

## Chapter 9

### Friday 9 August 2019

#### Thoughts on Violent Popular (Mob?) Action Against the Solid Virtues of Prosperity and Stability; Considering Albert Chen Hung-yee 陳弘毅 Essay on the Situation in Hong Kong Part 2: 一國兩制的博弈 ["The Game of One Country Two Systems"]

Last week Albert Chen Hung-yee (陳弘毅) posted the first of a two part essay, 理性溝通的困境 ["The Dilemma of Rational Communication"], which first appeared on 2 August in the Ming Newspaper supplements [發表於《明報》副刊]. That essay was the subject of an earlier engagement.<sup>1</sup> Today, Professor Chen posted the second part of the essay, 一國兩制的博弈 ["The Game of One Country Two Systems"]. It also originally appeared in the Ming Newspaper on 9 August 2019.<sup>2</sup>

In the first essay Professor Chen assumed the voice of the classical Greek chorus delivering the *parados* or entry song, in this case an elegy to discourse, and to the tragedy that is working its way to climax in Hong Kong. In the Second essay, 一國兩制的博弈 ["The Game of One Country Two Systems"], the tone shifts. It retains its distance from the central characters in the drama, but now uses the mechanics of the modern oracle--game theory, and classical economic theory of behavior--to both make a prediction and to urge at least one side in the current situation in Hong Kong to reconsider the path some of its members have chosen to attain goals which only partly overlap with that of the government camp.

Here one enters the realm of the role of the chorus<sup>3</sup> in Sophocles' *Antigone*.<sup>4</sup> That choral role is one that Professor Chen now appears to embrace. In that role, he introduces key thematic or emotional elements essential to the unfolding of the inevitable course

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<sup>1</sup> See Chapter 6, *supra* (Thoughts on Albert Chen Hung-yee 陳弘毅 (Hong Kong U): 理性溝通的困境 ["The Dilemma of Rational Communication"])

<sup>2</sup> Albert Chen Hung-yee 陳弘毅, 一國兩制的博弈 ["The Game of One Country Two Systems"]; 發表於《明報》副刊 (2019年8月9日) [published in the supplement of Ming Pao (August 9, 2019)].

<sup>3</sup> G. M. Kirkwood, "The Dramatic Role of the Chorus in Sophocles," *Phoenix* 8(1):1-22 (1954) ("the chorus should take an active part not only in the dramatic action but also in the playwright's contest against his rivals in the dramatic competition" Ibid., n. 3).

<sup>4</sup> Sophocles, *Antigone* (R.C. Jebb, trans., MIT Classics Online (orig. 422 B.C.) ; available [http://classics.mit.edu/Sophocles/antigone.html]

of the tragedy. Here, as well, Professor Chen lays out the elements of the tragedy that principle begot in a context whose course was set in motion years ago and by others.

Thou hast rushed forward to the utmost verge of daring; and against that throne where justice sits on high thou hast fallen, my daughter, with a grievous fall. But in this ordeal thou art paying, haply, for thy father's sin. . . Reverent action claims a certain praise for reverence; but an offense against power cannot be brooked by him who hath power in his keeping. Thy self-willed temper hath wrought thy ruin.<sup>5</sup>

For these and other reasons, apparent to those who study it, Professor Chen's essay, 一國兩制的博弈 ["The Game of One Country Two Systems"], is worth reading.

Again, Professor Chen grounds his analysis in core discursive tropes of the liberal democratic and markets driven West. In language pregnant with ambiguity, Professor Chen frames his argument on the principle of economic rationality and rational choices constructs based on an insatiable drive to maximize *personal* welfare.<sup>6</sup> And yet rational choice is a symptomatic principal—it merely reveals the connection between choices and the (self) understanding of interest valued in relation to competing (personal) interests and (external) constraints.

This breezy positing that individuals—much less collective organs—“understand what choices are good for them” assumes much. It assumes that individual and collective choices align, that understanding is an autonomous process, and that it can somehow be distilled (or judged) as authentic or good. And yet those foregrounding ambiguities are precisely what appear in play in Hong Kong at the moment. Rational choice is an elegant rationalization of the past. But it provides virtually no value, other than as a *ex ante* rationalization framework that then serves as justification for authenticating *post hoc* choices, by those in a position to judge and exact consequences. That is a profoundly Western approach to the resolution of a problem the trajectories of which one already has a final destination in mind.

