*, June 23, 2009, <http://www.nytimes.com/2009/06/24/world/asia/24base.html>.

dertaken by the Russian government or not, but what is clear is that Russian strategic reach and leverage in the region became more obvious.

The balancing behavior was also undertaken in the western hemisphere, where after attending the Asia-Pacific Economic Cooperation (APEC) summit in Lima on November 21–22, Russian president Dmitry Medvedev embarked on a regional tour, where he met the leaders of Brazil, Venezuela and Cuba (the leaders of the last two are outspoken critics of the United States). Before the trip by Dmitry Medvedev to Latin America, two Tu-160 strategic bombers flew to Venezuela in September, and then a convoy of warships led by the “Peter the Great,” an atomic-powered cruiser, was scheduled to arrive in the Caribbean for exercises with the Venezuelan navy as Medvedev met with President Hugo Chavez. According to some commentators, “Russia asserts its influence in America’s backyard more than at any time since the Soviet era.”⁴⁹ Russian analysts were saying that Moscow’s quest for influence in Latin America is intended to counter US influence in the former Soviet satellites of Eastern Europe, the Caucasus and Central Asia.⁵⁰

All countries that were visited by the Russian leader, with the exception of Peru, were experiencing somewhat strained relations with Washington, and are advocates of a less dominant American role in the integration of the Western hemisphere. Some also argued that during the tour, even if no particular agreements were reached with the countries Medvedev is to visit, the tour should serve as a reminder to the White House, as well as then incoming President Barack Obama, that “Russia has not forgotten Latin America, and is now beginning to consider it Moscow’s backyard, just as Washington has regarded the Caucasus as its own fiefdom.”⁵¹

All those visits can be interpreted as having nothing to do with balancing; however the timing of Russian strategic initiatives in the Western Hemisphere (four months after the Russian-Georgian war and on the eve of presidential elections in the United States) makes it possible to consider Medvedev’s tour in Latin American countries as balancing behavior against

49. Pronina, “Russian Navy Head to Latin America.”

50. “Medvedev makes defiant Latin America tour,” *France 24 International News*, November 22, 2008, <http://www.france24.com/en/20081122-dmitry-medvedev-latin-america-tour-peru-cuba-venezuela-apec> (accessed January 7, 2011).

51. Alex Sánchez, “Russian President Dmitry Medvedev to Embark on a Highly Revealing Latin American Journey Sure to Give Washington Heartburn,” *Council on Hemispheric Affairs*, <http://www.coha.org/russian-president-dmitry-medvedev-to-embark-on-a-highly-revealing-latin-american-journey-sure-to-give-washington-heartburn/> (accessed January 7, 2011).

the United States.

The above analysis has demonstrated that theoretical assumptions concerning the “balancing dilemma,” which has become one important characteristic of IR theory after the end of the Cold War, can easily be questioned if sufficient attention is paid to real events in the international arena. Some causal variables of non-balancing introduced in the theory have lost their causal effect, and as a result, balancing—the Russian–Georgian conflict and subsequent Russian foreign policy in the post-Soviet region and Latin America—took place. The last part of the paper explores the efficiency and the outcomes of the Russian balancing response.

4. Conclusion: The outcomes of the balancing response and the evolution of Unipolarity

Obviously, Russian military operation in the Caucasus in August 2008 and the maneuvering of the Russian and American navies in the Black Sea right after the operation were not “soft-balancing.”⁵² In light of these events, some commentators even started announcing the return of the Cold War-style hard confrontation. However, the limited nature of the Russian balancing response and rapid attempts undertaken by both the United States and Russia to normalize relations demonstrated the incorrectness of comparing Caucasus crises to the confrontation of the Cold War period.

At the same time, despite the fact that the Russian balancing response lacked totality, it revealed the limits of American global influence. Some important changes took place in US–Russian relations that make it possible to argue that in the unipolar system, such a partial-balancing response can be effective.

Right after the conflict in the Caucasus, many commentators started predicting further worsening of US–Russian relations, new rounds of con-

52. The concept of “soft balancing” suggests that “balancing” as an instrument of state policy never disappeared, but, under the conditions of Unipolarity, due to extremely high costs of direct “hard” confrontation with the US, took the form of “soft-balancing”—non-military balancing through administrative and diplomatic channels—rather than traditional “hard balancing.” For further elaboration of the concept of “soft-balancing,” see Robert A. Pape, “Soft Balancing against the United States,” *International Security* 30, no. 1 (2005): 7–45; Thazha V. Paul, “Soft Balancing in the Age of US Primacy,” *International Security* 30, no. 1 (2005): 46–71.

frontation and that Russia, due to its aggressive policy, would inevitably slip into a strategic vacuum in Europe. However, in reality the main trends in US-Russian relations appeared to be quite the opposite. Relations between the two countries took a turn for the better. Newly elected US President Barack Obama tried to make a restatement of US foreign policy objectives and gave a clear message that the United States is prepared to establish closer and more fruitful relations with Russia and other developing countries.

The new US Administration set the task “to reset” relations with Russia and major developing countries and started negotiations on the new Strategic Offensive Reduction Treaty (SORT) last summer in Moscow. To all appearance, under the new administration the United States intends to undertake a deep restructuring of its system of external ties and interests. The upkeep of relations with the allied states remains an unconditional priority, while the policy of enlargement of the American system of treaties can be reviewed.

In particular, the new administration makes it clear that the membership of Ukraine and Georgia in NATO is a long way off. In order to promote more fruitful relations with Russia, Washington looks prepared to revise the rate of its rapprochement with those countries. A slowdown in the process of deployment of the American antiballistic missile (ABM) defense system in Europe is also feasible as part of American concessions to Russia.

Some Russian analysts argue that one should not overestimate the significance of those moves by Washington, while undoubtedly they were prompted by intentions to widen cooperation with Russia.⁵³ This decision displays a more reasonable and prudent understanding than that of the Bush administration, which from time to time ignored crucial details of its decisions, sometimes to the detriment of American interests. For instance, prodding the Ukrainian President V. Yushchenko toward a hasty entry to NATO (when the majority of the population disapproves of the idea) might have triggered a severe political crisis in Ukraine, which is fraught with a schism within the country identical to the Yugoslavian scenario. A major crisis may have developed in the eastern part of the continent where Europe would inevitably collide with Russia, which has its own interests in Ukraine (if only transit pipelines used to supply Russian energy resources to Europe).

Georgia’s hasty admission to NATO would have been no less a critical

53. Victor Kremenyuk, “What Post-Crisis Order?” *International Trends* 7, no. 3 (2009), <http://www.intertrends.ru/twenty-first/023.htm> (accessed January 7, 2011).

danger to US allies, as until the Russian-Georgian war of 2008, Georgia was facing two unresolved conflicts in its territory in Abkhazia and South Ossetia. The policy of President Saakashvili in those conflicts resulted in a military confrontation with Russia, which generated an understanding of how close the process of the NATO expansion brought the bloc to the brink of a potential war with Russia. All the above demanded reconsideration and, at a minimum, a slowdown of the process, so that the expansion of the number of US allies does not create the risk of a major war.

It is still hard to argue for sure that the aforementioned changes in US-Russian relations are the direct result of a Russian balancing response, however what is clear is that this response was not unnoticed. It seems that the Obama administration came to the understanding that it needs an urgent revision of its relations with Russia. As some scholars argue, in practice it meant a need to adjust even deeper fundamentals of US foreign policy.⁵⁴ This all raises the question of the duration of the period of Unipolarity as it was described by many IR theorists.

The assistance of the transition countries was needed to settle such urgent issues as Iraq, the Israeli-Palestinian conflict, the Iranian nuclear program, Afghanistan and the radicalization of Pakistan.

Serious trouble was looming ahead: the Taliban victory in Afghanistan, nuclear arms in Iran, joint operations of the radicals in Afghanistan and neighboring Pakistan, and nuclear arms in North Korea. Washington was coming to the realization that the world outside the group of their allied states was evolving in a direction entirely different from the one seen as acceptable to the United States.

Under the modern Unipolarity, full-fledged non-partial balancing could hardly be found. At the same time partial balancing—effective hard balancing not necessary aimed at the radical change of the whole international structure—was mainly ignored by many IR theorists, especially those who introduce the notion of the “balancing dilemma.” Therefore, a substantial number of cases were seen as cases in which states fail to balance against strong or threatening states. It made scholars come to the conclusion that balancing behavior is not particularly common. The analysis of the Russian-Georgian case demonstrated that a substantial balancing response under the conditions of unipolarity is possible. This article however raises more questions than it answers. What is the operational understanding of

54. Ibid.

power under modern conditions of globalization, and how does it differ from earlier notions? Relating to the issue of dependence and increased interdependence, what would balancing under interdependence look like, and how have balancing responses evolved throughout history?

