

HYBRID CONSTITUTIONALISM

This is the first book that focuses on the entrenched, fundamental divergence between the Hong Kong Court of Final Appeal and Macau's Tribunal de Última Instância over their constitutional jurisprudence, with the former repeatedly invalidating unconstitutional legislation with finality and the latter having never challenged the constitutionality of legislation at all. This divergence is all the more remarkable when considered in the light of the fact that the two regions, commonly subject to oversight by China's authoritarian party-state, possess constitutional frameworks that are nearly identical; feature similar hybrid regimes; and share a lot in history, ethnicity, culture, and language. Informed by political science and economics, this book breaks new ground by locating the cause of this anomaly, studied within the universe of authoritarian constitutionalism, not in the common law–civil law differences between these two former European dependencies, but in the disparate levels of political transaction costs therein.

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Abbreviations

ACM	Associação Comercial de Macau
AKP	<i>Adalet ve Kalkınma Partisi</i> (Justice and Development Party)
AO	Administrative Officer
CCTV	China Central Television
CFA	Hong Kong Court of Final Appeal
DAB	Democratic Alliance for the Betterment and Progress of Hong Kong
FTU	Hong Kong Federation of Trade Unions or Macau Federation of Trade Unions
GDP	Gross Domestic Product
GUNA	General Union of Neighbors Association of Macau
ICCPR	International Covenant on Civil and Political Rights
POAS	Political Officials Accountability System
SAR	Special Administrative Region
SARS	Severe Acute Respiratory Syndrome
MLC	Member of the Legislative Council
TUI	Tribunal de Última Instância of Macau
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization