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Focus

For Rights and Liberty:

***The Anti-Extradition Law Amendment Bill
(Anti-ELAB) Protest Movement and Hong Kong's
Struggle for Democracy***

Focus Issue Editor

Emile Kok-Kheng Yeoh



Contemporary Chinese Political Economy and Strategic Relations: An International Journal

Notes for Contributors

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*Focus – For Rights and Liberty: The Anti-Extradition Law
Amendment Bill (Anti-ELAB) Protest Movement and
Hong Kong's Struggle for Democracy*

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Focus – *For Rights and Liberty: The Anti-Extradition Law Amendment Bill (Anti-ELAB) Protest Movement and Hong Kong's Struggle for Democracy*

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Focus Issue Editor

Emile Kok-Kheng Yeoh

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INTRODUCTION

“Glory to Hong Kong”: Exploring Hong Kong’s Anti-Extradition Law Amendment Bill 2019 (Anti-ELAB) Protests and Their Implications

A week after an estimated 1.03 million people marched on 9th June 2019 to protest against the introduction of the Fugitive Offenders amendment bill by the Hong Kong government which triggered the fear that the bill if enacted would subject Hong Kong residents and visitors to the jurisdiction and legal system of mainland China, thereby undermining the region’s autonomy and Hong Kong people’s civil liberties, on 16th June 2019 up to approximately two million people, i.e. approaching 30 per cent of Hong Kong’s population, again took to the streets in Hong Kong to further the protest and to voice anger towards the perceived excessive use of force by the police on 12th June when protesters gathered outside the Legislative Council Complex to stall the bill’s second reading.

The aftermath of the activists’ 1st July storming of the Legislative Council Complex on the anniversary of the Handover witnessed further escalation of the protests that was aggravated by apparent police inaction when suspected triad members assaulted protesters and commuters in Yuen Long (元朗) in the New Territories (新界) on 21st July and the

violent police storming of Prince Edward station on 31st August. Though the extradition bill was suspended on 15th June and finally withdrawn on 23rd October, the protests have by then morphed into a broader-purpose movement including demand for the introduction of universal suffrage for election of the Legislative Council and the Chief Executive, one of the five demands on which the government has continued to refuse to concede other than the bill withdrawal.

As the protests dragged on, confrontations escalated as both sides became increasingly violent, with increasing allegations of police brutality and misconduct that were further aggravated by the death of students Chan Yin-lam (陳彥霖) in September and Chow Tsz-lok (周梓樂) in November and the shooting of an unarmed 21-year-old protester in November. There was another death, that of Luo Changqing (羅長清), an elderly man who died after being struck in the head by a brick during a clash in Sheung Shui (上水) in the New Territories.

While after the unprecedented landslide victory of the pro-democracy bloc in the November 2019 District Council election, which was widely viewed as a *de facto* referendum on the protest movement, the most intense stage of the protests seemed to have passed, the continuing refusal of the government to concede on most of the demands of the protesters probably does not augur well for any prospect of resolving the political impasse that has persisted since the 2014 Occupy Campaign/Umbrella Movement, and the temporary lull in the most severe social upheaval since June 2019 in fact just turn out to be temporary calm before the onset of a returning storm with a bombshell in the form of a Beijing-imposed Hong Kong National Security Law that could in all practical sense spell the end of the “One Country, Two Systems” arrangement and a Hong Kong that has so far been spared the outright suppression of dissent that the Mainland populace has long endured.

To contribute to a better understanding of Hong Kong’s Anti-Extradition Law Amendment Bill 2019 (Anti-ELAB) protests, *Contemporary Chinese Political Economy and Strategic Relations: An International Journal* has organised a special focus issue (Vol. 6, No. 3, December 2020) to explore the determining factors and impacts of the protests and the implications for Hong Kong and beyond. Topics covered include the protests’ implications for Hong Kong’s politics and economy, analysis of the protests in the context of the Special Administrative Region’s relations with the Beijing government, and the related wider context of the Chinese Communist Party’s one-party rule and non-electoral authoritarian governance model, the issues of treatment of political dissent and civil society, political freedom and civil liberties, human rights, and the pro-democracy and rights-defending movements.

“They want freedom the same way we wanted it,” so said the Lithuanian supporters of Hong Kong’s Anti-ELAB protests as tens of thousands of protesters formed the “Hong Kong Way” human chains across Hong Kong on 23rd August 2019 at the 30th anniversary of the 1989 “Baltic Way”¹ when two million people in Lithuania, Estonia and Latvia held hands to form a thousand-and-hundred-mile human chain spanning the three nations in their valiant struggle for democracy and freedom from the Soviet Communist yoke. While the element of regaining independence from the Soviet Union that re-occupied them after the defeat of their German Nazi occupiers at the end of World War II bears little similarity to the practical reality of the case of Hong Kong, free thought and free speech and related political freedom and civil liberties are international ideals, *sans* borders, and the struggle against political persecution of dissent and human rights infringement is also transborder, and it has to be recognised as such, despite the efforts of

autocratic, repressive regimes to discredit this international link by resorting to exclusionist ethnonationalism.

As Chong Yiu Kwong reflects in the opening paper of this special issue of journal, “Hong Kong, a Truly International City in 2019/2020: Timeline of Incidents – International and Human Rights Perspectives”, the tumultuous series of events over 2019/2020 had indeed propelled Hong Kong into the international limelight and made it “undoubtedly a truly international city”.

The present issue of *Contemporary Chinese Political Economy and Strategic Relations: An International Journal* entitled *For Rights and Liberty: The Anti-Extradition Law Amendment Bill (Anti-ELAB) Protest Movement and Hong Kong’s Struggle for Democracy* thus represents a collection of specially selected articles focusing on this momentous series of events, their background of determining factors, theoretical and ideological underpinnings, as well as its implications for the future of the Hong Kong people’s valiant struggle for democracy against the backdrop of the formidable odds.

After Chong’s informative chronological presentation of the *Timeline of Crisis Unfolding* that provides us a clear picture of how the poignant series of events has so rapidly evolved in escalating intensity over the often excruciating months, this special focus issue of the journal four sections with ten research papers that cover all the important aspects of the protests and government responses, followed by a policy commentary.

In the first section, *Governance Crisis and Social Protests*, Łukasz Zamecki in his paper “‘The Revolution of Our Times’: Reasons for the Hong Kong Protests of 2019”, presents a model developed to account for the dynamic behind Hong Kong’s 2019 protests that takes account of demand and supply of protests. The research target of the model is of great importance in the attempt to understand the factors behind the

tumultuous events of 2019 in Hong Kong, in the context of the widespread feeling of discontent, of “relative deprivation”, whether in terms of the political, economic or cultural aspects, especially amongst the young people of Hong Kong, how that leads to the political radicalization of youth, the growth of nativist and localist organizations and the flourishing idea of self-determination of Hong Kong, and the overall effect on the politics of Hong Kong and the more violent protest format of 2019 vis-à-vis the Umbrella Movement of 2014. In such a state of flux, it is interesting to see how things transpire between the authoritarian State and the civil society’s dissident movement in a process referred to by some as a “political *jujitsu*”² in which shifts of attitude on both sides are important as well as shifts of behaviour as both sides make adjustments to their actions in accordance with how they are gauging their support.³

In the light of the importance of such relations, the second paper of this section, Wai-man Lam’s “China’s Changing Ruling Strategies on Hong Kong and Their Implications”, provides a timely analysis of the CCP regime’s soft tactics of integration, cooptation and collaboration through its United Front work, as well as the harder tactics of containment and denunciation that aim to ultimately consolidate Beijing’s control of the local Hong Kong society. Such subtle or overt forms of suppression that could come in different forms also reflect what Professor Gene Sharp identified as four mechanisms of change that the State can aim to produce among its opponents besides outright violent suppression, namely, conversion, accommodation, nonviolent coercion, and disintegration.⁴

To gauge the sentiments at the receiving end of such tactics of the State, the third article of this section, “Hong Kong: The End of the City of Protest?” by Tim Nicholas Rühlig, into the streets and into the think tank and campus offices in Hong Kong and on the mainland, to listen to

the voices in the field to understand the sentiments of those directly a part of those tumultuous events of 2019 and, earlier, 2014, especially the Hong Kong people, the young, the pro-democracy protesters in all their diversity playing their respective parts of struggle for more self-determination, for genuine elections, for democratisation with all its socio-economic, identity-political and institutional dimensions. Such are the voices refused to be silenced by a repressive, dissent-intolerant central one-party totalitarian regime's long-running creeping authoritarianism penetrating this special administrative region bending on extinguishing the Hong Kong people's noble aspiration for genuine liberal democracy that promises full political freedom and civil liberties. Such are the voices of courage, of anguish, of determination, of pain and despair that poignantly echoed on the streets of Hong Kong through the tune of that almost official anthem of the anti-extradition bill protest movement, "Glory to Hong Kong" ("願榮光歸香港", also "Glory be to thee, Hong Kong", with lyric now outlawed under the new Hong Kong National Security Law imposed by the Beijing overlord): "In angst, tears are shed o'er this Land / With rage, fears are crushed, in arms we stand / We rise, undefiled, our voice shall never die / As we yearn, our freedom nighs" (何以 這土地 淚再流 / 何以 令眾人 亦憤恨 / 昂首 拒默 沉 吶喊聲 響透 / 盼自由 歸於 這裡)⁵.

And when ruthless totalitarian central State strikes back at its protesting, dissenting citizens, the first casualty would be the freedom of expression – freedom to criticise government action, freedom to express alternative political views, freedom in accessing information without hindered by government cover-ups and State-sanctioned lies – exactly one of major civil rights of which the fear of further eroding represents a major impetus that has triggered the pro-democracy social actions in the forms of the anti-extradition bill protests of 2019, and earlier, the Occupy Campaign of 2014. The two papers in the next section,

Free Speech and Free Press, address this issue directly, and more specifically the subject of free press.

In this regard, Chris Yeung’s article “Free Press under Threat in Hong Kong Protest Fallout” focuses on how government responses – from police actions during the protesting months to the chilling, ultimate dissent-suppressing national security law slapped on the special administrative region by the central one-party State making a mockery of the “One Country, Two Systems” arrangement – to the recent citizen protest movement is posing a gravest threat to independent and free mass media in Hong Kong. Wai Han Lo in her paper “Hierarchy of Influences on Press in a ‘Partly Free’ Society: Dismantling Journalistic Autonomy”, on the other hand, analyses how the influence of the State, political actors, media owners, advertisers, and the audience have aligned to undercut journalistic professionalism and autonomy in Hong Kong, and points to how the anti-extradition bill movement uniquely exposes the corruption of many different parties, who have aligned with the State to exercise press control, reflecting a critical structured change in press control at all levels that threatens to reach a point of no return unless some counterforces could emerge soon to sustain or rebuild journalistic autonomy.