Bibliography

- Art, J. Robert. "Why Western Europe Needs the United States and NATO." *Political Science Quarterly* 111, no. 1 (1996): 1–39.
- Bogaturov, Alexei. "Konterrevoluciya Cennostei i Mezhdunarodnaya Bezopasnost" [Counterrevolution of Values and International Security]. *International Trends* 6, no. 2 (2008), <http://www.intertrends.ru/seventeenth/001.htm> (accessed January 7, 2011).
- Brawley, R. Mark. "The Political Economy of Balance of Power Theory." In *Balance of Power: Theory and Practice in the 21st Century*, edited by T. V. Paul, James Wirtz and Michel Fortmann. Palo Alto, CA: Stanford University Press, 2004.
- Brooks, G. Stephen, and William C. Wohlforth. "Hard Times for Soft Balancing." *International Security* 30, no. 1 (2005): 72–108.
- Bull, Hedley. *The Anarchical Society: A Study of Order in World Politics*. 3rd ed. Hampshire: Palgrave, 2002.
- Buszynski, Leszek. "Russia and the CIS in 2003: Regional Reconstruction." *Asian Survey* 44 (2004): 158–167.
- Buszynski, Leszek. "Russia and the Commonwealth of Independent States in 2002: Going Separate Ways." *Asian Survey* 43 (2003): 15–24.
- Chen Zheng 陳拯. "Fanmei zhuyi: Meiguo ruanquanli de beilun" 反美主義：美國軟權力的悖論 [Anti-Americanism: the paradox of American Soft Power]. *Guiji zhengzhi yanjiu* 國際政治研究 1 (2008): 101–116.
- Ding Xiaoxing 丁曉星. "Abuhazi, Nanaosaiti 'duli' zhihou" 阿布哈茲·那闊塞梯「獨立」之後 [After Abkhazia and South Ossetia obtained "independence"]. *Shijie zhishi* 世界知識 23 (2008): 34–35.
- Ding Yuanhong 丁原洪. "Beiyue zouxiang hefang?" 北約走向何方？ [In what direction does NATO moving?] *Heping yu fazhan* 和平與發展 3 (2008): 34–37.
- Elman, Colin. "Extending Offensive Realism: The Louisiana Purchase and America's Rise to Regional Hegemony." *American Political Science Review* 98, no. 4 (2005): 563–76.
- Elman, Colin, and Miriam Fendius Elman. "Correspondence: History vs. Neo-Realism: A Second Look." *International Security* 20, no. 1 (1995): 182–195.
- , eds. *Bridges and Boundaries: Historians, Political Scientists, and the Study of International Relations*. Cambridge, MA: MIT Press, 2001.
- , eds. *Progress in International Relations Theory: Appraising the Field*. Cam-

- bridge, MA: MIT Press, 2003.
- Feng Yujun 馮玉軍. “Shixi E-Ge chongtu de zhanlue neihan” 試析俄格衝突的戰略內涵 [Trying to analyze the strategic content of Russian-Georgian conflict]. *Eluosi Zhongya Dongou yanjiu* 俄羅斯中亞東歐研究 6 (2008): 49–52.
- Gilpin, Robert. *War and Change in World Politics*. Cambridge: Cambridge University Press, 1981.
- Haas, Ernst. “The Balance of Power: Prescription, Concept or Propaganda.” *World Politics* 5, no. 4 (1953): 442–477.
- Hui, Victoria Tin-bor. “Toward a Dynamic Theory of International Politics: Insights from Comparing Ancient China and Early Modern Europe.” *International Organization* 58, no. 1 (2004): 175–205.
- Ikenberry, G. John, eds. *America Unrivaled: The Future of the Balance of Power*. Ithaca, NY: Cornell University Press, 2002.
- Ikenberry, G. John. “Democracy, Institutions, and American Restrain.” In *America Unrivaled: The Future of the Balance of Power*, edited by John G. Ikenberry, 213–238. Ithaca, NY: Cornell University Press, 2002.
- Ikenberry, G. John. “Strategic Reactions to American Preeminence: Great Power Politics in the Age of Unipolarity.” Discussion Paper presented at the National Intelligence Council, Washington, DC, USA, July 23, 2003.
- Ikenberry, G. John, Michael Mastanduno and William C. Wohlforth. “Unipolarity, State Behavior and Systemic Consequences, Introduction.” *World Politics* 6, no. 1 (2009): 1–27.
- Jervis, Robert. “From Balance to Concert: A Study of International Security Cooperation.” *World Politics* 38, no. 1 (1985): 58–79.
- . “A Political Science Perspective on the Balance of Power and the Concert.” *American Historical Review* 97, no. 3 (1992): 716–724.
- . *System Effects: Complexity in Political and Social Life*. Princeton, NJ: Princeton University Press, 1997.
- Ji Zhiye 季志業. “E-Ge chongtu dui guoji guanxi de yingxiang fenxi” 俄格衝突對國際關係的影響探析 [Analysis of the influence of Russian-Georgian conflict on international relations]. *Xiandai guoji guanxi* 現代國際關係 9 (2008): 35–40.
- Joffe, Josef. “Defying History and Theory: The United States as the ‘Last Remaining Superpower.’” In *America Unrivaled: The Future of the Balance of Power*, edited by John G. Ikenberry, 155–180. Ithaca, NY: Cornell University Press, 2002.
- Kapstein, Ethan B., and Michael Mastanduno, eds. *Unipolar Politics: Realism and State Strategies after the Cold War*. New York: Columbia University Press, 1999.
- Kelley, Judith. “Strategic Non-cooperation as Soft Balancing: Why Iraq was not Just about Iraq.” *International Politics* 42, no. 2 (2005): 153–173.
- Keohane, O. Robert. *After Hegemony: Cooperation and Discord in the World Political*

- Economy*. Princeton, NJ: Princeton University Press, 1984.
- , eds. *Neorealism and Its Critics*. New York: Columbia University Press, 1986.
- Kremenyuk, Victor. “What Post-Crisis Order?” *International Trends* 7, no. 3 (2009), <http://www.intertrends.ru/twenty-first/023.htm> (accessed January 7, 2011).
- Layne, Christopher. “The Unipolar Illusion: Why New Great Powers Will Rise.” *International Security* 17, no. 4 (Spring 1993): 5–51.
- . “Rethinking American Grand Strategy: Hegemony or Balance of Power in the Twenty-First Century.” *World Policy Journal* 15, no. 2 (1998): 8–28.
- Levy, S. Jack. “Balances and Balancing: Concepts, Propositions, and Research Design.” In *Realism and the Balancing of Power: A New Debate*, edited by John A. Vasquez and Colin Elman. Upper Saddle River, NJ: Prentice Hall, 2002.
- Levy, S. Jack, and William R. Thompson. “Hegemonic Threats and Great-Power Balancing in Europe: 1495–1999.” *Security Studies* 14, no. 1 (2005): 1–33.
- Li Shaojun 李少軍. “E-Ge Zhanzheng yu guojia jushi zouxiang” 俄格戰爭與國際局勢走向 [Russian-Georgian War and Trends in International Situation]. *Zhongguo guoguan zaixian* 中國國關在線, Sep 19 2008, <http://www.irchina.org/news/view.asp?id=1651> (accessed January 7, 2011).
- Li Shuyin 李抒音. “Wai Gaojiasuo xingshi dui Eluosi anquan huanjing yingxiang fenxi” 外高加索形勢對俄羅斯安全環境影響分析 [Analysis of the influence of the South Caucasus Crisis on Russia’s security environment]. *Eluosi Zhongya Dongou yanjiu* 俄羅斯中亞東歐研究 3 (2006): 73–79.
- Lieber, A. Keir, and Gerard Alexander. “Waiting for Balancing: Why the World Is Not Pushing Back.” *International Security* 30, no. 1 (2005): 109–139.
- Liu Feng 劉豐. “Junshi weihe nanyi shengcheng?—Cong jiegou bianqian de shijiao jieshi zhiheng nanti” 均勢為何難以生成?——從結構變遷的視角解釋制衡難題 [Why is it hard for Balance of Power to appear?—Explaining “Balancing Dilemma” from the perspective of structural transformation]. *Shijie jingji yu zhengzhi* 世界經濟與政治 9 (2006): 36–42.
- Liu Feng 劉豐, Zhang Ruizhuan 張睿壯. “Guanyu ji ge zhongyao guoji guanxi shuyu zhongwen yifa de taolun” 關於幾個重要國際關係術語中文譯法的討論 [Discussion of translation into Chinese of some important IR terms]. *Shijie jingji yu zhengzhi* 世界經濟與政治 10 (2004): 69–74.
- Liu Jianfei 劉建飛. “Lun shijie geju zhong de ‘feijihua’ qushi” 論世界格局中的「非極化」趨勢 [About “De-polarization” trends in world structure]. *Xiandai guoji guanxia* 現代國際關係 4 (2008): 1–5.
- Liu Lüping 劉侶萍, Cui Qiming 崔啟明. “Beiyue riye zhongshi wai Gaojiasuo diqu de zhanlue diwei” 北約日益重視外高加索地區的戰略地位 [NATO pays more and more attention to the strategic position of the South Caucasus Region]. *Eluosi Zhongya Dongou yanjiu* 俄羅斯中亞東歐研究 1 (2008): 70–75.
- Mearsheimer, J. John. “Back to the Future: Instability in Europe after the Cold War.” *International Security* 15, no. 1 (1990): 5–56.

- . *The Tragedy of Great Power Politics*. New York: Norton, 2001.
- US National Security Council. “Summary of National Security Strategy 2002.” <http://georgewbushwhitehouse.archives.gov/nsc/nss/2006/print/sectionV.html> (accessed January 7, 2011).
- Nye, Joseph S. *Bound to Lead: The Changing Nature of American Power*. New York: Basic Books, 1990.
- Owen IV, M. John. “Transnational Liberalism and American Primacy; or, Benignity is the Eye of the Beholder.” In *America Unrivaled: The Future of the Balance of Power*, edited by John G. Ikenberry, 239–59. Ithaca, NY: Cornell University Press, 2002.
- Pape, A. Robert. “Soft Balancing Against the United States.” *International Security* 30, no. 1 (2005): 7–45.
- Paul, T. V. “Soft Balancing in the Age of US Primacy.” *International Security* 30, no. 1 (2005): 46–71.
- Paul, T. V., James Wirtz and Michel Fortmann, eds. *Balance of Power: Theory and Practice in the 21st Century*. Palo Alto, CA: Stanford University Press, 2004.
- Powell, Robert. *In the Shadow of Power: States and Strategies in International Politics*. Princeton, NJ: Princeton University Press, 1999.
- Schweller, Randall L. “Bandwagoning for Profit: Bringing the Revisionist State Back In.” *International Security* 19, no.1 (1994): 72–107.
- Sheehan, Michael. *Balance of Power: History and Theory*. London: Routledge, 1996.
- Snyder, Glenn. *Alliance Politics*. Ithaca, NY: Cornell University Press, 1997.
- Sizov, Vladimir. “Piatidnevka Protivostoyaniya” [Five Days of Confrontation]. *International Trends* 6, no. 2 (2009): <http://www.intertrends.ru/seventeenth/015.htm> (accessed January 7, 2011).
- Song Wei 宋偉. “Jiegou xianshi zhuyi shi geti zhuyi ma?” 結構現實主義是個體主義嗎? [Is structural realism individualistic?] *Guoji zhengzhi xue* 國際政治科學 3 (2005): 119–139.
- Su Zhanghe 蘇長和. “Guanyu Junshi lilun de jidian sikao” 關於均勢理論的幾點思考 [Some thoughts about balance of power theory]. *Ouzhou* 歐洲 4 (1997): 32–38.
- Vasquez, A. John. *The Power of Power Politics: From Neorealism to Neotraditionalism*. Cambridge: Cambridge University Press, 1998.
- Vasquez, A. John. and Colin Elman eds. *Realism and the Balance of Power: A New Debate*. Upper Saddle River, NJ: Prentice Hall, 2002.
- Wagner, R. Harrison. “The Theory of Games and the Balance of Power.” *World Politics* 38, no. 4 (1986): 546–576.
- . “What was Bipolarity?” *International Organization* 47, no. 1 (1993): 77–106.
- Walt, M. Stephen. *The Origins of Alliances*. Ithaca, NY: Cornell University Press, 1990.
- . “Keeping the World ‘Off Balance’: Self Restraint and U.S. Foreign Policy.”