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<sup>5</sup> Sophocles, *Antigone*, *supra.*, (Chorus; strophe 3; antistrophe 3.

<sup>6</sup> Chen, *supra.* (“經濟學假定個人在選擇如何行動時是理性的，就是說他知道什麼結果對他有利或其目標是什麼，他會在不同選項中選擇一項，務求最大程度上實現其目標或取得最佳回報” [“Economics assumes that an individual is rational in choosing how to act, that is, that he understands what results are good for him or what his goals are. He will choose one among the different options in order to maximize his or her goals or achieve the best return.”]).

Yet Professor Chen does have a point in starting the analysis in what might appear to some as in mid-field: such rational choices are hardly ever the elegantly detached processes of pure analytics that might be presumed from its expositions. And, indeed, sometimes these rational choices (already pre-rationalized for consumption) have already been made. In that context—in which decisions have been structured for the decision makers to make a particular conclusion inevitable given the rules of valuation and objectives that have been preset, the process of decision might seem to an outsider as little more than one of enlightening those for whom there is very little “rationality” to choices offered them, to embrace the choice as rational. That, certainly is the way one understands politics and political discourse, in the West.

Nonetheless, it is also a useful way of understanding the choice available within Marxist-Leninist systems. It is when they rub together that “choices” become both more pointed and more rational—but also where the underlying conflicts of valuations of these alternatives are exposed. These are the forms of the choices that appear to be “on offer” for the people of Hong Kong in the context of the current political disagreements and the choices made by all sides in expressing their options (election of action grounded in choices of objectives). This, then, is the context as well in which Professor Chen offers a “cost-effective calculation” approach.<sup>7</sup>

This, then, frames and constrains the strategies of game theory. This ought not to be surprising: every game has its rules. One cannot play basketball by reference to the rules of tennis. And therefore all games tightly constrain the choice universe offered to its players. This poses the difficulty of games in societal organization—for conflict sometimes occurs when the object of the conflict is about the game, that is the strategic interaction, to be played out (and the rules to be observed) rather than about the way that either side is

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<sup>7</sup> Thus, Professor Chen explains:

In the face of different options, I will consider the cost and benefit of each option, in order to get the maximum benefit at the lowest cost. Another application of rational hypothesis is game theory, which deals with the interaction of two or more parties. Each party's behavior may affect the behavior of the other party. When each party chooses how to act, that party must use the information it has (for example, about information on how the other party will act), in order to maximize the interests of the parties in the process of interaction or to achieve their goals to the greatest extent possible. [“如果不同選項，我會考慮每選項的成本和效益，務求以最低成本獲取最大效益。理性假設的另一個應用便是博弈論，其處理的是兩方或多方互動的情況，每方的行為都可能影響對方的行為，每方選擇如何行動時，必須運用其掌握的資訊（例如關於對方會怎樣行動的資訊），務求在互動過程中實現己方利益的最大化或最大程度上實現自己的目標。”]

Ibid.

conforming to the rules of a game they both believe they are playing.<sup>8</sup> Professor Chen assumes all stakeholders are in the same game. The central authorities insist that must be so (and like central authorities everywhere they point to the authority, legitimacy and power of the applicable rule book). But that is precisely the problem in Hong Kong: One Country Two Systems can to some suggest two sets of rules. The scene, then, is set for the performance of *Antigone*, and for the conflict between Creon and *Antigone* over which the Chorus can only fret—and in this case perhaps declare allegiance to a specific set of applicable rules.<sup>9</sup>

And so to the "game" that is to be played in the field one calls Hong Kong. Referencing discursive tropes that derive from centering the "rational" in liberal democratic and Marxist-Leninist systems, he explain: "The concepts of "zero-sum game", "win-win" and "double lose" come from game theory."<sup>10</sup> And that is what Professor Chen offers as a basis for rationalizing the choices inherent in One Country-Two Systems in terms of value based outcomes for the parties. "We can consider the interests of all parties or the goals they wish to achieve, as well as the options for their actions."<sup>11</sup>