The issue of press freedom will be picked up again by Jason Hung later in his commentary “Civil Liberties Eroding in the Aftermath of Hong Kong’s Socio-political Unrest (2019-20): A Discussion on the City’s Financial (Un)Sustainability” as part of the discussion on the erosion of civil liberties first as a result of police brutality that actually served to accentuate social conflict that leads to a cycle of violence begets violence and later of the implementation of the Hong Kong national security law (“Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region”) that represents a brutal encroachment upon

Hong Kong's civil liberties and democracy.

Related to the issue of police action as catalyst of social violence discussed later by Hung's commentary, the next two articles of this special focus issue, under the section of *Legality and Law Enforcement*, focus respectively on the new challenges to the criminal justice system in Hong Kong presented by the anti-extradition bill protests and major policing issues raised by these protests.

Matthew Cheun Ngai Tang in his article "A Review of Hong Kong's Jurisprudence on the Offences of Unlawful Assembly and Riot in the Context of the Anti-Extradition Bill Movement" examines the development of case law relating to unlawful assembly and riot under the Public Order Ordinance in the context of the anti-extradition protests and how the unique features of the protests would develop future case law. The paper also raises the important, thought-provoking argument that "the Court is operating under the presumption that Hong Kong citizens still fully enjoy the constitutional rights and freedoms" while the "protesters of the Anti-ELAB Movement do not echo such views" and hence the "two parties are operating under different sets of presumptions."

Moving from Tang's study of legality to the equality important subject of law enforcement, we have Lawrence Ka-ki Ho, Ying-tung Chan and Alvin Tsang's paper "Emerging Issues in Policing in Asia: Civil Unrest in Hong Kong in 2019" that focuses on the three key dimensions of police legitimacy and accountability, protest management, and policing systems, highlighting the importance of understanding the "hybridity of the civil and paramilitary model of policing" that operates in the Hong Kong now under China's sovereignty and the debate surrounding the perceived delegitimization of the Hong Kong police during the anti-extradition bill protests of 2019 and in their aftermath, as well as the possibility of rebuilding police–community relations.

The section that follows, *Social Strain and Political Dynamics*, includes two articles: Bryan Tzu Wei Luk’s “The 2019 Social Unrest: Revisiting the Pathway of Radicalization in Hong Kong from 2008 to 2012 – An Explorative Approach with General Strain Theory” that attempts to provide a criminological perspective in exploring and explaining the causes and the evolution of radicalization in the context of Hong Kong through the scope of Robert Agnew’s general strain theory, focusing on the socio-economic factors – economic inequality, harsher living environment, degrading quality of life and increasing socio-cultural tensions, and Jinhyeok Jang’s “Another Dynamics of Contention in Hong Kong: Dimensionality in Roll Call Voting in the 6th Term Legislative Council, 2016-2020” that studies the dynamics of contention in the Legislative Council of Hong Kong (LegCo).

Before closing with Jason Hung’s commentary as mentioned above, this special issue features a postscript article by Emile Kok-Kheng Yeoh, “From the Hong Kong Anti-Extradition Bill Protests to China’s Wuhan Novel Coronavirus Pneumonia Outbreak: Implications of Two Crises for the Chinese Communist Party’s Governance Model”, investigating how the seven-decade iron-fist rule of the Chinese Communist Party has come under two consecutive unusual severe tests from 2019 to 2020 that have served to reveal the nature and global implications of the CCP’s mode of governance in general and the current Xi Jinping administration in particular.

These are indeed extraordinary times.

Before ending this introduction, we would like to thank all the contributing authors of the articles in the various sections of this special issue and the anonymous reviewers for their invaluable efforts in making the publication of this 2020 CCPS special issue of *For Rights and Liberty: The Anti-Extradition Law Amendment Bill (Anti-ELAB) Protest Movement and Hong Kong’s Struggle for Democracy* possible. As usual,

we are also grateful to Miss Wu Chien-yi (吳千宜) for the journal's website construction and maintenance. The responsibility for any errors and inadequacies that remain is of course fully mine.

*Dr Emile Kok-Kheng Yeoh**

Chief Editor

*Contemporary Chinese Political Economy and
Strategic Relations: An International Journal*

Notes

1. “‘They want freedom the same way we wanted it’: Cheers and support in Lithuania as Hong Kong embraces the ‘Baltic Way’”, *South China Morning Post* (Hong Kong), 24th August 2019 <<https://www.scmp.com/news/hong-kong/politics/article/3024175/they-want-freedom-same-way-we-wanted-it-cheers-and-support>>.
2. *Jūjutsu* (柔術) is a Japanese martial art of close combat, using no weapon or only a short weapon, for defeating an armed and armoured opponent. While the contextual differences need to be recognised, reference to *jūjutsu* here does bring to mind the Bruce Lee-inspired “Be water” tactic Hong Kong’s 2019 protesters adopted in contrast to the “occupy” approach of 2014. (Antony Dapiran (2019). “Be Water!”: seven tactics that are winning Hong Kong’s democracy revolution - The strategies of Hong Kong protesters, honed through weekly clashes with police, offer a masterclass to activists worldwide. *New Statesman*, 1st August 2019. <<https://www.newstatesman.com/world/2019/08/be-water-seven-tactics-are-winning-hong-kongs-democracy-revolution>>)
3. Bob Irwin and Gordon Faison (1978). *Why nonviolence? – Introduction to nonviolence theory and strategy*, edited by David H. Albert (revised by Bob Irwin, December 1983), New Society Publishers, 1984, with editorial

note, 2001.

4. Gene Sharp (2010). *From dictatorship to democracy: A conceptual framework for liberation*, 4th U.S. edition, Boston, MA: The Albert Einstein Institution (originally published in Bangkok in 1993 by the Committee for the Restoration of Democracy in Burma; 1st U.S. edition, 2002). (See pages 35-37.)
5. “曲：thomas dgx yhl; 詞（中文）：眾連登仔; 詞（英文）：七劍浣春秋”, *LIHKG* (連登), 7th September 2019 <<https://lihkg.com/thread/1547782/page/1>>.

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International Journal of China Studies (Vol. 1, 2010 – Vol. 5, 2014). His latest publications include “Between Scylla and Charybdis? – Emerging New Malaysia and its enigmatic relations with China” (journal article, *Bandung: Journal of the Global South*, 2020), “Malaysia: Perception of contemporary China and its economic, political and societal determinants” (journal article, *The Pacific Review*, 2019), “China-Malaysia trade, investment, and cooperation in the contexts of China-ASEAN integration and the 21st Century Maritime Silk Road construction” (journal article, *The Chinese Economy*, 2018), “Environmental policy in Malaysia with reference to Taiwan’s New Southbound Policy” (book chapter, Wenzao University Press, 2018), “マレーシア——親中心理を支える構造” [Malaysia: the fundamental structure of pro-China sentiment]” (book chapter, University of Tokyo Press, 2018), “Malaysia-Taiwan relations and Taiwan’s New Southbound Policy” (journal article, *Malaysian Journal of International Relations*, 2018). <Email: yeohkk@um.edu.my, emileyeo@gmail.com / Website: <http://emileyeo5.wix.com/emileyeoh>>

Timeline of Crisis Unfolding

Hong Kong, a Truly International City in 2019/2020: Timeline of Incidents – International and Human Rights Perspectives

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Abstract

In 2019 an extradition amendment bill in Hong Kong triggered a public outcry and a persistent social movement. While in authoritarian states no demonstration of considerable size is allowed, in liberal democracies such a large-scale protest would probably compel the government to concede to public opinion. Hong Kong is neither of them, where the main strategy of the Government in handling the crisis is to exercise stronger political and social control over the society. The conflicts are intensified, with the whole society paying a high cost. If the basic strategy does not work, will the authority rethink and change it? The timeline expounded in this article that sets out the significant protests while placing much emphasis on the international and human rights dimensions is an extract of the major events during the anti-extradition amendment law movement and its aftermath.

Keywords: *Hong Kong, anti-extradition amendment law movement, timeline, human rights*

1. Introduction

The extradition amendment Bill sparked off a public outcry and a persistent social movement. The timeline below is an extract of the major events during the anti-extradition amendment law movement and its aftermath. In addition to setting out the significant protests, it puts much emphasis on the international and human rights dimensions. This gives an impression that since June 2019, Hong Kong has particularly strong overseas connections and it is able to attract much international attention. Therefore, Hong Kong is undoubtedly a truly international city. On the other hand, Beijing is worried that Hong Kong has been interfered by foreign elements. Do the following incidents individually or collectively further internationalize or de-internationalize Hong Kong? All of them are shaping the landscape of Hong Kong politics, values and even daily lives in the future.

2. Timeline

Date	Major Events
12 February 2019	– The Hong Kong Special Administrative Region (HKSAR) Government commenced a consultation on extradition law for 20 days, ending on 4 March. ¹
15 March 2019	– HKSAR Government condemned 9 members of Demosistō for intruding into the East Wing of Central Government Offices to protest against the extradition law. ²
23 March 2019	– Anson Chan, former Chief Secretary for Administration and Legislative Council (LegCo) members

Charles Mok and Denis Kwok met Mike Pence, United States (US) Vice-President to talk about the extradition law.³

29 March 2019 – The **Fugitive Offenders (Amendment) Bill** was gazetted.

31 March 2019 – Human Rights NGOs’ Joint letter to Chief Executive (CE) Carrie Lam urged the Security Bureau to rescind its proposals to amend the legislation.⁴

The **Civil Human Rights Front (CHRF)** organized **first procession against the Bill**. CHRF claimed that there were **12,000 participants** whereas the police said that at the time when most people were in the streets, the number was 5,200.⁵

28 April 2019 – CHRF organized the second march with 130,000 protesters while police said 22,800 people at its peak time.⁶

16 May 2019 – Martin Lee, Lee Chuek Yan, Law Kwun Chung and Mak Yin Ting met Mike Pompeo, US Secretary of State, to oppose the extradition law.⁷

18 May 2019 – Anson Chan and LegCo members Charles Mok and Denis Kwok who were invited to visit Germany met Andreas Michaelis of Foreign Office to inform the disputes of the extradition law.⁸

6 June 2019 – About 70 NGOs called on the Government to immediately halt its plan to amend the legislation.⁹

3,000 lawyers joined the demonstration against the Bill while police estimated 880 people.¹⁰

9 June 2019 – CHRF’s third protest attracted **more than a million people** while the police estimated at 240,000 participants.¹¹

29 cities in different countries protested to support Hong Kong.¹² In Australia, 5,000 people joined.¹³

10 June 2019 – In the Regular Press Conference of Foreign Ministry, Spokesperson Geng Shuang responded that the Central Government supported HKSAR to amend the laws and opposed interference by any foreign forces.¹⁴

11 June 2019 – 19 Taiwan NGOs supported Hong Kong people to demand the withdrawal of the extradition law.¹⁵

12 June 2019 – 40,000 protesters blocked the LegCo Complex and the LegCo meeting on the Bill had to be postponed. **Excessive force by the police was criticized**, including the police’s siege of the CITIC Tower (中信大廈) where a lawful assembly took place.¹⁶

14 June 2019 – International human rights experts observed that “the proposed amendments fail to adequately protect human rights and ‘fundamentally imperil the operation of the rule of law’”.¹⁷

15 June 2019 – CE Carrie Lam announced a pause in the legislative work and had no intention to set a deadline for this work.