- In *America Unrivaled: The Future of the Balance of Power*, Edited by John G. Ikenberry, 121–54. Ithaca, NY: Cornell University Press.
- Waltz, N. Kenneth. *Theory of International Politics*. New York: McGraw-Hill, 1979.
- . “America as a Model for the World? A Foreign Policy Perspective.” *PS: Political Science & Politics* 24, no. 4 (1991): 667–670
- . “The Emerging Structure of International Politics.” *International Security* 18, no. 2 (1993): 44–79.
- . “International Politics is not Foreign Policy.” *Security Studies* 6, no. 1 (1996): 54–57.
- . “Evaluating Theories.” *American Political Science Review* 91, no. 4 (1997): 913–17.
- . “Structural Realism after the Cold War.” *International Security* 25, no. 1 (2000): 4–41.
- . “Intimations of Multipolarity.” In *The New World Order: Contrasting Theories*, edited by Birthe Hansen and Bertel Heurlin. London: Macmillan, 2000.
- Wang Na 王娜. “E-Ge chongtu: Wai Gaojiasuo daguo boyi de suoying” 俄格衝突：外高加索大國博弈的縮影 [Russian-Georgian conflict: the epitome of big powers game in the South Caucasus]. *Lingdao kexue* 領導科學 20 (2008): 50–51.
- Wen Ming 文明. “E-Ge Junshi chongtu yuanyou hezai” 俄格軍事衝突緣由何在 [Where do causes of military conflict between Russia and Georgia come from]. *Dangdai shijie* 當代世界 9 (2008): 28–31.
- Wohlforth, C. William. “U.S. Strategy in a Unipolar World.” In *America Unrivaled: The Future of the Balance of Power*. Edited by John G. Ikenberry. Ithaca, 98–199. NY: Cornell University Press, 2002.
- Wu Dahui 吳大輝. “Meiguo dui Zhongya de Junshi anquan zhengce” 美國對中亞的軍事安全政策 [American military security policy in Central Asia]. *Eluosi Zhongya Dongou yanjiu* 俄羅斯中亞東歐研究 2 (2008): 72–77.
- Yan Xuetong 閻學通. “Shijie geju zouxiang ji zhongguo de jiyu” 世界格局走向及中國的機遇 [Trends in world structure and China’s opportunity]. *Dangdai Yatai* 當代亞太 5 (2008): 7–13.
- Ye Zicheng 葉自成. “Beiyue dongkuo yu Mei-E zhong de diyuan zhengzhi” 北約東擴與美俄中的地緣政治 [NATO’s eastward enlargement and geopolitics between United States and Russia]. *Zhongguo guoguan zaixian* 中國國關線上, <http://www.irchina.org> (accessed September 17, 2003).
- Yuan Peng 袁鵬. “Daguo geju bianhua yu chuantong zhengzhi de huigui” 大國格局變化與傳統政治的回歸 [Change of Great Power structure and the return of traditional politics]. *Xiandai guoji guanxi* 現代國際關係 5 (2007): 5–6.
- Zhang Yao 張耀. “E-Ge chongtu dui guoji jushi de yingxiang” 俄格衝突對國際局勢的影響 [The influence of Russian-Georgian war on international situation]. *Dangdai shijie* 當代世界 10 (2008): 4–6.
- Zhang Yiping 章一平. “Cong Junshi zhiheng de nanti kan duobianzhuyi de xingqi”

- 從均勢制衡的難題看多邊主義的興起 [The balancing dilemma and the rise of multilateralism]. *Shijie jingji yu zhengzhi* 世界經濟與政治 4 (2005): 42–47.
- Zhao Huasheng 趙華勝. “Zhongya yu Daguo guanxi” 中亞與大國關係 [Central Asia and Great Powers relations]. *Guoji guancha* 國際觀察 3 (2008):1–8.
- Zhao Huirong 趙會榮. “E-Ge chongtu hou de Eluosi yu Xifang guanxi” 俄格衝突後的俄羅斯與西方關係 [Russia-Western relations after the Russia-Georgian conflict]. *Dangdai shijie* 當代世界 10 (2008): 7–8.
- Zhao Qinghai 趙青海. “Eluosi yu Yilang he wenti” 俄羅斯與伊朗核問題 [Nuclear issue between Russia and Iran]. *Guoji wenti yanjiu* 國際問題研究 2 (2008): 55–59.
- Zhou Yuan 周媛, Cong Peng 叢鵬. “Jiedu Mei-E boyi Gelujiya de diyuan zhanlue yinsu” 解讀美俄博弈格魯吉亞的地緣戰略因素 [Understanding Georgia’s geopolitical factor in American-Russian relations]. *Guoji guancha* 國際觀察 2 (2008): 74–79.
- Zhu Xingqiao 朱行巧. “Daguo zhengdou yu jiafeng zhong de Zhongdongou” 大國爭鬥與夾縫中的中東歐 [Central and Eastern Europe in between Big Powers’ struggles]. *Eluosi Zhongya Dongou yanjiu* 俄羅斯中亞東歐研究 1 (2008): 76–79.
- Zinnes, Dina. A. “An Analytical Study of Balance of Power Theories.” *Journal of Peace Research* 4, no. 3 (1967): 270–288.

Incentive, Institution and Democratic Equality

誘因、制度、民主式的平等

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Rawls' difference principle stated that social and economic inequalities have to be arranged to "the greatest benefit of the least-advantaged members of the society." His thesis was then challenged by Cohen who argued that difference principle is vulnerable to the "kidnapper" objection. That is, the more advantaged refuse to work unless the least advantaged allow them to be handsomely paid. This, Cohen argued, violates the idea of justice urged by Rawls. In this article, I will argue that though Cohen's critique of the incentive argument for inequality is largely right, Rawls can still defend the difference principle as a legitimate basic principle by dropping the incentive allowance. I will first argue that Rawls has good reasons to drop the productivity thesis in order to remove an ambiguity in his conception of justice. Then, I will argue that difference principle can still be solely justified in terms of resolving what I call the "endowment-dilemma" as Rawls see it in liberal equality. All in all, Cohen overlooked this side of consideration, and thus is too quick to conclude that difference principle should be abandoned.

羅爾斯的差異原則指出，社會和經濟不平等的安排應對社會中最弱勢的成員最為有利。他的理論後來受到柯亨的挑戰，他指出差異原則不能抵受思想實驗「綁匪的勒索」的反對。也就是說，擁有更多天然稟賦的人會拒絕工作，除非最弱勢的人容許他們接受更可觀的酬勞。柯亨認為這樣會違反羅爾斯對正義的信念。在這篇文章中，我會論證，雖然柯亨對以經濟誘因論證差異原則的批評很大程度上是成立的，羅爾斯仍可透過摒棄誘因的論點，捍衛差異原則作為正當的基本正義原則。以下我會首先論證羅爾斯有很好的理由放棄有關生產力的論點，從而釐清他對正義信念的不明確之處。然後，我會論證，正如羅爾斯對自由主義平等觀的理解一樣，依據解決「天然稟賦的兩難」的觀點來說，差異原則仍可被證立。總而言之，柯亨忽視了這個觀點，因而太快作出差異原則應被摒棄的結論。

In the second part of his second principle of justice, Rawls argued that social and economic inequalities have to be arranged, besides the condition of fair equal opportunity, to "the greatest benefit of the least-advantaged members of the society," that is, according to the difference principle.¹ Co-

1. John Rawls, *Justice as Fairness: A Restatement*, ed. Erin Kelly (Cambridge, MA: Harvard University Press, 2001).
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hen challenged that the difference principle is vulnerable to the “kidnapper” objection. The more advantaged refuse to work unless the least advantaged allow them to be handsomely paid, on the grounds that unless they can have more wealth they would not have enough incentive to work.² This, Cohen argued, violates the idea of justice urged by Rawls. It is because such interpretation allows the self-regarding interest to reduce the wealth the least advantaged could get. Thus, the difference principle may justify behaviour that persons who really endorse the difference principle should not allow.³

In this article, I will argue that though Cohen’s critique of the incentive argument for inequality is largely right, Rawls can still defend the difference principle as a legitimate basic principle by dropping the incentive allowance. I will first show that Rawls does not have a clear position on whether self-regarding incentives, that is, the intention-based in contrast with the necessity-based incentives, should be allowed in the difference principle.⁴ He, however, did not notice the importance of this question. I will then argue that his ambiguity on self-regarding incentives in fact reveals the conflation of two justifications of the difference principle. The two sources of justification lead to the ambiguity in Rawls’ formation of the difference principle. He, on the one hand, endorsed a capitalistic view on efficiency and wanted to show that an economically productive system can be preserved. On the other hand, the difference principle is proposed to resolve what I call the “endowment-dilemma” as Rawls see it in liberal equality. The former argument would lead him to allow the claim from incentives, at least to a moderate extent. I will argue that Rawls has good reasons to drop the productivity thesis in order to remove an ambiguity in his conception of justice. But, I would argue, Rawls can still justify the difference principle solely on the latter argument. Cohen overlooked this side of consideration, and thus is too quick to conclude that difference principle should be abandoned.

Rawls, in his first formulation of the difference principle, explicitly raised the case of entrepreneurs and unskilled laborers to illustrate it. He thought that if “better prospects [for entrepreneurs] act as incentives so that

vard University Press, 2001), 42–43.

2. G. A. Cohen, “Incentives, Inequality, and Community,” in *The Tanner Lectures on Human Values*, ed. Grethe Peterson (Salt Lake City: University of Utah Press, 1992), 13:264–266, 13:276–277, 13:311; cf. G. A. Cohen, “Where the Action is: On the Site of Distributive Justice,” *Philosophy and Public Affairs* 26, no. 1 (1997): 5–7.