To that end Professor Chen focuses on the principal interests and goals of the Hong Kong officials and those of the central authorities—prosperity and stability.<sup>12</sup>

For example, the central government and the SAR government's goal is to maintain Hong Kong's prosperity and stability while safeguarding the interests of "one country." Those in the pro-government camp all basically agree with this goal. . . However, the non-government camp members also hope that Hong Kong can maintain prosperity and stability.<sup>13</sup>

Professor Chen, then, applies rational choice by assuming both the primary choice and its value to all of the parties. It follows, then, that additional values or choices, or now secondary objectives have lesser

<sup>8</sup> Duncan Snidal, "The Game Theory of International Politics," *World Politics* 38(1):25-57 (1985).

<sup>9</sup> It may be best to leave to the reader to consider who then plays the role of Tiresias, the seer whose prophecies are heard and dismissed until it is too late for either side, "a corpse for corpses." Sophocles, *Antigone*, *supra*.

<sup>10</sup> Ibid. ( " "零和遊戲"、"雙贏"、"雙輸"等概念都來自博弈論。" ) .

<sup>11</sup> Ibid. ( "我們可考慮各方的利益或其所希望達到的目標，以及其行動的選項。" ) .

<sup>12</sup> The centrality of these objectives and its high value to local and national officials have been quite clearly articulated almost from the start of the protests. Its initial presentation was considered *supra*, Chapters 4, 5, and 7.

<sup>13</sup> Ibid. ( "例如，中央和特區政府的目標是在於在保障 "一國" 利益的前提下，維護香港的繁榮安定。建制派人士基本上認同此目標，. . . 但是，非建制派人士也希望香港能維持繁榮安定。" )

value. And, to the extent that the attainment of these objectives of secondary value exact a high price—including threats to the prosperity and stability of Hong Kong, then they must be abandoned, at least by anyone claiming any alignment with rationality. . . . and any allegiance to Hong Kong. And yet unmentioned is the fairly well-known frustration of ordinary Hong Kong people over the prior fifteen years who saw plenty of prosperity but much of it bypassing them;<sup>14</sup> this has been served up as a cause of the Umbrella Movement eruption and likely that of the current situation. One worries here about offering the word "prosperity" without offering its substance as well.

What is this secondary objective and what is the cost of strategic action directed toward its attainment? Professor Chen explains:

The non-government camp hope that Hong Kong can achieve universal suffrage to protect the human rights and freedoms of Hong Kong people and encourage the government to hold Hong Kong people accountable through democratic elections. . . . Therefore, if they are rational, they should not agree to use violent resistance as a means to achieve their goals, because such resistance may endanger Hong Kong's ability to successfully achieve prosperity and stability.<sup>15</sup>

However, the issue is to merely the consequences of violence on the protection and elaboration of the goals of prosperity and stability. Rather, and decisively, it is the conclusion that the goals of the Hong Kong opposition are essentially unattainable: “而且成功達到其目標的機會相當渺茫” [“The chances of attaining its other goal are quite slim”].<sup>16</sup> The conclusion, then, is also inevitable—in the face of the overwhelming likelihood of the failure of the “secondary” objective, and the cost of that effort on the achievement or protection of the objectives of prosperity and stability, “[t]herefore, it is irrational to choose violent protests in Hong Kong.”<sup>17</sup>

Professor Chen heeds the voice of Creon, in *Antigone*: “disobedience is the worst of evils. This it is that ruins cities; this makes homes desolate; by this, the ranks of allies are broken into head-long rout; but, of the lives whose course is fair, the greater part

<sup>14</sup> See, eg., Joseph Yu-shek Cheng, “The Emergence of Radical Politics in Hong Kong: Causes and Impact,” *China Review* 14(1:199-232 (Spring 2014) (Special Issue: Urban and Regional Governance in China).