She expressed “deep sorrow and regret that the deficiencies in our work”.¹⁸

A man committed suicide in protest of Lam’s decision.¹⁹

16 June 2019 – 2 million people convened by CHRF took to the street even after some compromise by the Government and police estimated at 330,000 protesters.²⁰

40 cities in the world protested to support Hong Kong, in Taiwan, 10,000 people joined.²¹

18 June 2019 – Carrie Lam said that “I offer my most sincere apology to all people of Hong Kong.”²²

25 June 2019 – United Kingdom (UK) stopped selling crowd control equipment to the Hong Kong Police Force.²³

26 June 2019 – Netizens organized petitions to 19 countries’ consulate in Hong Kong for their attention of Hong Kong’s extradition law amendment during G20 Summit.²⁴ Within 9 hours, 6.7 million dollars was raised to post advertisements in in major international newspapers’ frontpage.²⁵

28 June 2019 – Human rights NGOs called for an independent commission of inquiry.²⁶

Due to using tear gas against protesters, Amnesty International is calling on states to assess the human rights risks before granting authorizations of these weapons.²⁷

30 June 2019 – 165,000 people joined the assembly in support of the police and the police estimated at 53,000.²⁸

1 July 2019 – On the 22nd anniversary of the establishment of HKSAR, **CHRF held a procession with 550,000 protesters** while the police estimated at 190,000.²⁹

At night, **some protesters stormed into the LegCo Complex**, occupied with criminal damage for 3 hours.³⁰

6 July 2019 – March in Tuen Mun marked a commencement of a series of protests at district level against the Bill.³¹

8 July 2019 – Denise Ho Wan Sze spoke at a meeting of the United Nations (UN) Human Rights Council to urge UN to protect Hong Kong and was interrupted by the Chinese representative.³²

9 July 2019 – Carrie Lam said that the Bill was dead.³³

18 July 2019 – European Parliament urged Hong Kong to ensure that its legislation remains fully in line with its international human rights obligations.³⁴

21 July 2019 – In **Yuen Long, scores of mobsters indiscriminately attacked ordinary people** for two hours with weapons. The police arrived in 39 minutes after the suspects had left.³⁵

24 July 2019 – Ireland was the first country to issue a travel warning for Hong Kong.³⁶

26 July 2019 – 15,000 demonstrators rallied in Hong Kong’s airport to demand for independent investigation of police actions.³⁷

Education International (EI) urged the Hong Kong Government to withdraw the extradition Bill and set up an independent inquiry to investigate police use of force.³⁸

6 August 2019 – Human rights NGOs condemned excess force by the police.³⁹

The International Trade Union Confederation, ITUC, supported general strike in Hong Kong.⁴⁰

The first Citizen Press Conference was held by LIHKG discussion forum to reiterate 5 demands and investigate the police’s actions.⁴¹

7 August 2019 – Zhang Xiaoming, Director of the Hong Kong and Macau Affairs Office of the State Council of the People’s Republic of China (PRC), referenced the “colour revolution” that caused civil unrest in early 2000s Eastern Europe, and said China has option to deploy military.⁴²

8 August 2019 – 92 South Korean NGOs expressed concerns on indiscriminate and violent crackdown on peaceful protesters in Hong Kong and expressed solidarity with Hong Kong people’s persistent resistance in defending democracy and human rights.⁴³

9 August 2019 – A three-day demonstration in Hong Kong airport to draw international attention to Hong Kong protest.⁴⁴

The Civil Aviation Administration of China told Cathay Pacific that its staff who took part in illegal protests would not be allowed to fly to or from the mainland.⁴⁵

11 August 2019 – A protester was shot in her eye by the police with the bean bag round (布袋彈).⁴⁶

12 August 2019 – Ten thousand people went to the airport to protest and 370 flights were cancelled.⁴⁷

Beijing said violent protests in Hong Kong were “signs of terrorism”.⁴⁸

Sharan Burrow, General Secretary of the International Trade Union Confederation (ITUC), said: “the ever-escalating police violence shows a government out of control and uninterested in engaging with its people except by force.”⁴⁹

13 August 2019 – Spokesperson for the UN High Commissioner for Human Rights urged HKSAR to investigate the police’s use of force immediately, to ensure the use of weapons to comply with international standard.⁵⁰

Human Rights Monitor condemned the police for infringing the right to legal representation of the arrested persons in the San Uk Ling Holding Centre (新屋嶺拘留中心).⁵¹

Civic Party LegCo members Alvin Yeung and Dennis Kwok visited New York, US, to meet international human rights NGOs to inform them of the police's use of powers.⁵²

14 August 2019 – China's Hong Kong and Macao Affairs Office condemned the “near-terrorist acts” by protesters at the Hong Kong Airport, urging the city's authorities to hold perpetrators to account.⁵³

15 August 2019 – US President Donald Trump suggested Chinese President Xi Jinping meeting directly with protesters in Hong Kong that would lead to a “happy and enlightened ending” to demonstrations.⁵⁴

16 August 2019 – Several international human rights NGOs called on the Hong Kong Government to take meaningful action to curtail actions by law enforcement that escalate this violence and to proactively address the demands of the protesters.⁵⁵

17 August 2019 – European Union and Canada urged Chinese authorities to engage in a debate with all stakeholders to recover Hong Kong's stability and prosperity.⁵⁶

18 August 2019 – **CHRF organized a march with 1.7 million protesters** while the police estimated at 128,000.⁵⁷

China urged the European Union to stop meddling in Hong Kong affairs.⁵⁸

23 August 2019 – 210,000 people participated in a peaceful action of human chain to fight for the five demands.⁵⁹

24 August 2019 – Pro-Beijing Overseas Chinese in different countries protested against Hong Kong protesters.⁶⁰

26 August 2019 – Many people sang the new song “Glory to Hong Kong”.⁶¹

30 August 2019 – 8 Global Unions Federations representing 250,000,000 workers marched to the Geneva Permanent Mission of the Government of China showing solidarity with the Hong Kong Confederation of Trade Unions and the protesters in Hong Kong.⁶²

9 pro-democracy activists including Joshua Wong Chi-fung, Agnes Chow Ting,⁶³ lawmakers Au Nok-hin and Jeremy Tam Man-ho were arrested.⁶⁴

Federica Mogherini, European Union foreign policy chief, said the developments in Hong Kong are extremely worrying.⁶⁵

31 August 2019 – The **police** forced the reporters to leave and was **alleged to have attacked the passengers indiscriminately in Prince Edward MTR station.**⁶⁶ Despite repeated denial, many people suspected that death occurred inside the MTR station.⁶⁷ Jackie Chen, a social worker, asking police to calm down, was arrested for riot.⁶⁸

A spokesperson for the Office of the Commissioner of the Chinese Foreign Ministry in HKSAR said the comments made by EU foreign policy chief Federica Mogherini confused right and wrong, and was an example of interfering in China's internal affairs.⁶⁹

1 September 2019 – Hong Kong Airport remained on partial lockdown due to protest.⁷⁰

2 September 2019 – Widespread class boycott at the beginning of the school new semester.⁷¹

Education International and other trade unions staged a protest outside the Hong Kong Economic and Trade office in Brussels to stand against human rights abuses.⁷²

3 September 2019 – The Hong Kong Bar Association condemned any abuse of power by the police.⁷³

4 September 2019 – **CE announced** that the Government will “**formally withdraw**” the **Fugitive Offenders Bill**.⁷⁴

7 September 2019 – German Prime Minister Angela Merkel urged Beijing to handle Hong Kong conflicts peacefully.⁷⁵

8 September 2019 – Tens of thousands of Hongkongers marched in Central to urge US to pass bill defending human rights.⁷⁶ HKSAR Government expresses regret over the re-introduction of the Act.⁷⁷

Joshua Wong Chi-fung was arrested at Hong Kong Airport for allegedly breaching bail conditions when he was about to travel to Germany on a trip that had been approved by the court.⁷⁸

9 September 2019 – UN urged HKSAR to continue to respond to any acts of violence with restraint and without excessive force.⁷⁹

10 September 2019 – Pansy Ho Chiu-king and Annie Wu Suk-ching, daughter of catering group Maxim's founder, addressed a meeting of the UN Human Rights Council, saying the protesters did not represent the majority of Hong Kong people.⁸⁰

Beijing was angry as activist Joshua Wong met German foreign minister.⁸¹

12 September 2019 – UN experts “seriously concerned by credible reports of repeated instances where the authorities failed to ensure a safe environment for individuals to engage in public protest free from violence or interference”.⁸²

Hong Kong student leaders lobbied UK MPs on Hong Kong protests.⁸³

13 September 2019 – The Bar Human Rights Committee of England and Wales (BHRC) issued a statement raising concern about the Hong Kong Government's failure to order a full and transparent inquiry into police actions.⁸⁴

16 September 2019 – Hong Kong student leaders met with 8 German MPs on Hong Kong protests.⁸⁵

Hong Kong legislator Tanya Chan addressed the U.N. Human Rights Council in Geneva to investigate the alleged police abuse against demonstrators. China insisted that Hong Kong was an internal issue.⁸⁶

17 September 2019 – CE Carrie Lam explained her plan to set up a dialogue platform to invite people from all walks of life to express their views.⁸⁷

18 September 2019 – Denise Ho Wan Sze, Joshua Wong Chi-fung and Sunny Cheung, spokesperson of the Hong Kong Higher Education International Affairs Delegation (HKIAD), attended a hearing in US Congress in support of the Hong Kong Human Rights and Democracy Act.⁸⁸

24 September 2019 – Taiwan Association for Human Rights urged the 5 demands in solidarity with Hong Kong protesters and to improve the refugee protection mechanism.⁸⁹

29 September 2019 – An Indonesian female reporter was mistakenly shot to blind by a policeman.⁹⁰

CE Carrie Lam formally announced withdrawal of the Bill.⁹¹

65 cities in 24 countries protested to support Hong Kong.⁹²

1 October 2019 – On the National Day, a protester, who is a student aged 18, was shot by a policeman and was seriously injured.⁹³

4 October 2019 – **CE in Council announced the Prohibition on Face Covering Regulation** under section 2 of the **Emergency Regulations Ordinance**.⁹⁴

Malaysian Prime Minister Mahathir Mohamad suggested CE to step down. CE did not comment.⁹⁵

6 October 2019 – UN human rights chief Michelle Bachelet condemned all acts of violence from all sides. Any restriction regarding the ban on face coverings must have a legitimate and formal basis in law, and has to be proportionate.⁹⁶

Houston Rockets general manager Daryl Morey tried to defuse the rapidly growing international fallout over his deleted tweet that showed support for Hong Kong anti-government protesters.⁹⁷

10 October 2019 – President Tsai Ing-wen said Taiwan did not accept “One Country, Two Systems”, that was a failure in Hong Kong.⁹⁸