3. *Ibid.*, 314–315.

4. Here I follow the terminology of Cohen. See *ibid.*, 311–312.

the economic process is more efficient, innovation proceeds as a faster rate, and so on,” it would be a legitimate claim from the point from the view of difference principle.⁵ He further crafted the implication of the difference principle in latter pages, arguing that the difference principle is there so that the gifted can “cover the cost of training and education and for using their endowments in ways that help the less fortunate as well.”⁶ This view remains in his exposition of the difference principle in his last book, where he described how the social cooperation under a scheme realizing the difference principle is productive. From his view, “incentives” is analogous to the need for education as a means to promote production by giving entrepreneurs more wealth, and a scheme that fits the difference principle is totally compatible with incentives.⁷

It should be noted that Rawls indeed did not explicitly explain what is meant by “incentives” when he used the term. Or, in Cohen’s distinction, he did not further clarify if the incentives he allows are necessity-based or intention-based. That is, he does not say whether the incentive he allows cover only physiologically or psychologically necessary incentives for people to perform certain works, or covers any maximizing demand from the better off beyond necessity.⁸ But it is clear from his manner in using the term that Rawls thought that such a distinction is not important. Thus, instead of pinpointing the apparent allowance of intention-based incentives as the foundation of difference principle (as Cohen did), it would be more fair to conclude that difference principle allows—but is not justified by—intention-based incentives.

Rawls, however, is not unaware of the problem of the high-flying marketer⁹ that may occur under framework of difference principle. He argued that though the problem of highfliers is “just throughout,” it would be “unjust” if the expectation of the highflier is “excessive.”¹⁰ He argued that excessive expectation would violate the preceding principle of fair equal op-

5. John Rawls, *A Theory of Justice*, 2nd ed. (New York: Columbia University Press, 1999), 68.

6. *Ibid.*, 87.

7. Rawls, *Justice as Fairness: A Restatement*, 63.

8. G. A. Cohen, *Rescuing Justice and Equality* (Cambridge, MA: Harvard University Press, 2008), 49.

9. Here I used the term from Cohen. See Cohen, “Where the Action is: On the Site of Distributive Justice,” 5.

10. Rawls, *A Theory of Justice*, 87.

portunity.¹¹ In *Restatement*, just like responding to Cohen's charge illustrate by the example of a doctor,¹² he used the doctor as illustration to argue that in a competitive enough society which is governed by the two principles, the situation is not likely to occur. If that would occur, Rawls claimed that we should "try to fix them if that can be done consistent with the two principles."¹³

It is, however, a very weak exposition and not an internal argument that refutes the possibility of highfliers from the difference principles. That is, the difference principle sets no limits on high-flying marketers and provides no moral ground to condemn their excessive expectations as unjust. Rawls argues that such claims would "violate the principle of mutual advantage."¹⁴ That is, people will take reciprocity seriously and are benefited from social harmony and the ethos of fraternity.¹⁵ However, the principle of mutual advantage is not a principle of basic justice. According to the lexical order, only the first principle of basic liberties and the second principle of fair equal opportunity can constrain difference principle. Thus, theoretically speaking, it may be a pity that such interpretation would wreck the principle of mutual advantage, but this violation cannot give theoretical support to correct it as the difference principle is the more basic principle of justice.

It is where Cohen put his forceful argument. If intention-based incentive is allowed, then difference principle cannot discredit any highflier expectation. Then the difference principle would in turn be inconsistent with the commitment of the preceding principles.¹⁶ That is, allowing the incentive itself would wreck the "general conception of justice" behind the principle of equal basic liberties and the principle of fair equal opportunity, that is, the commitment of moral equality unless everyone is better off.¹⁷ Cohen's argument goes like this: 1) moral equality requires people to recognize that their social and natural contingencies are not deserved; 2) then, the advantaged (no matter due to social or natural contingencies) should recognized that their being advantaged to produce more is not a legitimate basis for getting more;¹⁸ 3) provided that their receiving less would make the badly

11. *Ibid.*, 68.

12. Cohen, "Incentives, Inequality, and Community," 13:312–313.

13. Rawls, *Justice as Fairness: A Restatement*, 67n35.

14. Rawls, *A Theory of Justice*, 69.

15. *Ibid.*, 88–91. I am indebted to the anonymous comment for clarifying this point.

16. Cohen, "Incentives, Inequality, and Community," 13:268–269, 13:310.

17. Rawls, *A Theory of Justice*, 54.

18. Cohen, "Incentives, Inequality, and Community," 13:319–320.

off better off;¹⁹ 4) so the one motivated by the two principles would not need any excessive pay for incentive to produce more, as she would recognize it is unjust to withhold our labor to maximize our desire if we are convinced by the idea of moral equality. It is simply making the worst off worse off if she withholds their labor.²⁰

Cohen then argued that the difference principle is a self-contradictory, or at least ill-formulated, principle, which cannot really capture the aim of eliminating inequality.²¹ The difference principle, being a basic principle to judge what is just, should be abandoned since it allows incentives-driven inequality and thus is a practical compromise in social policy only, rather than a basic principle of moral equality.²²

This is, however, too quick. In the following, I will show that Rawls in fact formulates the difference principle from two distinct considerations, which I call the “productivity thesis” and the “endowment-dilemma thesis.” That is the source of the ambiguity of Rawls’s view on incentive. I would first argue that Rawls is wrong, following Cohen’s critique, to uphold the productivity thesis, because he wrongly conceived or was too conservative in addressing human incentives in production. However, the difference principle still has merit if we look into the other argument of its justification, that is, to remove the dilemma of liberal equality. I will then argue that, if we interpret the difference principle minus the productivity thesis, the difference principle can still be justified. This, I think, would be a more reasonable and desirable interpretation of the difference principle.

One of the reasons for Rawls to propose the difference principle is the consideration of productivity. Rawls argued that, in short, although it is true that equal share of primary goods is a “benchmark” of equality, there is no reason to reject inequality if that would benefit the least-advantaged absolutely, with the constraint of the protection of equal basic liberties and fair equal opportunity.²³ This is based on the consideration of productivity: if some forms of inequality are to make the badly off better off, the inequality is preferred to strict equal distribution. That’s why he proposed difference principle to permit inequality for various reasons.

Rawls believed that a really competitive market can best achieve effi-

19. *Ibid.*, 267–268.

20. *Ibid.*, 279.

21. *Ibid.*, 269.

22. *Ibid.*, 326.

23. Cohen, *Rescuing Justice and Equality*, 27.

ciency in resource allocation.²⁴ That is, let the demand of people and supply of the commodities determine who can get how much wealth. That would lead to efficiency because both the producers and the consumers are maximizing their profits in production and selling. The producers would set the price of the goods as high as possible, and on the other hand the consumers would bargain for as low as possible of the price for maximizing profit;²⁵ after subsequent bargain the producers would level down the price until a market clearance point. Resources thus would be concentrated on the production according the willingness to pay, and thus their preference; and at the same time the production process is organized effectively since producers would keep pushing down their costs and thus the social cost for production.²⁶

So a market of high-flying marketers is efficient. The incentive to gain more wealth ensures that social production is efficient. This is why Rawls believed the difference principle should be crafted to include material incentives. It is not to say that Rawls championed unlimited efficiency, which he explicitly denied in many places.²⁷ But he recognizes that his principles must be proved to achieve certain levels of efficiency or they would find not appealing.²⁸

Rawls described the above as merely a fact or law of political economy, and thus took it into account when setting his “realistic” moral plan. But it exactly falls on what Cohen criticized: people’s choice to produce more is a moral choice and not a neutral fact. It may be true that by giving material incentives the more advantaged would get more, but they can do the work anyway for a lower pay.²⁹ Further, the incentives are provided in the expenses of the others. That is, the badly off would be worse off if incentives in Rawls’s sense are provided.

A further point to object to the productivity thesis is that we should by no means take the marketer’s mindset as given in human nature. People are driven to produce for various reasons, and the motivation system is complex. If the job is meaningful enough, we may find it worth contributing in

24. Rawls, *A Theory of Justice*, 239–240.

25. G. A. Cohen, “Why Not Socialism?” (Colloquium, University College London, London, February 6, 2008), 12, 15–16. http://www.ucl.ac.uk/laws/jurisprudence/docs/2008/08_coll_cohen.pdf

26. Rawls, *A Theory of Justice*, 239.

27. For example, see, among others, Rawls, *Justice as Fairness: A Restatement*, 63–64.

28. Rawls, *A Theory of Justice*, 69.

29. Cohen, “Incentives, Inequality, and Community,” 13:205–299.

it.³⁰ The friendship built among workmates may also motivate contribution and efficiency. Not to mention those out of altruism and volunteerism. We can reach a certain extent of efficiency although there are no significant material returns. In some cases, the marketers' mindset may even upset efficiency.³¹

The argument against incentives would be even stronger if we brought other goals Rawls wants to achieve into consideration. He argued that it is the difference principle that can achieve "mutual advantage," "reciprocity" and even "fraternity." But it is exactly the market that damages such values. We would think that a teacher demonstrating his commitment to teaching by demanding a high salary has a degraded conception of education. A manager that works hard for the sake of high income would be considered less faithful than the one who works hard because of his loyalty to the company. In short, marketers cooperate because of their own interest only, but not because of the cooperation itself. It is, in fact, a denial of any cooperation.³²

An even stronger objection emerges if we note that Rawls himself claims, which I would endorse, that wants and desires of citizens are by no means fixed or given naturally.³³ They are shaped by the basic structure.³⁴ It may be true that the reliance on altruism or other motivations are not as efficient as incentives, but should the basic structure help to share and reinforce them, rather than compromising to take marketer's mindset as inevitable truth? Therefore, we can see why Rawls includes incentives in his defence of the difference principle, and how his account of human motivation is inadequate.

Rawls, however, did not base the difference principle solely on the incentive argument, nor on the productivity thesis per se. Another reason for Rawls to propose the difference principle is to resolve the "endowment dilemma" of fair equal opportunity. For fair equal opportunity Rawls meant

30. An extensive discussion can be found, among other, in Karl Marx's discussion on estranged labor in his *The Economic and Philosophical Manuscripts of 1844*. See Karl Marx, "From The Economic and Philosophical Manuscripts of 1844" in *Karl Marx: A Reader*, ed. Jon Elster (Cambridge: Cambridge University Press, 1986), 38–40.