<sup>15</sup> Chen, *supra*. ( “而非建制派人士則希望香港能實現真普選，以保障港人的人權和自由和促使政府通過民主選舉向港人問責。 . . . 所以他們如果是理性的話，應該不會贊成以暴力抗爭為手段來實現其目標，因為這種抗爭可能會危害香港的繁榮安定， . . . . ” ).

<sup>16</sup> *Ibid*.

<sup>17</sup> *Ibid*. ( “因此，在香港的情況選擇暴力抗爭，可說是非理性的” ).

owes safety to obedience. Therefore we must support the cause of order."<sup>18</sup> But now what was once poetry is reduced to the calculus of advantage. Perhaps that is necessary in the historical context in which it is written. But the result is the same. And the advice is sound.

Yet the soundness of that advice, and the integrity of the equations that now provide a rigid logic toward its anticipated end, depend in large measure on that thing unseen and abstract but nonetheless profoundly real, that is in the *value* of the thing to those who rely on that valuation to make their rational choices within their own logical frameworks. Professor Chen dismisses the value of the objectives of the protestors. That de-valuation is pragmatic—the goals have a slim chance of being realized. But to their proponents, the valuation is perhaps reversed—precisely because there is a slim chance of realization, the objective becomes more precious. And the preciousness of that value, even in defeat, even in the production of a city of martyrs, may for them make the costs to prosperity and stability all the more easy to bear. More importantly, that dismissal, in the context of the logical arrangement of costs and benefits, of objectives and impediments, suggests the fundamental difficulty of the logic. Where there is no agreement on valuation, and where the calculus of costs are a function of the value of objectives, then it may well be impossible to deploy these logical relations except as post hoc rationalizations of a position that has already won.

That becomes evident, necessarily, in the way that popular violence is valued. He implies a tremendously high cost of violence—to prosperity and stability. Where those values are paramount, of course, any actions that might threaten them would necessarily produce a high (counter) valuation. That has been the view not just in Marxist-Leninist systems but also in the West, from which Professor Chen draws the normative basis of analysis.<sup>19</sup> Non-violent protest has become the template for the West, as well as to a much lesser extent in Marxist-Leninist systems. The pieties around non-violent protests, however, hide what it exactly does—it shifts the risks and costs of violence to those who must maintain order—to the institutional apparatus charged with order and against which non-violent protests

<sup>18</sup> Sophocles, *Antigone*, supra.

<sup>19</sup> For an early example of the richness of the literature that was to come, see, e.g., Harrop A. Freeman, "The Right of Protest and Civil Disobedience," *Indiana Law Journal* 14(2):228-254; available [https://www.repository.law.indiana.edu/ilj/vol41/iss2/3]; John Morreall, "The Justifiability of Violent Civil Disobedience," *Canadian Journal of Philosophy* 6(1):35-47 (1976). [Postscript: The notion has become embedded into the mythology of the American Republic, see, Anjannette Conner, "Six Times Civil Disobedience Changed the Course of U.S. History," Reference 9 July 2020]; available [https://www.reference.com/history/civil-disobedience-changed-course-us-history]. The literature indeed is rich and the elaboration of theories applicable both to the peculiarities of the United States as well as to other states, especially developing states, has been the subject of much debate.

are directed. They are invited to lose control and by losing control create the martyrs that then enhance the likelihood of victory for the protestors (by moving mass opinion and the positions of outsiders with a stake in the contests)..

This may not then be a matter of rationality, as Professor Chen suggests, so much as it is a clear exposure of the distinctive rationalities that now divide the two camps. And that separation appears to be growing. That leaves little space for much of anything but lamentation. And it is with potentially great tragic irony that Tiresias' waring to Creon, much more than the elegance of quantitative analysis, that ought to counsel restraint on all of the actors: "For the altars of our city and of our hearths have been tainted, one and all, by birds and dogs, with carrion from the hapless corpse, the son of Oedipus: and therefore the gods no more accept prayer and sacrifice at our hands, or the flame of meat-offering; nor doth any bird give a clear sign by its shrill cry, for they have tasted the fatness of a slain man's blood."<sup>20</sup>



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<sup>20</sup> Ibid.