14 October 2019 – The German Bar Association urged the authorities to set up an independent inquiry commission.⁹⁹

15 October 2019 – Guri Melby, a Norwegian member of parliament nominated Hong Kong people for Nobel Peace Prize.¹⁰⁰

16 October 2019 – The US House of Representatives unanimously passed the Hong Kong Human Rights and Democracy Act of 2019 and the Protect Hong Kong Act.¹⁰¹

Seven units of the Chinese authorities strongly opposed the passage of the Acts on Hong Kong matter.¹⁰²

20 October 2019 – A specialized crowd management vehicle sprayed a mosque with blue dye.¹⁰³

21 October 2019 – CE Carrie Lam visited mosque and offered apology at water cannon-hit mosque.¹⁰⁴

***23 October 2019* – Formal withdrawal of the extradition Bill in the LegCo meeting.**¹⁰⁵

24 October 2019 – The International Federation for Human Rights passed an urgent resolution in Taiwan to urge the Hong Kong authority to set up an independent inquiry to investigate the police's use of force.¹⁰⁶

25 October 2019 – A human chain in Tseung Kwan O to call for a death inquest for Christy Chan.¹⁰⁷

1 November 2019 – The UK Government called for an end to violence at Hong Kong protests and for the police response to be proportionate.¹⁰⁸ A joint signature campaign was launched to urge the UN Special Rapporteur on Violence Against Women to visit Hong Kong and recommended the Hong Kong Government to establish an Independent Commission of Inquiry to conduct impartial investigations.¹⁰⁹

3 November 2019 – Joey Kwok, a freelance photojournalist working for Stand News and a journalism student of Hong Kong Baptist University Students' Union Editorial Board member, were arrested whilst covering the news.¹¹⁰

4 November 2019 – Alex Chow, a protester who was a student of the Hong Kong University of Science and Technology, fell down from a carpark¹¹¹ and died on 8 November.¹¹²

5 November 2019 – President Xi Jinping of China publicly backed CE Carrie Lam in Shanghai.¹¹³

6 November 2019 – After the **Fourth Plenary Session** of the 19th Central Committee of the **Communist Party of China** (中共四中全会) was held (28 to 31 October) in Beijing, Shen Chunyao (沈春耀), director of the Legislative Affairs Commission of the Standing Committee of the National People's Congress (SCNPC), said that “at the heart of the problem, lies a **severe distortion and misconception about the relationship between “One Country” and “Two Systems”**, as well as that between the Central Government's overall jurisdiction over Hong Kong and the high degree of autonomy the SAR enjoys.”¹¹⁴

9 November 2019 – News reported that Zhang Xiaoming (張曉明), the director of the Hong Kong and Macau Affairs Office (港澳辦主任), said that lack of Article 23 is one of the main reasons why “radical, separatist forces” are intensifying in Hong Kong and the SAR should consider passing the law as an urgent task.¹¹⁵

Seven LegCo Members, Eddie Chu, Ray Chan, Lam Cheuk-ting, Kwok Ka-ki, Leung Yiu-chung, Gary Fan and Au Nok-hin were arrested for the alleged offences on 11 May.¹¹⁶

10 November 2019 – An international panel of experts says that the police watchdog, the Independent Police Complaints Council (IPCC), lacks power to investigate ongoing protests.¹¹⁷

11 November 2019 – The netizens convened the general strikes.¹¹⁸ A policeman shot and seriously injured a protester who had no weapon.¹¹⁹ A man quarreled with protesters and was set on fire, resulting in serious injury.¹²⁰

12 November 2019 – The police denied rape in Tsuen Wan police station on 27 September.¹²¹

There was serious blockage of traffic, including the Cross-Harbor Tunnel in Hung Hom (紅磡海底隧道) by protesters¹²² and many MTR stations closed down.

In the **Chinese University of Hong Kong**, in order to **disperse the protesters, the police fired over 1,000 tear gas** and severe confrontation occurred near several universities too.¹²³

13 November 2019 – The Education Bureau announced the suspension of all schools on the following day.¹²⁴ In mid-November, many schools and universities suspended their classes. An

old man aged 70 was hit by a throwing brick from a protester and died.¹²⁵

Taiwan calls on the international community to stand with Hong Kong.¹²⁶

14 November 2019 – After the death of a university student protester Chow Tsz-lok, Teresa Cheng, Secretary for Justice, was heckled and jostled by protest supporters in London. She fell to the ground and injured her arm.¹²⁷ There was serious blockage of traffic, including the Cross-Harbor Tunnel in Hung Hom and outside Hong Kong Baptist University by protesters.¹²⁸ President Xi gave his tough public comments about the protests that have roiled Hong Kong, saying China supported the police “in sternly enforcing the law.”¹²⁹

15 November 2019 – Education International (EI) and its members are mobilizing to show support for those who defend the values of democracy, justice and liberties.¹³⁰

16 November 2019 – People’s Liberation Army soldiers cleared up debris and bricks without the invitation of the HKSAR as required under the Basic Law.¹³¹

17 November 2019 – **Violent clashes** between protesters and police ensued **outside** the campus of the **Hong Kong Polytechnic University**.¹³²

18 November 2019 – The Court of First Instance ruled that the Emergency Regulations Ordinance is unconstitutional as it

contravenes the constitutional framework under the Basic Law by empowering CE in Council with general legislative power in the name of public danger. Sections 3 and 5 of the Prohibition of Face Covering Regulation fails to satisfy the proportionality test.¹³³

The European Union issued a statement that “[i]n light of the continuing rise in violence in Hong Kong, including the latest developments at the Hong Kong Polytechnic University, it is crucial that all sides exercise restraint and engage constructively in de-escalation efforts.”¹³⁴

In the Hong Kong Polytechnic University, the police arrested 51 volunteers who provided first aid medical support.¹³⁵ The police fired 3,293 tear gas canisters.¹³⁶

A British human rights observer was detained by Hong Kong police for more than 15 hours, denied access to food and deprived of sleep.¹³⁷

19 November 2019 – Zang Tiewei (臧鐵偉), a spokesman of the Legislative Affairs Commission (LAC) (法制工作委員會) of SCNPC, said, “Whether a law of the HKSAR is in conformity with the Basic Law of the HKSAR can only be judged and decided by SCNPC, and no other organ has the right to judge or decide”.¹³⁸

The Hong Kong Bar Association commented that remarks of the LAC spokesman are legally incorrect and undermined the high degree of autonomy granted to the HKSAR under the Basic Law.¹³⁹

The spokesperson for the UN High Commissioner for Human Rights said that “with regard to the current situation at the Hong Kong Polytechnic University, we urge the authorities to do all they can to de-escalate the situation, to address the humanitarian situation of those inside which is clearly deteriorating, and facilitate a peaceful resolution.”¹⁴⁰

The Asian Forum for Human Rights and Development (FORUM-ASIA) strongly condemned the excessive use of force against the demonstrators in Hong Kong.¹⁴¹

20 November 2019 – The Senate of the United States unanimously passed the Hong Kong Human Rights and Democracy Act of 2019 and the Protect Hong Kong Act, which would prohibit the export of non-lethal crowd control and defence items to Hong Kong. China summoned a senior US diplomat to warn retaliation if US President Donald Trump signed the Act into law.¹⁴²

The Bar Human Rights Committee of England and Wales (BHRC) called again “on the Hong Kong authorities to initiate an urgent and independent investigation into the allegations of police brutality” to ensure that the rule of law in Hong Kong “is neither eroded nor impeded.”¹⁴³

Seven units of the Chinese authorities strongly opposed US passage of the Acts on Hong Kong matter.¹⁴⁴

23 November 2019 – The US House of Representative passed the Senate’s version of the Acts on Hong Kong.¹⁴⁵

The New York City Bar Association sent an open letter to CE Carrie Lam to call for an inquiry commission on police's use of force.¹⁴⁶

25 November 2019 – In the **District Council election** on 24 November, the **voting rate** is **71.2%**, 24.19% higher than the last voting rate of 47.91% in 2015.¹⁴⁷ In 452 seats, the **democrats secured 388 seats (85%)**.¹⁴⁸

26 November 2019 – The Government will set up an independent review committee to look at the causes of the social unrest.”¹⁴⁹

During the Beijing + 25 CGO forum, 300 representatives from 250 Asia Pacific NGOs expressed stand with Hong Kong for 5 demands.¹⁵⁰

27 November 2019 – US president signed the Acts allowing sanctions against Hong Kong Government¹⁵¹ and restricted US exports of crowd control devices to the Hong Kong Police Force.¹⁵²

29 November 2019 – Michelle Bachelet, UN High Commissioner for Human Rights, “appeal to all sides to unequivocally condemn violence that has led to serious injury and death.”¹⁵³ Beijing accused UN of “inappropriate” interference in the country's affairs after UN called for investigations into alleged excessive use of force by police in Hong Kong.¹⁵⁴

2 December 2019 – China announced the suspension of U.S. Navy visits to Hong Kong in retaliation over US President Trump’s decision to sign legislation that supported Hong Kong’s pro-democracy protesters.¹⁵⁵

8 December 2019 – **CHRF organized an anti-government rally and they said an estimated 800,000 took part while police put the number at 183,000.**¹⁵⁶

16 December 2019 – President Xi told CE that the Central Government fully acknowledged her courage and commitment and expressed strong support for the police to firmly enforce the law.¹⁵⁷

19 December 2019 – Dominic Raab, UK Foreign Secretary, urged China to uphold the promises in the Sino-British Joint Declaration.¹⁵⁸

4 people were arrested for money laundering for 70 million dollars relating to Spark Alliance, a crowdsourced fund that was set up to support protesters.¹⁵⁹

22 December 2019 – HKSAR Government opposed the Taiwan authorities’ repeated claims regarding legal assistance between Hong Kong and Taiwan.¹⁶⁰

26 December 2019 – An NGO Stand With Hong Kong invited religious and faith leaders of UK to sign a letter to the British Prime Minister to urge UK government to “urgently ensure the lives and freedoms of the people of Hong Kong are protected”. HKSAR Government stressed that it attached

“the utmost importance to and firmly upheld human rights and various freedoms” in Hong Kong.¹⁶¹

1 January 2020 – CHRF, the march’s organizer, condemned police for ordering a premature end to the rally in support of the protesters’ demands and claimed turnout for the rally was 1,030,000 people. Police said 60,000 people attended the march at its peak.¹⁶²

*2 January 2020 – More than 280 people, including 3 Civil Rights Observers were arrested after the assembly on 1 January.*¹⁶³

*11 January 2020 – The Hong Kong protests were considered a contributing factor in the landslide victory of Tsai Ing-wen in Taiwan’s presidential election.*¹⁶⁴

*12 January 2020 – Kenneth Roth, the head of Human Rights Watch (HRW), was denied entry to Hong Kong.*¹⁶⁵

*14 January 2020 – 52 NGOs sent an Urgent Appeal to the UN Special Rapporteur on Toxics on the toxicity of tear gas and other chemical weapons used by the police during the civil rights movement in Hong Kong.*¹⁶⁶

*15 January 2020 – HKSAR Government responded to a foreign NGO Human Rights Watch’s report and reiterated that foreign organizations should not interfere in the internal affairs of the HKSAR.*¹⁶⁷

*22 January 2020 – The first confirmed case of COVID-19 in Hong Kong.*¹⁶⁸

29 January 2020 – UN Special Rapporteur sent a letter to China, stating that “we have reasons to believe that tear gas, pepper spray and other chemical agents have been used indiscriminately, unnecessarily and disproportionately” between June and December 2019.¹⁶⁹

Amnesty International praised Hongkongers for regularly taking to the streets since June last year.¹⁷⁰

4 February 2020 – The first death case of COVID-19 in Hong Kong.¹⁷¹

5 February 2020 – US members of Congress Marco Rubio and James McGovern announced their intention to nominate the Hong Kong protesters for the Nobel Peace Prize.¹⁷²

11 February 2020 – 24 human rights organizations wrote to CE in regard to the arrest of five human rights observers whilst conducting their work at assemblies in Hong Kong in November 2019 and January 2020.¹⁷³

28 February 2020 – Jimmy Lai, founder of Next Digital (formerly Next Media) and Lee Cheuk-yan, vice-chair of Labour Party, and Yeung Sum were arrested for the protest on 31 August 2019.¹⁷⁴

18 March 2020 – China’s Ministry of Foreign Affairs statement indicated that the countermeasures were to reciprocate the US Government’s restrictions on the Chinese media agencies and personnel in the US.¹⁷⁵

26 March 2020 – Cheng Lai-king, chairwoman of Central and Western District Council, was arrested under sedition laws.¹⁷⁶

29 March 2020 – Hong Kong banned public gatherings of more than four people.¹⁷⁷

9 April 2020 – The Court of Appeal partially allowed the Government's appeal. The Court upheld the constitutionality of the Emergency Regulations Ordinance, Cap 241, insofar as it empowered the CE in Council to make emergency regulations on any occasion of public danger but held that sections 3(1)(c) and (d), relating to public meeting and public procession respectively, and section 5 on police powers in relation to facial covering, are all unconstitutional.¹⁷⁸

17 April 2020 – Liaison Office in Hong Kong declared that it and the Hong Kong and Macau Affairs Office were not subject to Basic Law article 22 restrictions.¹⁷⁹

18 April 2020 – 18 Democrats, including Martin Lee QC, Jimmy Lai, Dr Margaret Ng and Albert Ho were arrested for unauthorized assembly of 18 August 2019. Some international legal organizations urged the Hong Kong authorities to immediately release the arrestees and drop all charges against them.¹⁸⁰

10 May 2020 – Democratic Party legislator Roy Kwong was arrested in Mongkok for disorder in public place.¹⁸¹

11 May 2020 – Hong Kong Committee on Children’s Rights expressed concern on the arrest of underage persons.¹⁸²

13 May 2020 – UN human rights experts urged HKSAR to drop the criminal prosecution of pro-democracy activists who participated in peaceful protests in the city last year.¹⁸³

15 May 2020 – The Independent Police Complaints Council (IPCC) published the “Thematic Study Report on the Public Order Events arising from the Fugitive Offenders Bill since June 2019 and the Police Actions in Response” with 52 recommendations.¹⁸⁴ CE said the report was “comprehensive and objective” and promised to accept all the recommendations.¹⁸⁵

CE shelved plans for an independent review into the underlying causes of the anti-government protests. Several social leaders and scholars were invited to join the panel but all dropped out. Her priority was to deal with the pandemic.¹⁸⁶

22 May 2020 – The European Union considered that democratic debate, consultation of key stakeholders, and respect for protected rights and freedoms in Hong Kong would represent the best way of proceeding with the adoption of national security legislation.¹⁸⁷ Foreign Secretary/Ministers of UK, Australia and Canada were deeply concerned at proposals for introducing legislation related to national security in Hong Kong.¹⁸⁸

26 May 2020 – International Commission of Jurists (ICJ) called upon the NPC to withdraw the Decision and to protect human rights.¹⁸⁹

28 May 2020 – **NPC authorized the SCNPC to formulate national security laws for HKSAR to prevent, stop and punish any secession, subversion, terrorist activities and foreign interference.**¹⁹⁰

The UK, Australia, Canada, and US gave a joint statement to reiterate their deep concern regarding Beijing's decision to impose a national security law in Hong Kong.¹⁹¹

29 May 2020 – Former Governor of Hong Kong, Lord Patten, led a group of 676 Parliamentarians from 35 countries to decry the introduction of national security legislation in Hong Kong and against the “flagrant breach of the Sino-British Joint Declaration”.¹⁹² **US President ordered removal of Hong Kong's special status with US over the new security law.**¹⁹³

3 June 2020 – UK Prime Minister Boris Johnson announced that if China were to continue pursuing the national security law, he would open a path to British citizenship for Hong Kong residents who were eligible for a British National (Overseas) passport (BNO).¹⁹⁴

4 June 2020 – LegCo passed the National Anthem Ordinance.¹⁹⁵ Tens of thousands of people gathered for 4 June vigil.¹⁹⁶

6 June 2020 – US Secretary of State made contrast between US and the Chinese Communist Party.¹⁹⁷

9 June 2020 – Human Rights Watch said that the Chinese and HKSAR Governments should respect fundamental rights of people.¹⁹⁸

11 June 2020 – Vigil organizers Lee Cheuk-yan and Albert Ho and media boss Jimmy Lai to be prosecuted on incitement charges over Victoria Park gathering on 4 June.¹⁹⁹

12 June 2020 – Hong Kong and Macao Affairs Office of the State Council of PRC stated that education in Hong Kong must end all speech inciting “Hong Kong independence” and violence in schools.²⁰⁰

17 June 2020 – The Government reported that from June 2019 to May 2020, about 2000 post-secondary institutions students and about 1600 people who were aged under 18 were arrested. There were 10 staff members of post-secondary institutions and about 100 staff or teachers of primary and secondary schools who were arrested.²⁰¹

19 June 2020 – The UN Human Rights chief Michelle Bachelet stressed that any legislation for HKSAR and its implementation must fully comply with China’s human rights obligations.²⁰²

20 June 2020 – The European Parliament condemned China’s new national security law for Hong Kong as a “comprehensive assault” on the territory’s freedom and demanded the EU prepare sanctions. Beijing said the National Security Law

was needed to end political unrest and restore stability, after a year of huge and often violent rallies for democracy.²⁰³

25 June 2020 – US Senate passes Hong Kong Autonomy Act and Hong Kong resolution.²⁰⁴

The UN's former human rights chief and eight former U.N. special envoys urged UN Secretary-general to appoint a special envoy on Hong Kong.²⁰⁵

26 June 2020 – UN experts stated that NPC drafted a national security law for HKSAR without any meaningful consultation would violate China's international legal obligations and impose severe restrictions on civil and political rights.²⁰⁶

A former employee of the UK's Hong Kong consulate, Simon Cheng, was granted asylum on 26 June, the first Hong Kong holder of the British National (Overseas) passport, known as a BNO, to receive political asylum. Beijing accused Mr Cheng of inciting political unrest amid anti-government protests in Hong Kong but he denied.²⁰⁷

29 June 2020 – **US ended exports of U.S.-origin defense equipment and will take steps toward imposing the same restrictions on U.S. defense and dual-use technologies to Hong Kong as it does for China.**²⁰⁸

30 June 2020 – **SCNPC passed the Law of People's Republic of China (PRC) on Safeguarding National Security in HKSAR** that became effective that day.²⁰⁹

1 July 2020 – UK Prime Minister Boris Johnson denounced China’s imposition of a security law on Hong Kong as a “clear and serious” violation of Sino-British Joint Declaration.²¹⁰ UK confirmed that these Hong Kong residents could come to UK with a 5-year limited leave to remain.²¹¹ They could apply for indefinite leave to remain in UK and, after a further 12 months with settled status, they were able to apply for British citizenship.²¹²

At the UN Human Rights Council, UK ambassador Julian Braithwaite delivered a joint statement on behalf of 27 countries to call for China to reconsider the imposition of National Security Law in HKSAR.²¹³ Cuba on behalf of 52 countries welcomed the adoption of the law.²¹⁴

2 July 2020 – HKSAR Government stated that the slogan “Liberate Hong Kong, the revolution of our times” (「光復香港 時代革命」) connoted “Hong Kong independence”, or separating HKSAR from PRC, altering the legal status of the HKSAR, or subverting the State power.²¹⁵

The State Council of PRC appointed Chan Kwok-ki (陳國基) as Secretary-General of HKSAR National Security Committee.²¹⁶

3 July 2020 – The State Council of PRC appointed Luo Huining (駱惠寧) as the National Security Affairs Advisor of the National Security Committee of HKSAR.²¹⁷ Zheng Yanxiong (鄭雁雄) was appointed as the director of the National Security Office of PRC in HKSAR and Li

Jiangzhou (李江舟) and Sun Qingye (孫青野) were appointed as the deputy directors.²¹⁸ HKSAR Government opposed the passage of the Hong Kong Autonomy Act by US Congress.²¹⁹

6 July 2020 – HKSAR Government rejected remarks by US Consul General on National Security Law.²²⁰

7 July 2020 – Implementation Rules for Article 43 of the Law of the PRC on Safeguarding National Security in HKSAR came into operation.²²¹

8 July 2020 – The National Security Office of the Central People's Government (CPG) in HKSAR was inaugurated in Hong Kong.²²²

13 July 2020 – A majority of US companies in Hong Kong surveyed by the American Chamber of Commerce were concerned about the National Security Law and a third considered moving assets or business in the longer term.²²³

15 July 2020 – HKSAR Government expressed its strong opposition to US signing the “Hong Kong Autonomy Act” passed by the US Congress. The HKSAR Government strongly objected to and deplored the series of measures to be adopted by the US under the President's executive order.²²⁴

21 July 2020 – Democratic Party lawmaker Ted Hui was arrested for allegedly obstructing police, and a District Councilor was taken away for allegedly violating the National Security

Law. More than four people were given penalty tickets for breaching ban on public gatherings law.²²⁵

22 July 2020 – European Union was working on a “comprehensive and coordinated” response to Beijing’s imposition of a national security law on Hong Kong.²²⁶

23 July 2020 – US Secretary of State made a speech “Communist China and the Free World’s Future” which emphasized the China threat in respect of US economy, liberty, and the future of free democracies around the world.²²⁷

HKSAR Government responded to the announcement by UK Government on providing a pathway for the Chinese nationals in Hong Kong who were holders of the British National (Overseas) (BN(O)) passport or eligible for it to reside and obtain citizenship in the UK.²²⁸

28 July 2020 – In accordance with the instruction of CPG, HKSAR Government issued notices to the Consulates of Canada, Australia and UK to suspend the implementation of the Agreement between the HKSAR Government and those governments on Mutual Legal Assistance in Criminal Matters.²²⁹

HKSAR Government opposed EU export restrictions on sensitive equipment and technologies on Hong Kong that were based on groundless allegations.²³⁰

30 July 2020 – 12 candidates were disqualified from standing for LegCo election.²³¹

31 July 2020 – HKSAR Government announced the postponement of LegCo election for a year.²³²

3 August 2020 – In accordance with the instruction of CPG, HKSAR Government issued a notice to the New Zealand Consulate-General to suspend the implementation of the Agreement Concerning Mutual Legal Assistance in Criminal Matter.²³³

4 August 2020 – UK All-Party Parliamentary Group (APPG) on Hong Kong released their inquiry into the police actions against humanitarian and medical workers.²³⁴

5 August 2020 – HKSAR Government strongly deplored and opposed the report published by UK APPG on Hong Kong and reiterated that matters relating to the HKSAR remained China's internal affair.²³⁵

7 August 2020 – HKSAR Government strongly deplored and opposed the statement by the US Consulate General Hong Kong and Macau, which commented that the National Security Law would affect the freedom of speech of Hong Kong residents.²³⁶

U.S. sanctioned 11 senior government officials of the Mainland and HKSAR.²³⁷

8 August 2020 – HKSAR Government criticized the sanctions as shameless and despicable.²³⁸

10 August 2020 – 200 policemen of the Department for safeguarding national security of the Hong Kong Police Force raided Next Digital Building. The police arrested 10 people²³⁹, including Lai Chi Ying and Agnes Chow.

In response to the sanctions by the US Government against 11 officials of CPG and HKSAR Government, the **PRC Ministry of Foreign Affairs announced sanctions against 11 persons from the US.**²⁴⁰

HKSAR Government opposed the joint statement by the foreign ministers of Australia, Canada, New Zealand, UK and US regarding the postponement of the Legislation Council General Election due to the severe epidemic, the Returning Officers' decisions to disqualify some candidates for LegCo election, and the enactment of the National Security Law.²⁴¹

11 August 2020 – SCNPC extended the session of the 6th LegCo for not less than a year.²⁴²

12 August 2020 – In accordance with the instruction of CPG, HKSAR Government issued notices to Germany and France to suspend the implementation of the Agreement Concerning Surrender of Accused or Convicted Persons.²⁴³

Japan Parliamentary Alliance on China commented on National Security Law and LegCo electoral arrangements. HKSAR Government expressed deep regret.²⁴⁴

20 August 2020 – HKSAR Government issued a severe reprimand against US's unilateral decision to suspend or terminate three bilateral agreements with the HKSAR.²⁴⁵ In accordance with the instruction of CPG, HKSAR Government issued a notice to US to suspend the implementation of the Agreement on Mutual Legal Assistance in Criminal Matter.²⁴⁶

23 August 2020 – **Twelve Hong Kong residents were arrested while trying to flee to Taiwan.**²⁴⁷

26 August 2020 – Lawmakers Democrats Hui Chi Fung and Lam Cheuk Ting were arrested “for participating in riot” on 21 July 2019.²⁴⁸

31 August 2020 – Police reported that 20 people were arrested for offence under the National Security Law since 1 July.²⁴⁹

1 September 2020 – UN Special Rapporteurs expressed concern that the National Security Law lacked precision, infringed on certain fundamental rights and might not meet the required thresholds of necessity, proportionality and non-discrimination under international law.²⁵⁰

2 September 2020 – Hong Kong Bar Association commented that CE's remarks that HK has no “separation of powers”²⁵¹ departed from the authoritative judicial decisions on the structure of the HKSAR Government which form part of the law of Hong Kong, and were contradictory to the public statements of two Chief Justices.²⁵²

A non-permanent judge of the Court of Final Appeal resigned and was reported relating to the National Security Law.²⁵³ CE Office said that Mr Justice Spigelman did not give any reason for his resignation²⁵⁴ and did not affect judicial independence.²⁵⁵

3 September 2020 – US Secretary of State Mike Pompeo announced that Chinese diplomats in the US needed to seek permission before they could meet with local government officials or visit university campuses.²⁵⁶

6 September 2020 – Tam Tak-chi, leading figure of People Power was arrested under the sedition law.²⁵⁷

7 September 2020 – Hong Kong Committee on Children’s Rights was concerned about the treatment of a 12-year-old girl tackled by police.²⁵⁸

Hong Kong and Macao Affairs Office of the State Council of PRC stated that the “separation of powers” in the political system of HKSAR is wrong and must be corrected.²⁵⁹

8 September 2020 – From 9 June 2019 to 6 September 2020: 10,016 people were arrested of which 22% (2,210 people) have been prosecuted.²⁶⁰

11 September 2020 – US was deeply concerned that twelve Hong Kong democracy activists, arrested two weeks ago off the coast of Hong Kong by Guangdong Maritime Police, have been denied access to lawyers of their choice.²⁶¹

Chinese foreign ministry spokesman Zhao Lijian said that Beijing would impose “reciprocal restrictions” on all US embassies and consulates on Chinese soil, including the consulate in Hong Kong, without giving details.²⁶²

A jury returned an open verdict in the death of Hong Kong Design Institute student Chan Yin-lam, at the Coroner’s Court.²⁶³ Coroner pointed to a lack of evidence of assault or threats to Chan and suicide cannot be established ‘beyond a reasonable doubt’.²⁶⁴

16 September 2020 – A German think tank said it would close its Hong Kong office following the imposition of National Security Law.²⁶⁵

18 September 2020 – UN High Commissioner for Human Rights urged Chinese authorities to ensure due process rights to group of 12 Hong Kongers arrested at sea, including swift access to legal representation of their choosing.²⁶⁶

22 September 2020 – HKSAR police outlined new accreditation procedures under the Police General Orders to amend the definition of “media representatives”.²⁶⁷

23 September 2020 – The Foreign Correspondents’ Club (FCC), Hong Kong, opposed the new accreditation policy for journalists as it undermines press freedom.²⁶⁸ Hong Kong opposition activist Joshua Wong Chi-fung was arrested for allegedly taking part in an illegal assembly during the city’s social unrest on 5 October 2019.²⁶⁹

24 September 2020 – The spokesperson of the Office of the Chinese Foreign Ministry Commissioner expressed strong disapproval of and firm opposition against the unwarranted remarks FCC made about the police’s amendment of the definition of “media representatives”. FCC was blamed for attempting to endorse the rioters and condone their “burn with us” violence.²⁷⁰

The European Union said that the arrest of Joshua Wong Chi-fung was the latest in a troubling series of arrests of pro-democracy activists since the summer.²⁷¹

27 September 2020 – American diplomats must obtain approval from Beijing’s foreign ministry before they can meet with HKSAR government officials or personnel from the city’s educational institutions and societies.²⁷²

29 September 2020 – A majority of the pan-democratic lawmakers decided to stay in LegCo for the coming year.²⁷³

2 October 2020 – European Council underlined its serious concerns about the human rights situation in China, including developments in Hong Kong.²⁷⁴

US State Department said that Hong Kong was included for the first time for the proposed quota for refugees in response to the Beijing-imposed National Security Law.²⁷⁵

4 October 2020 – US State Department condemned Hong Kong’s government and police for the arrest of more than 80 people to stop unauthorized protests.²⁷⁶

6 October 2020 – A teacher was disqualified by the Government for “purportedly spreading the idea of Hong Kong independence”. This is the first deregister case relating to teaching.²⁷⁷ Between June 2019 and August 2020, there were 247 complaints against alleged unprofessional teachers relating to the social incidents.²⁷⁸

A Joint statement by Germany on behalf of 39 countries at the UN General Assembly Third Committee expressed concern on Hong Kong National Security Law and Xinjiang human rights situation.²⁷⁹ Pakistan made a joint statement on behalf of 55 countries, opposing interference in China’s internal affairs under the pretext of Hong Kong.²⁸⁰

7 October 2020 – Canada began granting asylum to Hong Kong pro-democracy activists.²⁸¹

3. Final Remarks

In 1997, China resumed the exercise of sovereignty over Hong Kong.²⁸² Hong Kong has maintained its international characters since the handover. For instance, the judiciary, in particular the Court of Final Appeal, has endeavored to keep in pace with the international standard. The Court has invited overseas distinguished judges to sit in the highest Court. The judgments referred to the latest authorities of other common law jurisdictions extensively and were often cited by overseas courts. However, if more overseas judges are reluctant to come to Hong Kong, the city may lose its distinctive feature in the “Two Systems”.

In authoritarian states, no demonstration of considerable size would be allowed. Yet, in liberal democracies, such a large-scale protest would probably compel the government to concede to public opinion.²⁸³ Hong Kong is neither of them. The main strategy of the Government in handling the crisis is to exercise stronger political and social control over the society. The conflicts are intensified. The whole society has to pay a high cost. If the basic strategy does not work, will the authority rethink and change it?

Hong Kong has gradually developed into an international city after the Sino-British Opium War that ended in 1842 which UK regarded as a trade war. Since 2019, Hong Kong has become the center of storm in the Sino-US trade war. With this background, will Hong Kong be unstable for a further foreseeable future?

Part of the above timeline was based on my paper presented at a conference held on 5 December 2019: Chong Yiu Kwong, “Hong Kong’s watershed 2019: A point of No Return—human rights and historical perspectives”.

Notes

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7. 「李柱銘：擋「送中惡法」美國有責 香港法治如「綠洲」中國乃「沙漠」」《自由亞洲電台》2019 年 5 月 15 日。瀏覽日期：2019 年 11 月 24 日：<https://www.rfa.org/cantonese/news/htm/us-martin-05152019095104.html>
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9. “Open Letter regarding proposed changes to Hong Kong’s extradition law” to CE, 6 June 2019. Accessed on 21 November 2019: https://www.hrw.org/sites/default/files/supporting_resources/openletterhk201906_1.pdf 香港人權監察等「公民組織聯署致函特首 促港府立即停止修訂逃犯條例」《獨立媒體》2019 年 6 月 7 日。瀏覽日期：2019 年 11 月 21 日：<https://www.inmediahk.net/node/1064556>
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11. 「白衣人海反修例 民陣稱 103 萬 警稱高峰 24 萬」《明報》2019 年 6 月 10 日。
12. 「全球 29 城市港人 自發集會聲援」《香港經濟日報》2019 年 6 月 10 日，政治版。