31. Cohen, "Why Not Socialism?" 16.

32. *Ibid.*, 12.

33. John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 269.

34. Rawls, *A Theory of Justice*, 229. cf. Samuel Scheffler "Is the Basic Structure Basic?" in *The Egalitarian Conscience: Essays in Honor of G. A. Cohen*, ed. Christine Sypnowich (New York: Oxford University Press, 2006), 104–105.

the idea of liberal equality.³⁵ It is to regulate the insufficient conception of equal opportunity of the system of natural liberty, according to which public offices and social positions are formally open to all with talents but without concerning how the arbitrary social background may pose inequality in chances for people to be trained and to realize their talents.³⁶ Fair equal opportunity ensures that all persons have a fair chance to attain offices and positions, that is, provided that they have similar talents and ability, their chances would not be undermined due to arbitrary social circumstances such as family backgrounds.³⁷

This conception, however, encounters difficulties when treating natural endowments. The point is, if social contingencies are arbitrary and thus should not influence our equal treatments and chances in a social cooperation, why should natural contingencies?³⁸ Furthermore, such morally arbitrary inequality would be reinforced if the family still exists, as the care and education of children from their parents varies.³⁹ But it would be a severe interference of personal autonomy if we try to equalize people's natural endowment, for it may require, for example, ruling out any forms of family. On the other hand, it may also cause unacceptable inequality in most welfare states today if we left the problem of natural endowment untreated.

It is because of this dilemma that Rawls proposed his idea of "democratic equality," that is, a combination of fair equal opportunity and the difference principle.⁴⁰ The prime idea of democratic equality is that we should not wrongly regard the unequal distribution of social and natural contingency per se as just or unjust. The justice or injustice reflects instead the institutions that translate them into differences in social power.⁴¹ For example, I have higher logging abilities than that of you, but this does not inevitably result in the corresponding proportion of inequality. Let us use the market as an example. If the market needs a lot of timber then our income gap would be widen; On the contrary, if society does not have a high demand for wood, then our inequality would not have much real impact.

So the question is how to craft the institution, thus, the basic struc-

35. Rawls, *Justice as Fairness: A Restatement*, 44.

36. Rawls, *A Theory of Justice*, 62–63.

37. *Ibid.*, 63; Cf. Rawls, *Justice as Fairness: A Restatement*, 43–44.

38. *Ibid.*, 89.

39. *Ibid.*, 64.

40. *Ibid.*, 65.

41. *Ibid.*, 87–88.

ture. What would be counted as talents and the extent of differences in social power and positions are all determined by the institutions. This point, though explicated by Rawls just briefly in the literatures I quoted, are in fact supported by various investigation in a stream of economic studies, the Institutional Economics.⁴² Drawn from extensive anthropological studies, North argues that different institutions define and promote different set of knowledge and skills.⁴³ “The Mafia will develop different skills than will General Motors executives,” as there are different cultural values of these organizations.⁴⁴ The Mafia values skills that the GM executives would not value, and thus would distribute the power among the community by a different criterion. What makes a difference in power in GM may not have the same level of distributional effect in the Mafia. Thus, institutions matter in definition of rationality, that is, what would be counted as profitable, skilful and the like.

Rawls, I believe, would argue that justice should be achieved at the institutional level. That is, justice should be done by crafting the institutions that would reduce differences in social power due to differences in natural and social contingency. It is inevitable that persons vary in their natural and social endowments, so the institutions should be arranged so that the level of inequality due to such contingencies would be accepted by everyone, that is, benefit everyone even if some are less advantaged. Any institutions that deviate from an equal distribution should be agreed unanimity by citizens if they are of equal moral worth. Unless accepted by the least advantaged, the unanimity would not be possible. Here we come to the difference principle: inequalities must operate to the greatest benefit of the least well off.⁴⁵ The

42. In brief, this stream of economics argued that theoretically efficient or rational arrangements might not exist, and may even never exist in the long run. Their claim is mainly founded on various studies on economic history, and in economics of technology in particular. The studies reveal that historical contingencies and the institution thus developed matters in the development of the idea of rationality for different institutions. And that would always a matter of chance for the formation of institutions. Thus contrasts to mainstream economics, the school argues that there would be punctuated rationality. That is, due to differences in historical contingencies and thus the institutions, different economy would be arranged into different “rationalities” and different standards of efficiency. For a detailed summary, see Peter Pierson, “Increasing Returns, Path Dependence, and the Study of Politics,” *American Political Science Review* 94, no. 2 (2000): 251–267.

43. Douglass North, *Institutions Institutional Changes and Economic Performance* (Cambridge: Cambridge University Press, 1990), 37–40.

44. *Ibid.*, 74–75.

45. Rawls, *Justice as Fairness: A Restatement*, 76; as cf. Joshua Cohen, “Democratic

need of unanimity thus reveals why Rawls coined his equality a “democratic” one.

This justification is entirely free from the productivity thesis. Under such a formulation, whether incentive arguments should be incorporated is left to be decided by the citizens, and thus the veto power of the least advantaged. Thus the productivity thesis and the endowment dilemma thesis are on different levels, and it is quite clear that the endowment dilemma provides a stronger foundation. That may partly explain why Rawls left the question of incentives untreated even facing severe critiques from Cohen. But nevertheless we do have good reasons to refute the provision for incentives in the difference principle as we mentioned above.

Rawls may reply that his theory is just an institutional one: personal choices other than the natural duties of compliance to the just institutions should be determined by another set of ethics, which he has not dealt with.⁴⁶ But it would be unwise for Rawls to endorse the marketer mindset which is, on the one hand, far from really a “law of political economy” to promote productivity as he thinks, and, on the other hand, in contrast to his goals in many ways. Thus, though Cohen is wrong to argue that the difference principle should be abandoned, it would be better for Rawls to give up the allowance to incentives.

Bibliography

- Cohen, G. A. “Incentives, Inequality, and Community.” In *The Tanner Lectures on Human Values*, edited by Grethe Peterson, Vol. 13. Salt Lake City: University of Utah Press, 1992.
- . “Where the action is: On the site of distributive Justice.” *Philosophy and Public Affairs* 26, no. 1 (1997): 3–30.
- . *Rescuing Justice and Equality*. Cambridge, MA: Harvard University Press, 2008.
- . “Why Not Socialism?” Paper presented at the Colloquium in Legal and Social Philosophy, University College London, London, February 6, 2008. http://www.ucl.ac.uk/laws/jurisprudence/docs/2008/08_coll_cohen.pdf.
- Cohen, Joshua. “Democratic Equality.” *Ethics* 99, no. 4 (1989): 727–751.
- Marx, Karl. *Karl Marx: A Reader*. Edited by Jon Elster. Cambridge: Cambridge University Press, 1986.

Equality,” *Ethics* 99, no. 4 (1989): 728–729.

46. Samuel Scheffler, “Is the Basic Structure Basic?” 107–109.

- North, Douglass. *Institutions Institutional Changes and Economic Performance*. Cambridge: Cambridge University Press, 1990.
- Pierson, Peter. "Increasing Returns, Path Dependence, and the Study of Politics." *American Political Science Review* 94, no. 2 (2000): 251–267.
- Rawls, John. *Political Liberalism*. New York: Columbia University Press, 1993.
- . *A Theory of Justice*, 2nd ed. New York: Columbia University Press, 1999.
- . *Justice as Fairness: A Restatement*. Edited by Erin Kelly. Cambridge, MA: Harvard University Press, 2001.
- Scheffler, Samuel. "Is the Basic Structure Basic?" In *The Egalitarian Conscience: Essays in Honor of G. A. Cohen*, edited by Christine Sypnowich, 102–129. New York: Oxford University Press, 2006.

Reviewing the concepts of “Governance” and “Hollowing out” with the legislation of minimum wages in Hong Kong

從香港最低工資立法重新審視「管治」和「空洞化」概念

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在公共行政理論中，「管治」的概念由全球化、市場化和公民社會的興起而出現。基於上述三種力量出現，公共行政不能再簡單理解為行使權力和提供公用服務，而市場機制和商業邏輯被引入公共管理。由此，政府與市場的角色和政治經濟模式，變得模糊且互為影響，而政府的權力被視為將會進一步收窄和淘空。筆者將嘗試以香港個案，引證三項因素對削弱政府權力的局限。在面對新的政策環境同時，政府也有不同新興的政策工具和手段應對，權力只是以另一種政策執行方式所表現。

In Public Administration theories, the concept of “governance” appeared as the emergence of globalization, marketization and civil society. Since the emergence of these three forces, public administration can no longer be viewed as simply as coercive power and provision of public services. The roles and political-economic models of government and market become blurred and interrelated; the power of government would be narrowed and hollowed out. In this research, the case of Hong Kong minimum wages is introduced to argue that these three factors are limited on limiting the power of the government. Facing the new policy context, the government utilizes new policy tools and instruments. As such, power is only exercised in another way of policy implementation.

引言

本文將透過回顧香港在過去十年的公共管理情況，回顧公共行政學者 Rhodes 所指的「管治」和「空洞化」¹ 概念是否必然出現。傳統公共行政認為現代政府所面對的管治壓力，會令政府不在管治 (Government

1. David Richards and Martin J. Smith. *Governance and Public Policy in the United Kingdom* (Oxford: Oxford University Press, 2002), 13–37.

without governing)，最終甚至出現政府被全球化、市場化和公民社會淘空權力的現象。政府將會是虛有其實的架構，實際上權力和公共決策全由不同力量所左右。

下文會以最低工資立法為例，嘗試貫穿和針對性指出全球化和公民社會力量，如何間接削弱了政府在公共決策時的選擇權。全球化下香港的國際分工、海外團體壓力、香港的公民社會組織等，確是成為是次政策立法的左右力量。此政策存在其複雜性，並非一面倒的左右力量。本文將會沿此反映政府實際上仍然有政策決定性的影響力。最終，本文重點希望透過最低工資立法過程，說明政府所運用的各種各樣政策工具和新公共管理 (NPM) 方法，如何達到自己的政策目標。本文將嘗試立論和證成，所謂「管治」和「空洞化」根本不存在。政府的新公共管理方式，基本上令市場化、全球化和公民社會力量轉換成香港政府「借力」和「推卸」責任的成功途徑。最終使政府的公共決策由原來必須向社會問責和主動遊說，轉變為政府處於被動，純粹按社會共識進行政策執行。²

最低工資立法背景

其實早在香港 90 年代已經出現要求成立法定最低工資的訴求。根據民間組織的資料顯示，最低工資的訴求很大程度上是受到英國工黨執政後，大倡福利制度和保障工人工資運動有關。³ 而法定最低工資的設立，在歐美各國早有不同學派和說法支持和反對最低工資。

以費利民 (Milton Friedman) 為首的美國芝加哥經濟學派，一直主張自由市場，認為政府不應該在工資訂定和收入分配上作出干擾，影響市場的自行調節力量。而香港的經濟框架，由過去至現在政府都堅信「大市場，小政府」的經濟方針。因此，早在 1999 年立法會派員參考各國立法後，政府的回應和結論是「最低工資有違大市場小政府的基本原則」，並以「最低工資對失業率、通脹率和收入分配的數據各有說

2. Ngok Ma, “Reinventing the Hong Kong State or Rediscovering it? From Low-interventionism to Eclectic Corporatism,” *Economy and Society* 38 (2008): 501.

3. 民間爭取最低工資聯盟，「爭取大事年表」，2007年3月1日，<http://www.minwage.org.hk/logbook>。

法和互相矛盾」⁴ 為由，沒有主動提出議案建議，最終李卓人議員的私人提案在分組投票下被否決。⁵ 另外，在 2001 年和 2003 年立法會議員劉千石及李卓人分別就聯合國經濟、社會及文化權利委員會的世界報告中，所作出的「僱員保障」要求，⁶ 就立法最低工資的報告建議進行提問。⁷ 政府同樣以香港為自由和開放的經濟城市為由，因此工資必須由供求決定作負面回應，拒絕履行和回應有關聯合國文件的要求。

直至 2007 年，政府接納勞工顧問委員會（勞顧會）的建議提出利用約章方式取代立法保障勞工獲得最低工資水平，即「工資保障運動」。⁸ 然而直至 2009 年，政府發表「最低工資立法條例草案」，承認自願形式的參與成效極差，少數僱主願意自行為基層員工提供適宜的工資水平，以達到自願性質最低工資效果，基層勞工工資仍處於偏低水平，故政府正式開展最低工資立法程序。

當綜觀最低工資立法的社會經濟脈絡和立法背景，2008 年金融海嘯影響到基層市民生活出現困難，「濟脹」令不少人的收入減至貧困線以下或達到合資格領取綜援。⁹ 而 2007 年的紮鐵工潮，更是反映香港非金融業的基層勞工，未能分享繁榮勞動成果，¹⁰ 基層生活苦不堪言。最低工資由提出到現在，基本上政府手執不放的取態和原則是重要的關鍵，以下將會探討全球化和公民社會力量，如何在 2008 年的全球危機後，有效為政府帶來管治壓力。

4. 劉騏嘉、胡志華，《最低工資制度》，立法會秘書處資料研究及圖書館服務部，1999年5月20日，香港立法會RP08/98-99，<http://www.legco.gov.hk/yr98-99/chinese/sec/library/989crp08.pdf>。

5. 《立法會議事錄》，1998-1999 年度，5101-42。

6. 「劉千石議員：……聯合國經濟、社會及文化權利委員會（“經社文委員會”）於 1996 年建議香港特別行政區（“香港特區”）就法定最低工資、工作時數、每周有薪假期、休息時數及強制超時工資作出規定。該委員會在最近通過的《審議結論》中，對於香港特區至今仍未實行該項建議表示遺憾。」《立法會議事錄》，2000-2001 年度，4198。

7. 《立法會議事錄》，2000-2001 年度，4198-202。

8. 「工資保障運動」屬自願性質，為基層保安員、清潔工提供不低於政府建議水平的工資。

9. 方敏生，〈香港有貧窮問題嗎？〉，《星島日報》，2009年10月28日，<http://www.hkcss.org.hk/cm/cc/press/detail.asp?id=392>。

10. 2007年維持36天的工潮，當中一千多名工人不滿紮鐵工人日薪由以往1200元，十年間跌至500-600元，朝不保夕，生活困難。

全球化下環球經濟分工的管治壓力

香港作為高度外向型的經濟城市，具備獨立和世界性金融體系，而且在聯繫匯率的制度下，全球化經濟狀況必然為本港經濟帶來很大影響。根據前香港金融管理局總裁任志剛指出，香港的國際分工和定位是資金集散的場所，以及人才和資訊的國際和亞洲基地。由此，香港的工資水平和勞工政策會直接影響香港競爭力和世界經濟崗位。

按此說法，政府不願意設立最低工資的理據，是認為一個有效的最低工資水平（高於市場均衡水平）會令香港的競爭力下降。而根據世界競爭力年報所指，競爭力中最低工資最直接影響到工資水平、就業情況和社會穩定度。¹¹ 這些世界排名的影響，政府相信將會直接影響到國際企業會否選擇投資本港，或選取本港作為地區基地。

在政府的多份施政報告和年報中，皆以不同機構對本港經濟自由度和競爭力的經濟評級作為賣點，例如：由九十年代起，香港一直在《世界競爭力年報》排名中穩佔第二，僅次於美國；在2005年時，由於2003年「廿三條立法」對社會穩定度的影響，以及社會對官商勾結的呼聲熾熱，報告直接批評本港司法獨立有不穩的趨勢，同時政府有偏私現象發生，¹² 削弱本港的經濟自由度。因此香港僅位列28名。這令政府非常關注。¹³

另外，政府常以各學術機構對香港經濟自由度冠以首位，作為多年來拒絕擴大社會福利保障和勞工保障的依據。如：傳統基金會的經濟自由度指數報告及加拿大費沙爾的世界經濟自由度報告，香港皆是穩佔第一。上述兩份報告多次讚揚本港勞工福利規限少，而且建議本港不要設立工資限制和退保金，破壞經濟自由度。¹⁴

由此可見，在香港無意轉型的情況下，經濟自由度和競爭力成為重

11. 參見IMD International. *IMD World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development.

12. IMD International. *IMD World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development, 2005.

13. 政府在立法會會議上交代本港排名下跌的原因，並由財政司司長提出補救辦法。見政府新聞處，〈立法會二十題：香港世界競爭力全球排名〉，新聞公報，2005年11月2日，<http://www.info.gov.hk/gia/general/200511/02/P200511020275.htm>。

14. 參見The Heritage Foundation. *Index of Economic Freedom*. Washington, DC: The Heritage Foundation及Fraser Institute. *Economic Freedom of the World*. Vancouver: Fraser Institute。

要指標，作為國際金融中心所必備的條件。¹⁵ 因此這些國際壓力和連帶的經濟界外影響，無疑是令政府即使有意為最低工資立法，舉步為艱，阻礙了決策可能性。

全球化壓力：海外組織

不單是經濟全球化下的國際分工令政府不得不配合，同時政府面對海外團體多年來為駐港工作的海外勞工爭取最低工資。早在 1992 年，不同亞洲外傭組織，已經發起要求取消外傭稅，及至爭取政府加強執法，打擊當時盛行僱主扣減工資兩成作為代支中介費、機票及各項費用的做法。而這種扣減往往涉及不少詐騙和違法。

自 1998 年起不同外傭團體¹⁶ 聯同香港不同的工會組織支持最低工資立法，將最低工資保障範圍擴大至所有在港工作的外地傭工薪酬，目的是想更劃一和規範香港不同留宿的海外傭工能夠獲得更一致和合理的工資，避免出現印尼傭工工資遠低於菲泰之情況。¹⁷ 因此，各個傭工組織要求將海外傭工納入香港最低工資保障範圍，並按另一種計算方法，¹⁸ 由此打擊中介所扣減情況和劃一規定傭工薪酬，保障傭工生活。

為此，海外組織多次對政府施壓，要求將最低工資擴大至外地傭工，例如：1998 年起至今「五一遊行」外傭團體必定會動員外傭到政府總部抗議。而金融海嘯後發表的施政報告「派糖」引發 2010 年 3 月就外傭稅爭議，外傭發起遊行到各大領事館和本國勞工團體抗議行動，使菲、泰的勞工部向香港特區政府施壓，要求關注香港外傭的工資情況。¹⁹ 是次爭議尤其嚴重。

15. 紐約、倫敦、東京等國際金融城市皆穩佔頭十位。

16. 亞洲外傭協調組織、亞洲外傭使命、天主教勞工事務委員會、亞洲專訊資料研究中心。

17. 根據天主教勞工事務委員會政策研究幹事羅佩珊指出，部份已國生活水準較其他地區傭工供應地低的來港傭工，如印尼、柬埔寨等。因此會自願提出在現行 3580 元的工資中扣減兩成，爭取就業機會。而菲、泰國傭工由於要養家關係，3580 元也只能夠供養 2-3 位家人，扣減空間不大；相反對於印尼或尼泊爾傭工則可以供養 5-6 人。

18. 按每小時 33 元，每天工作 10 小時，一個月三十日，被扣除 5800 元食宿費。結果是 3890 元。

19. 詳細行動內容參見 2010 年 3 月各大報章。

由此可見，外傭工資訂定牽涉到是次本地最低工資立法保障範圍層面，而海外組織的介入確實令問題增加複雜性，為公共決策帶來困難。

公民社會壓力：回應社會訴求和需求

上述全球化的經濟形勢，確實為香港政府在最低工資的決策上帶來不少複雜性和局限，政府必須確保自己的政策結果不會影響經濟和產業發展同時，政府也不得不考慮有關政策建議，是否能夠獲得社會壓力團體所接受。由此，上述困難直接影響有關方案是否能夠獲得立法會通過，²⁰而又能夠切實地獲得執行。

自2008年金融海嘯後，香港不少勞動基層意識到本港結構性經濟問題，使大部份社會—經濟資源由大財團所壟斷，外判制度和分銷合約制度使基層工作的薪金受到進一步壓榨。基層勞工表現無助牽動整體薪酬水平提升，反之在經濟不景氣時，整體勞動市場需求下跌將首當其衝。²¹基層勞工薪酬水平十年來不升反跌。²²