13. 「全球 29 城聲援 澳洲 5000 人響應 多居外港人 「向國際展示曾發聲」」《明報》2019 年 6 月 10 日，要聞版。
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16. 「高峰 4 萬人 入夜數百人退守中環 警目標保立會 暫不清場」《明報》2019 年 6 月 13 日。The Hong Kong Bar Association “notes with grave concern video footages showing that the police appeared to have acted in disregard of the safety and well-being of protesters and frontline journalists covering the protest” in its statement “Statement of the Hong Kong Bar Association (HKBA) on the Use of Force by the Hong Kong Police on 12 June 2019”, 13 June 2019. Accessed on 22 Nov 2019: <https://www.hkba.org/events-publication/press-releases-coverage>
17. The joint statement is by The Bar Human Rights Committee of England and Wales, the Law Society of England & Wales, the Human Rights Committee of the Law Society of England and Wales, the International Bar Association’s Human Rights Institute, the Defence Extradition Lawyer’s Forum, the International Forum of Extradition Specialists, and Fair Trials. “Hong Kong’s “ill conceived” extradition proposals “fundamentally imperil the operation of the rule of law” say leading international law organizations.” 14 June 2019. Accessed on 22 November 2019: <http://www.barhumanrights.org.uk/hong-kongs-ill-conceived-extradition-proposals-fundamentally-imperil-the-operation-of-the-rule-of-law-say-leading-international-law-organisations/> The International Trade Union Confederation, ITUC, expressed outrage at the brutal suppression of protests on 12 June. “ITUC condemns brutal suppression of protests in Hong Kong”, ITUC, 14 June 2019. Accessed on 26 November 2019: <https://www.ituc-csi.org/ituc-condemns-brutal-suppression>
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21. 「譴責港警 為港墮斃示威者默哀 海外 40 市聲援 台北萬人集會」《明報》2019 年 6 月 17 日，要聞版。

22. “Opening remarks by CE at media session”, HKSAR Government press release, 15 June 2019, paragraphs 1-2:
 “During large-scale public processions over the past two Sundays, people have expressed in a peaceful and rational manner their concerns about the Fugitive Offenders Ordinance and their dissatisfaction and disappointment with the Government – especially me. I have heard you loud and clear, and have reflected deeply on all that has transpired.
 The concerns over the past few months have been caused by deficiencies in the work of the SAR Government over the amendment exercise. I personally have to shoulder much of the responsibility. This has led to controversies, disputes and anxieties in society. For this I offer my most sincere apology to all people of Hong Kong.”
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26. Amnesty International Hong Kong, Hong Kong Human Rights Monitor and Human Rights Watch “Open Letter calling for an independent commission of inquiry”, 28 June 2019. Accessed on 20 November 2019: https://www.hrw.org/sites/default/files/supporting_resources/190628_hk_lam_police_force.pdf 人權觀察、香港人權監察、國際特赦組織香港分會「民間團體聯署致函特首 倡議成立獨立調查委員會」《獨立媒體》2019年6月28日。瀏覽日期：2019年11月21日： <https://www.inmediahk.net/node/1065233>
27. Amnesty International “UN must seize historic opportunity to stop equipping torturers”, 28 June 2019. Accessed on 24 November 2019: <https://www.amnesty.org.hk/en/un-must-seize-historic-opportunity-to-stop-equipping-torturers/>
28. 「撐警集會稱16.5萬人出席 警：5.3萬 前副處長任達榮：撤暴動說法「搞線」」《明報》2019年7月1日。In the march, protesters paid tribute to two ladies (盧曉欣，鄔幸恩) who committed suicide due to the movement. 「反對逃犯條例修訂草案運動相關嚴重傷亡事件」《維基百科》。瀏覽日期：2019年11月22日： <https://zh.m.wikipedia.org/wiki/%E5%8F%8D%E5%B0%8D%E9%80%83%E7%8A%AF%E6%A2%9D%E4%BE%8B%E4%BF%AE%E8%A8%82%E8%8D%89%E6%A1%88%E9%81%8B%E5%B7%95%E7%9B%B8%E9%97%9C%E5%9A%B4%E9%87%8D%E5%82%B7%E4%BA%A1%E4%BA%8B%E4%BB%B6%E7%9B%A7%E6%9B%89%E6%AC%A3>
29. 「民陣稱55萬人遊行 七一新高 未回應有否後續行動 警：高峰19萬」《明報》2019年7月2日。It broke the record of 1 July procession.
30. 周禮希、劉瑩諭。「示威者佔領立會3句鐘 大肆破壞」《香港經濟日報》2019年7月2日。
31. 「抗爭散社區「光復屯公」爆衝突 警方噴椒 遊行一度圍屯門警署」《明報》2019年7月7日。
32. 「何韻詩聯合國發言 兩度被中國代表打斷」《立場新聞》2019年7月8日。

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33. Instead of announcing the withdrawal of the Bill, she said the Bill was dead (條條例草案已經壽終正寢). She also refused to set up a Commission of Inquiry because she noticed that “statutory Independent Police Complaints Council (IPCC) has already unanimously decided that they will conduct a fact-finding study on the events that have taken place during the period from June 9 to July 2”. HKSAR Government press release, “Transcript of remarks by CE at media session before ExCo meeting”, 9 July 2019, paragraphs 3, 5. She also made four concrete measures to follow up the matter.
 34. “European Parliament resolution of 18 July 2019 on the situation in Hong Kong (2019/2732(RSP)). At paragraph H, it stated that “whereas more than 70 human rights NGOs, including, Amnesty International, Human Rights Watch, Human Rights Monitor, the Hong Kong Bar Association and the Law Society of Hong Kong, had addressed a collective letter to Chief Executive Lam, requesting that her government drop the extradition bill as it posed a threat to respect for human rights”. Accessed on 21 November 2019: http://www.europarl.europa.eu/doceo/document/TA-9-2019-07-18_EN.html#sdocta1
 35. 雲昇「「反送中」7.21抗議：黑衣抗議者塗鴉中聯辦 元朗白衣人暴襲市民記者」英國廣播公司新聞網。2019年7月21日。
 36. Cindy Wan, “Countries stress travel risks to HK”, *The Standard*, 25 Jul 2019; more countries, including Japan, South Korea and Canada, advised their citizens to be wary following the violent clashes in Yuen Long: <https://www.thestandard.com.hk/section-news/section/11/209990/Countries-stress-travel-risks-to-HK>
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 39. 麥馬高「人權組織批警濫暴成常態 斥警高層縱容遮掩編號羞恥」《獨立媒體》2019年8月6日。國際特赦組織香港分會、民權觀察及香港人權監察聯合記者會。瀏覽日期：2019年11月21日：<http://www.imediahk.net/node/1066280>
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rules of engagement for law enforcement officials in response to protests where these may not conform with international standards.”

51. 「被捕者見律師被拒 人權監察：香港面臨前所未見人道危機」《明報》2019年8月13日。瀏覽日期：2019年11月22日：<https://news.mingpao.com/ins/%E9%80%83%E7%8A%AF%E6%A2%9D%E4%BE%8B/article/20190813/special/1565689239484>
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Governance Crisis and Social Protests

“The Revolution of Our Times”: Reasons for the Hong Kong Protests of 2019

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Abstract

The protests breaking out in Hong Kong in 2019 were on an unprecedented scale – even for such a protest-full region; as was the activity engaged in by the police in response. And, while a direct reason for these to ensue was supplied by the HKSAR authorities’ adoption of a regulation providing for Hong Kong inhabitants’ extraditions to Mainland China, the contextual causes can be seen to go far wider, linking up with fears over a deterioration in the “one country, two systems” principle. Here, on the basis of desk research, and by reference to theories from the field of contentious politics and collective action participation, this article presents a model developed to account for the dynamic behind Hong Kong’s 2019 protests. However, specific though its considerations may seem, they may also prove interesting in the very broad context of other anti-government protests taking place in the same year – in Asia, Europe, Latin America and the Arab World. The model referred to takes account of demand and supply of protests (i.e. the role of dissatisfaction with the Hong Kong Region’s “Mainlandization” and its socio-economic and political situation, the development of a

localism, and the organisational structure of Opposition circles vis-à-vis the HKSAR).

Keywords: *Hong Kong, protests, Mainlandization, localism, contentious politics, collective action*

1. Introduction

The year 2019 will be entered in the chronicles of Hong Kong's most recent history as a time of much-deepened social and political splits. This reflects its engendering of intensive, mass-scale protest actions that (even by the standards of this protest-full region) could indeed be regarded as on a hitherto-unprecedented scale. Equally without compare was the action the police took in seeking to disperse protesters.

First, peaceful demonstrations took place in March 2019, in response to presaging of the adoption by the government of the Hong Kong Special Administrative Region (HKSAR) of regulations that would make it possible to extradite Hong Kong inhabitants to the People's Republic of China (PRC)¹. The fears of Hongkongers were then raised by the real possibility that people residing on the territory of Hong Kong might be handed over to the PRC authorities, including also in cases of a political nature. Nonetheless, the contextual causes of the eruption of protest in 2019 are actually more complex than that, linking up with growing fears among the people of Hong Kong that the "one country, two systems" principle was being chipped away at, while socio-economic prospects were deteriorating.

It is the complexity of the protest contesting the decisions of the Hong Kong authorities – and the scale it assumed – that make this an interesting topic for research. What is more, the events occurring in Hong Kong in 2019 have not yet received comprehensive analysis²,

while their presentation against the wider context of that same year's many other anti-government protests involving young people (in Europe, Latin America and the Arab World) also seemed likely to bear fruit in new theoretical conclusions.

This article therefore seeks to propose – via researchers' theoretical determinations regarding contentious politics and collective forms of social dissatisfaction – a preliminary model to account for the scale of the 2019 Hong Kong protests. That model was in fact derived through desk research, relating *inter alia* to the work of the Public Opinion Research Institute, the team of Francis L.F. Lee, Samson Yuen, Gary Tang, and Edmund W. Cheng, the reports of international NGO's, the HKSAR government reports and relevant subject literature.

In heading towards this more specific and developed goal, the article first presents the direct causes seen as underpinning the eruption of public dissatisfaction in 2019, as well as its escalation. A further part then addresses the situation vis-à-vis changes in Hong Kong's political and social situation post-1997. The main subject of the text is then the presentation of the aforesaid (preliminary) model capable of accounting for the protests, while a further part uses the model arrived at in analysing demand and supply reasons for the protest, not least the role of dissatisfaction with the region's "Mainlandization", as well as its socio-economic and political situation, and the development of the doctrine of localism and of organisational structures present in circles seeking to oppose the HKSAR Government.

2. The 2019 Protests

At first, the Extradition Bill brought forward in February 2019 and given its official presentation by the HKSAR Government on March 29th only provoked the odd, peaceful protest in Hong Kong. However, by June,

the public gatherings convened were beginning to attract ever-larger groups of participants. Thus, the march of opponents of the Bill called for June 9th saw more than a million (of Hong Kong's total of 7 million) inhabitants turn out. The corresponding event on June 16th came close to drawing 2 million (*Hong Kong Free Press*, 17th June 2019).

It was between these two dates – on June 12th – that events took a turn in a different direction, with the watershed moment being the resort to brutal methods of crowd-dispersal on the part of the police. Amnesty International reacted with a report that termed measures the police applied on June 12th “unnecessary and excessive force”, given the use of violence and pepper spray against peaceful protesters and even journalists and paramedics – which the report saw as having “violated international human rights law and standards” (Amnesty International, 2019).