然而，經歷了金融海嘯後，公民社會組織成功利用政府無力解決民生問題的狀況，把政府與本港既得利益集團之關係扣連，如：功能組別、高地價政策、大型基建項目等。政府官商勾結和無力於民生的形象深入民心，而且高鐵事件更進一步打擊政府管治威信。由此，公民社會組織了和培養了龐大的不穩定力量。

以上，無疑為政府帶來管治壓力。尤其在最低工資立法上，變得不可再拖。社會確盼望著一個合理而且能夠有尊嚴地生活的工資水平。換言之，政府有必要盡快制定政策穩定基層生活，減少社會怨氣。

20. 若摒除功能組別和建制派議員（民建聯和自由黨），泛民議員（支持最低工資立法的議員）已足以否決有關立法方案。因此，政府必須令方案取得大多數議員支持。

21. 基層大學，〈邊緣勞工與社區經濟〉，2009年3月4日，<http://www.grass-root.org/college/modules/wfsection/article.php?articleid=848>。

22. 職工盟，〈回首十年，基層勞工薪酬條件大倒退〉，2007年4月1日，http://www.hkctu.org.hk/cms/article.jsp?article_id=148&cat_id=8。

小結：與最低工資草案

就全球化和公民社會兩個管治局限而言，政府在 2010 年最低工資立法法案建議中基本上直接指明對此兩項，並作出回應。由此反映全球化和公民社會兩項因素對公共決策的影響。

先針對國際排名和經濟自由度影響而言，政府在草案開首已經回應最低工資對自由度的傷害。政府指出不少排名甚高的國家，同樣設立最低工資，因此認為經濟自由度與最低工資不是互不相容。²³

另外，針對外傭的建議和要求，政府不主張把外傭納入範圍，原因是考慮到外傭的工作性質和環境特殊，而且涉及根本性動搖現行外傭政策，及為現有不少家庭增加經濟壓力，故此不願意作出配合。²⁴

最後，政府對於社會要求一個合理而有尊嚴的基層薪酬，基本上轉過去取態，表示讚同。勞工及福利局局長張建宗更在公開場合強調，最低工資立法是保障基層市民能夠獲得一個合理生活的機會。由此可見，政府已經改變過去多年來，認為工資水平政府不應插手，任由市場訂定。而且認為工資高低是能力的反映。特區政府一改既往說法，可見公民社會的壓力，確帶來一定效果。

簡而言之，從政策出台時間和文件細節，的確有不少蛛絲馬跡反映政府受兩項因素的影響，而作出回應和提出解決方法。然而，必須注意兩項因素並非一面倒支持或反對，故此為實際公共決策上帶來複雜性，確實難以如一般公共行政理論中出現明確政策結果。政策結果還涉及各左右力量動態發展中的大小、在建制中力量的加權比例和隨機性效果等。

以下，本文將嘗試提出上述的政策結果，以及兩項管治壓力來源根本不可能為政府帶來危機，更甚不會造成所謂「空洞化」現象。新公共管理研究很強調三項力量對政府權力的淘空：政府架構透過私有化、部門化和新增管治局限等，最終使傳統官僚架構和由上而下的管理系統出現失效，從而推論政府不再有效管治。²⁵ 但是，本文質疑這個推論過程有兩項弱點。

23. 勞工及福利局，〈立法會參考資料摘要：《最低工資條例草案》〉，2009年6月，香港立法會LDSMW1-55/1/4(C)，http://www.legco.gov.hk/yr08-09/chinese/bills/brief/b24_brf.pdf，2-3。

24. 同上，4。

25. Richards and Smith, *Governance and Public Policy*, 119.

第一，政府面對市民新的期望，利用市場化和全球化的邏輯回應市民訴求，不一定會造成公共決策局限。反之可以成為政府合理化自己的行為和目標，利用新公共行政改革為名，重建自己另一種形式出現的管治權威。²⁶

第二，新公共行政改革後的政府架構確實未能一如以往透過由上而下地管治，達到一個穩定的架構團隊。但是新的政策工具和管理模式，卻能夠為政府解決公共決策上的局限，在面對新挑戰上仍能夠迎刃而解。

公共行政工具（一）：香港的管治團隊

香港的管治方式出現明顯改變，除了受到外圍全球化影響和內部市場化所左右外，在大部份研究中，也指出香港的解殖和民主化發展，令公民社會發展，實際上影響了本港的政策結果和公共管理。本文將會淺析問題，上述三者不會使政府「空洞化」。政府其中一個維持有效管治的手段是管治團隊 (Corporatism) 和政治網絡 (Policy network)。²⁷ 根據香港學者吳啟漢的研究，香港的政治環境轉變，不在於單純管治權轉變，而是與政治網絡有更直接關係。²⁸

按 Richards 和 Smiths 的說法，管治團隊不一定是指政府內閣團隊，而可以是一個緊密的利益群體。²⁹ 由此追溯，香港的管治團體或政府背後重要的支撐力量正是由商界成員和建制派組成。而香港政府面對各種局限下，實際上可以透過政治網絡確保自己的意見成為社會的主流取態或建構成主流想法。以最低工資立法為例，政府在 1999 至 2006 年間一直堅持最低工資立法會損害香港整體社會利益，政府認為進一步強行調升基層工資水平，將造成解僱潮，令基層員工失去職業。如：2006 年唐英年司長回應一位 7 元時薪的老人情況³⁰ 和一位母

26. Ma, "Reinventing the Hong Kong State or Rediscovering it," 501.

27. Richards and Smith, *Governance and Public Policy*, 174-5.

28. Kai Hon Ng, "Political Context, Policy Networks and Policy Change: The Complexity of Transition In Hong Kong." *Pacific Review* 20, no.1 (2007): 119.

29. Richards and Smith, *Governance and Public Policy*, 174-5.

30. 「教育統籌局局長：前些時間，我們在這個議會討論了有關時薪7元的問題。我們雖然是處理了有關問題，但大家也知道，曾有報章訪問當時願意受僱於這間公司的老人家，他表示社會不為他處理這個問題會更好，因為他可能會因此而喪失了就業

親工作 19 小時猝死時，仍堅持最低工資只會弄巧反拙，令基層失去工作。當時政府運用其政治網絡作出反擊公民社會和各界呼聲。

研究政府所謂的政治網絡的組成成份和成員，可以從中發現他們有不少與政府的聯繫和建制的公職，如：商人施永青，卻同時為策略發展委員會（策發會）顧問和房委會資助房屋小組委員；地產商人郭炳江，卻同時為策發會委員兼任多項公職，更是最低工資委員會成員；而且最低工資委員會成員中，充其量只有兩位學者及劉千石議員並非與政治網絡有極大聯繫，否則其餘八位既是商界出身，也與政府有千絲萬縷關係。

首先，政府可以利用各大傳媒社論批評最低工資，³¹ 並透過不少與政府有密切聯繫人士發表文章和公開言論，反對最低工資。在 1999 至 2007 年間，不少與政府密切的成員先後就最低工資問題發表己見。以工聯會王國興為例，他早在 1999 年立法會局就立法最低工資在事務委員會討論時，工聯會作為民間壓力團體表示支持。在 2004 年，王國興為工聯會的立法會議員也表示支持。³² 然而，在 2006 年和 2007 年兩次的私人提案要求成立法定最低工資，皆被工聯會議員和商界功能組別議員所否決。由此可見，政府既有立場很大程度上能夠利用其政治網絡和利益團隊來完成。

另外，政府更會透過政治網絡安排喜好的政策方向，或作配合宣傳。以 2008 年至 2010 年初為例，政府的政治網絡停止按預設的政策取態攻擊最低工資，反之配合政府推廣的「工資保障運動」作出宣傳。當時加入的 900 家機構中，不少是昔日反對最低工資立法的僱主轄下機構，如：四大商會及僱主聯會，他們的領袖皆為建制派成員和親中背景，但四大商會早表示反對最低工資立法，指出提升工資會有解僱危機。雖然「運動」成效不彰，但明顯反映商界過去是誇大了法定最低工資對企業影響，更有理由相信是為響應政府的議程設定和取態。

機會。」《立法會議事錄》，2000–2001年度，4200。

31. 由 99 年至 06 年，香港七大報章社論《東方日報》、《蘋果日報》、《太陽報》、《明報》、《星島日報》、《南華早報》、《信報》32 篇反對，2 篇支持。慧科新聞資料庫。

32. 事務委員會通過王國興議員動議的議案，該項議案促請政府當局制定最低工資的推行方案及時間表，事務委員會要求政府當局就議案作出回應。立法會秘書處議會事務部2，〈立法會人力事務委員會2004年11月4日會議紀要〉，2004年12月2日，香港立法會CB(2)321/04-05，<http://www.legco.gov.hk/yr04-05/chinese/panels/mp/minutes/mp041104.pdf>，10–11。

換言之，這些網絡和團隊，基本上已經可以預先在制定政策建議層面加入政府預設的想法，促使政策建議被視為是社會—資方—勞工的共識結果，更大程度上提升建議的認受性和社會可接受程度。我們的確難以透過直接的架構脈絡和直接政策結果看出政治網絡和政府的關係。³³ 不過從上述例子，大致上已經可以理解香港政府面對不同管治局限時，亦有其政治網絡團隊在公民社會和議會保駕護航，甚至進行訊息灌輸建構主流論述。

公共行政工具(二)：理性主義和本質化

從過去二十年的公民社會發展，確實表面上令政府管治威信被減弱。政府尤其在公民社會中面對一些新興力量——新社會運動。他們重視價值，而且重視個人參與。往往過程中不期望進入建制改變事情，而希望一些行動對社會的意識形態進行宣洩和表達。這些無疑令香港政府產生極大管治問題。

最低工資，從社運層面而言，早在 2000 年已經不單純以工人運動為主調，背後推動文宣、教育和延長戰線的，已經不是既有所理解的職工盟和社聯等基層關注組織。既有組織僅負責組織行動和動員，以及建制內談判。其餘地區教育和文宣，都依賴不同新社運組織進行，如：自治八樓、基層大學、深水涉社區協進會的零散個體成員。這些零散的網絡，基本上有效地透過大學和基層地區，散佈最低工資與本港地產政治的相互關係。這無疑為政府帶來潛藏危機。奈何政府難以直接與他們溝通，更無法尋求一個共同平台進行對話。一方深信經濟價值和新自由主義，反之另一方深信人文價值和新馬克思主義。³⁴

然而，新公共管理的政策工具卻提供了答案，讓政府可以有效處理從根本意識形態不同的社會組織和想法。首先，政府善用理性主義，即運用各種科學和嚴謹數字反映政治決策是客觀決定。以最低工資為例，政府會善用各種各樣科學且精密的計算，為社會和公眾呈現一個

33. Ng, "Political Context, Policy Networks and Policy Change"; Richards and Smith, *Governance and Public Policy*.

34. 筆者簡單二分法詮釋反對最低工資的主流看法，和公民社會支持最低工資的主要意識形態。

客觀的情況，由此引導社會凝聚既定共識，達致目的。如政府 1999 年透過立法會資料研究和圖書館部的最低工資和通脹失業率研究，正是製造數據上的客觀，從而游說公眾不支持立法。

當時的結論是兩者關係不明確，在 1999 年則被引用為「對本港整體經濟存在風險」；³⁵ 但在 2010 年政府文件中卻被詮譯為「可以在可能波幅內，對本港經濟盡量最少影響」。³⁶ 這明顯反映政府主導了話語權，基本上對數據的詮譯權，已掌握了有效反駁對公民社會持相反觀點的客觀工具。所謂理性主義，其實是視乎政府如何詮譯，不存在絕對的客觀性。

此外，政府經常「本質化」(stereotyping) 有關的壓力團體和反面觀點，令傳媒和社會主流論述皆對某類意見定格成特定意義和目的。例如：政府會把爭取勞工權益的政黨和議員，本質化為「撈選票」；³⁷ 利用最低工資對本港的競爭力影響，詮譯為引發外資撤港；更把「以人為本」的人文關懷觀點，理解為「福利主義」的蔓延；以及放大認為最低工資無助保障生計的人士觀點為主流和事實。³⁸ 這打從根本是利用口號式和不客觀的宣傳方式，掩蓋事實的全部，從而減低公民社會組織的公眾支持度和社會同情，減少阻礙政府達成既定目標。由此可見，馬嶽認為香港政府是善用傳媒的自我審查和編輯轉換 (Editorial shift)，成為有效管理官方資訊和塑造社會主流的管治力量。³⁹ 無疑這確實是香港回歸後政府在面對新的衝擊壓力下，同時新增的政策工具。

結論：新公共行政的迷思

公共行政理論研究中經常理所當然地認為，全球化及市場化等因素必然為政府帶來管治壓力，局限政府決策。不過，筆者認為這種論調，大

35. 劉騏嘉、胡志華，《最低工資制度》。

36. 勞工及福利局，〈立法會參考資料摘要：《最低工資條例草案》〉，2009年6月，香港立法會LDSMW1-55/1/4(C)，http://www.legco.gov.hk/yr08-09/chinese/bills/brief/b24_brf.pdf。

37. 攀鐵工潮下李卓人的訪問，載於香港職工會聯盟編，《鐵杆起義——千個攀鐵工人的36天》(香港：香港職工會聯盟，2008)。

38. 民間爭取最低工資聯盟，〈一場價低者得的競賽，何時吹雞完場？〉，2007年9月7日，<http://www.minwage.org.hk/node/41>。

39. Ma, "Reinventing the Hong Kong State or Rediscovering it," 963.

致上也可以理解成政治網絡或本質化的新政策工具下的結果，為政府對問題的無力和角色轉變，提供合理依據和保駕護航。換言之，這迷思實情可以是由政府自我建構的。

另一方面，可以反思政府和市場之間的角色問題。究竟新公共管理經常以信賴市場是最佳的力量，難道市場真的能夠有效滿足現實政治需要？實情非也。在這個案上其實也反映出單靠市場調節工資和收入分配，只會導致議價能力較低的成為最大輸家。因此，筆者會傾向支持政府在市場運作上存在一定的角色。市場僅是新公共行政的手段，卻絕對不是政治決策的終點。

本文重點正是帶出不同因素對管治所構成的壓力，若單純運用傳統由上而下的科層管理，政府架構必然無法有效運作，出現所謂的「空洞化」現象。但是現代政府的架構靈活性，以及現代政府往往把角色定位是監察和把關角色。這不一定要視為權力的削弱，反之是一個更高明的定位，讓政府減少責任，而同時實踐市民和大氣候所驅使政府作出的新公共行政改革。因此，筆者認為政府絕不能夠以各種外部理由，推搪政府在決策上的責任；也應該修正新公共行政下完全取信於市場的流弊。

終歸有兩點要注意，第一，政府之所以有力抵卸不同力量的衝擊，很大程度上是因為政府掌握極大行政權力，故此不同社會資源反而成為政府維持利益團隊和宣傳機器的資源。第二，在香港這一個行政主導城市，更見政府的議程設定基本上能夠完全地反映在議會和社會「主流」。政府有決定性影響力塑造所謂主流民意。這涉及當地政制的制衡力量和公民社會力量多大有密切關係。無疑，香港的功能組別和傳媒的自我審查，基本上令西方政體最重要的議會和傳媒的政治制衡力幾乎消除。

由此，本文不得不承認，香港若單靠公民社會的爭取成功，確實是機會極微。而是次立法程序啟動，政府的政治網絡主張 25 至 27 元水平，無疑僅與綜援水平相近。從新公共行政管理理解，政府不排除只是卸責，希望由市場機制負責香港接近 50 萬名在職貧窮問題，解決低收入綜援日後追加對政府財政壓力的風險。倘若在論文發表後最低工資水平確實只有僅高於港幣 25 至 27 水平⁴⁰，那更印證市場邏輯管

40. 由於25-27元是綜援折算成時薪的入息限額，因此政府只要稍為訂高於此範

理也只是政府的棋子和工具而已。⁴¹

參考文獻

- Fraser Institute. *Economic Freedom of the World*. Vancouver: Fraser Institute, 1998.
- . *Economic Freedom of the World*. Vancouver: Fraser Institute, 1999.
- . *Economic Freedom of the World*. Vancouver: Fraser Institute, 2003.
- . *Economic Freedom of the World*. Vancouver: Fraser Institute, 2005.
- . *Economic Freedom of the World*. Vancouver: Fraser Institute, 2008.
- IMD International. *IMD World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development, 2001.
- . *IMD World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development, 2002.
- . *IMD World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development, 2003.
- . *IMD World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development, 2004.
- . *IMD World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development, 2005.
- . *IMD World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development, 2006.
- . *IMD World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development, 2007.
- . *IMD World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development, 2008.
- . *IMD World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development, 2009.
- . *The World Competitiveness Yearbook*. Lausanne, Switzerland: International Institute for Management Development, 2000.
- Ma, Ngok. “Reinventing the Hong Kong State or Rediscovering it? From Low-interventionism to Eclectic Corporatism.” *Economy and Society* 38 (2008): 492–519.
- . “State-Press Relationship in Post-1997 in Hong Kong: Constant Negotiation Adminst Self-Restraint.” *The China Quarterly* 192 (2007): 949–70.
- Ng, Kai Hon. “Political Context, Policy Networks and Policy Change: The Com-

圈。未來基層員工，在領取最低工資下也將無法對綜援構成壓力。

41. 編按：本文提交時臨時最低工資委員會尚未提交首個法定最低工資水平的建議。政府最終於2010年11月10日公布的首個法定最低工資水平為時薪港幣28元。政府新聞處，〈行政長官會同行政會議接納首個法定最低工資水平〉，新聞公報，2010年11月10日，<http://www.info.gov.hk/gia/general/201011/10/P201011100220.htm>。

- plexity of Transition In Hong Kong.” *Pacific Review* 20, no. 1 (2007): 101–26.
- Richards, David, and Martin J. Smith. *Governance and Public Policy in the United Kingdom*. Oxford: Oxford University Press, 2002.
- The Heritage Foundation. *Index of Economic Freedom*. Washington, DC: The Heritage Foundation, 1998.
- . *Index of Economic Freedom*. Washington, DC: The Heritage Foundation, 1999.
- . *Index of Economic Freedom*. Washington, DC: The Heritage Foundation, 2003.
- . *Index of Economic Freedom*. Washington, DC: The Heritage Foundation, 2005.
- . *Index of Economic Freedom*. Washington, DC: The Heritage Foundation, 2008.
- 《立法會議事錄》，1998–1999年度。
- 《立法會議事錄》，2000–2001年度。
- 民間爭取最低工資聯盟。〈一場價低者得的競賽，何時吹雞完場？〉，2007年9月7日，<http://www.minwage.org.hk/node/41>。
- 香港立法會，〈在香港訂定最低工資的建議〉，個別政策事宜資料庫：人力，http://www.legco.gov.hk/database/chinese/data_mp/mp-min-wage.htm。
- 香港職工會聯盟編。《鐵杆起義——千個紮鐵工人的36天》。香港：香港職工會聯盟，2008。
- 基層大學，〈邊緣勞工與社區經濟〉，2009年3月4日，<http://www.grass-root.org/college/modules/wfsection/article.php?articleid=848>。
- 勞工及福利局，〈立法會參考資料摘要：《最低工資條例草案》〉，2009年6月，香港立法會LDSMW1-55/1/4(C)，http://www.legco.gov.hk/yr08-09/chinese/bills/brief/b24_brif.pdf。
- 劉騏嘉、胡志華，《最低工資制度》，立法會秘書處資料研究及圖書館服務部，1999年5月20日，香港立法會RP08/98-99，<http://www.legco.gov.hk/yr98-99/chinese/sec/library/989crp08.pdf>。

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註腳

陳健民，〈利益團體與公民社會〉，載鄭宇碩、羅金義編：《政治學新探：中華經驗與西方學理》，144-161。香港：中文大學出版社，2009。

參考文獻

2. 中文專著

3. 趙鼎新，〈《國家·社會關係與八九北京學運》〉（香港：中文大學出版社，2007），57。

註腳

趙鼎新，〈《國家·社會關係與八九北京學運》〉。香港：中文大學出版社，2007。

參考文獻

3. 論文

8. 馮鍵恒，〈分析香港文化保育政策：一個政策網絡角度〉，《政學》2（2009年9月）：65。

註腳

馮鍵恒，〈分析香港文化保育政策：一個政策網絡角度〉，《政學》2（2009年9月）：57-70。

參考文獻



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