From that time forward, the postulate among the protesters that there be “complete withdrawal of the Extradition Bill from the legislative process” was expanded by four further ones, with the so-called “Five Demands” put in place in this way. The four remaining tenets were: “retraction of the “riot” characterisation” (which the authorities had applied to the events of June 12th); “release and exoneration of arrested protesters”; “the establishment of an Independent Commission of Inquiry into police conduct and use of force during the protests”; and “the resignation of Carrie Lam and implementation of universal suffrage for the Legislative Council election and for the election of the Chief Executive”. Simultaneously, protests became more and more frequent, with 16 of them (each of over 1,000 participants) taking place in July, 34 in August, and 108 in September.

Figure 1 Hong Kong Pro-democracy Protests by Month (2019)



Source: Kong (2019).

In the event, police actions towards protesters would assume still-more-brutal forms in the weeks after June 12th. Accusations that the police were violating yet-further standards began to surface, as regards the dangerous use of smooth-bore weapons (also aimed at people's heads); inappropriate procedures when it came to the use of other kinds of weapons; excessive use of gas (including where no threat was posed to personnel, and in enclosed spaces); and unjustified resort to physical violence (Hong Kong Democratic Movement, 2019)³. Cases came to light of lethal weapons being deployed, and of the work of paramedics being at least "inconvenienced". Forty-six out of 221 polled by the Association Concerning Sexual Violence Against Women (and arrested in the course of the escalating protests) were ready to report incidents of sexual violence (*South China Morning Post*, 28th August 2019)⁴. Other detainees likewise alleged that violence had been used against them

while they were being held, along with dehumanising treatment and an obstructed right of access to a lawyer. Police officers were also accused of non-compliance with the legal requirement to have identifying badges, of obstructing the work of journalists, and of dressing up as protesters. Suspicions even emerged regarding transfers of detainees to Mainland China (*Taiwan News*, 18th November 2019), along with rumors about strange cases of youth suicide (Bloomberg, 11th November 2019).

As the means of dispersing protesters grew in severity, so the radicalism inherent in the latter's activity was stepped up. Research shows that non-normative forms of protest tend to arise when angry people develop a sense of disdain for the object of protest, and begin to experience a tangible lack of effectiveness (i.e. an impression that no change in the situation is possible) (Wright, Taylor and Moghaddam, 1990). Young Hongkongers first developed an awareness that mild forms of protest have no effect in the days of the "Umbrella Revolution" of 2014. In turn, research by 4 academic employees of institutions of higher education in Hong Kong, done during the 2019 protests, revealed that more than half of all protesters were ready to accept more brutal forms of manifesting demands (Lee, Tang, Yuen and Cheng, 2019). This may also be linked with police actions, with 2019 also bringing a dramatic fall in public support for the police (while dissatisfaction was still only voiced by 28 per cent in early June, by the end of the year that figure had gone beyond 65 per cent (PORI, 2019b)).

The 2019 protests can also be seen as atypical for other reasons. Unlike with the Umbrella Revolution, protesters did not (seek to) occupy a single place – in a way that would play into the hands of those acting to disperse gathered crowds. The motto taken up by the protesters came to be "Be Water" – recognised as a quote from late actor Bruce Lee. Protesters interpret this as a tactic whereby actions taken by law

enforcers are adapted to rapidly, on the basis of mobility and the avoidance of any more-protracted actions. Experiences with earlier protests (and the ease with which they might be broken up) thus led to a situation this time round in which even pointing to the organisers of the action is precluded. The decision-making process is decentralised, and no single organisation in society promotes further radicalisation of demonstrations. Nor did the 2019 protests even forge new Opposition leaders, as it indeed remains difficult to say who is initiating the efforts, or what organisational network is in place. Communications take place in encoded form (e.g. via Telegram), as well as via Internet fora like *LIHKG* (Purbrick, 2019).

A matter of major importance is the way the 2019 protests facilitated development in the area of symbolism – among localists and nativists – with the effect being to enhance generational identity. Visual symbols of the struggle were also created (*i.a.* a colour-changed Hong Kong flag on which black is treated as the colour of protest), as were numerous songs serving as Hong Kong's new anthem.

The 2019 protests also had a historic dimension conferred on them by the scale of the police reaction – through half a year of protests, police personnel released no fewer than 10,000 canisters of tear gas (*South China Morning Post*, 1st December 2019). And in the period June 9th to December 3rd alone, some 5948 people in Hong Kong were arrested (among them a great many juveniles)⁵.

3. The Context of the Protests

The proposal that the causes of the 2019 outbreak of protests be accounted for, along with the dynamics surrounding them, first required a brief presentation of the wider context of social and political change in the region. For, if many of the processes are to be accounted for, it is

necessary to understand the changes taking place in Hong Kong from the time it ceased to be British.

With the approaching end of the 99-year lease on the New Territories⁶ (accounting for as much as 92 per cent of the UK's Hong Kong), a period of negotiations began – initially informally (with the visit of Governor Murray MacLehose to Beijing in 1979), and later officially, via Sino-British talks on the future of Hong Kong held in 1982-1984 (Loh, 2010). While the British considered further rule over Hong Kong proper (as the island of that name and part of the Kowloon Peninsula were in fact seen as British in perpetuity), the facts that the New Territories were such a large part of the overall administered area, and that Beijing was proving implacable, led to the realisation that a negotiated form of handover to the PRC would have to be arrived at.

However, after over 100 years under British administration, Hong Kong was a region different from other parts of China. It had developed greatly not only in economic terms (at the time of handover to the PRC, Hong Kong was the 11th-richest territory in the world in terms of GDP per capita) but also politically – with the level of freedom enjoyed by citizens being the second-highest result to be observed anywhere in Asia (Sing, 2009). Hong Kong had developed a civil society and a specific identity, with a party system also beginning to take shape by the 1990s. At the same time, several decades on from the proclamation of the People's Republic, many immigrants had come into Hong Kong seeking a better life under the British administration, and an escape from the totalitarianism of China (Tsang, 2004). This left it a matter of considerable importance to Hong Kong residents in just which way the region's transition under Chinese rule would take place. In the meantime, the 1980s and 1990s brought modernisation processes that continue to hinder integration with the PRC through to the present day.

The Sino-British negotiations (at which the inhabitants of Hong Kong enjoyed no direct representation) ultimately established that Hong Kong's transfer to the People's Republic would see it take the form of Special Administrative Region in which the freedoms, politics and laws in place would be retained for a further period of 50 years. This was the essence of the solution that came to be termed "one country, two systems". Hong Kong would retain its capitalist system, and exchangeable currency, and authorities elected by Hongkongers themselves. Furthermore, it would continue to have a presence in international organisations, and would go on issuing its own travel documents. The only entitlements vis-à-vis Hong Kong to be gained by the central authorities of China – from the outset – were those relating to defence and foreign affairs (Joint Declaration, 1984). This looked like the only conceivable compromise acceptable to the two sides in the negotiations, and accepted it ultimately was.

Hong Kong's transfer under PRC authority was preceded by a so-called transition period (lasting from the end of the negotiations and signing of the 1984 Sino-British Joint Declaration through to the handover of territory on July 1st 1997); and this was marked by debate over the region's democratisation, as well as the development of the first political parties. Broader democratic movements came into being, the process also being boosted by growing fears, mainly – though not solely – aroused by the massacre perpetrated around Beijing's Tiananmen Square in June 1989 (Ma, 2012: 160).

Following Hong Kong's transfer under Chinese control on July 1st 1997, the first more serious crisis situation (and visible manifestation of disparate visions as to the region's future) arose in the context of mass protests on July 1st 2003. The 6th anniversary of the Hong Kong handover thus featured a numerically spectacular anti-government march in which perhaps half a million out a total of 7 million inhabitants may

have taken part. Citizens were making clear their dissatisfaction with the administration of first HKSAR Chief Executive Tung Chee-hwa, reflecting his failure to fully cope with such situations as the SARS epidemic, as well as first stories about the introduction of an anti-secession law by virtue of Article 23 of the Basic Law of the Hong Kong SAR. The scale of these protests in fact came as a surprise to the Hong Kong authorities and Chinese decision-makers alike, and resulted in a change of Beijing's policy towards the region (Cheung, 2012).

Subsequent years brought ever-greater friction between the HKSAR's citizens and its leaders, as well as tensions between inhabitants of Hong Kong and Mainland China. Among other things, key tensions post-2003 were reflected in protests:

- against the demolition of the historic buildings on the Star Ferry and Queen's Ferry quays (2006/2007);
- against the Express Rail Link (in 2009-10);
- against the 2012 introduction into schools of "Moral and National" teaching;
- against parallel trading (in 2012 and 2015);
- known as the Umbrella Revolution (in 2014);
- in Mong Kok district (in February 2016) – which grew into scuffles following the removal by HKSAR authorities of the street traders offering their food products to passers-by in line with the traditions of the Chinese New Year;
- connected with interference by the authorities of the Chinese University of Hong Kong in the student "Democracy Wall" of 2017.

Also needing to be added to all of that are the large-scale organised demonstrations each year on June 4th (to mark the anniversary of the Tiananmen massacre), July 1st (the day of the Hong Kong handover)

and January 1st (in commemoration of the demand that elections with universal suffrage be established in Hong Kong, and simultaneous opposition to China's influence in the region).

Likewise, the fears Hongkongers have been expressing by way of protest can *inter alia* be considered linked with:

- steadily-developing curbs on Opposition activity (examples given include denial of certain Opposition candidates' rights to stand for election; the removal from LegCo of politicians perceived to have sworn their oaths in an improper way; and the delegatisation of the Hong Kong National Party),
- influxes of Mainland Chinese (both within the One Way Permit framework and as tourists and purchasers of goods – the feelings expressed were that these people were not able to behave properly in public places, purchased goods in Hong Kong (and were hence responsible for price rises), and were taking places in hospitals and schools that would otherwise go to Hong Kong inhabitants),
- the limits being set on academic freedoms and freedom of speech (examples would involve harassment of academic personnel engaged in pro-democracy activity, as well as progressing self-censorship in the media),
- the involvement of the Hong Kong authorities in unjustified new infrastructural developments clearly initiated by the PRC authorities and serving the further economic integration of Hong Kong with the Chinese Mainland,
- the "Mandarinisation" of both the culture and language of Hong Kong.

Thus, after 1997, protests became some kind of "new normal" for Hong Kong, to the extent that the city even started to go by the name of "city of protest"⁷. Considering public processions alone, the last decade

brought 3 a day on average (Hong Kong Police Force, 2019). As Francis L.F. Lee, Samson Yuen, Gary Tang and Edmund W. Cheng indicate, following the handover “a combination of repeated government blunders and severe economic recession led to the rise of public grievances and protests” (Lee, Yuen, Tang and Cheng, 2019). These processes served to increase disparities between Hong Kong and China, not least as they helped shape a Hong Kong identity.

4. Proposal of a Model of HK Protests

Questions posed often in the social sciences concern the ways in which protests are initiated, the nature of the factors mobilising people into participation, the reasons for some to join protests while others not to, and the reasons for some to devote more time and effort than others, even if levels of frustration may be at the same or a similar level throughout a society. Yet further questions concern prolonged (or short-lived) participation in a protest, as well as the motivations to engage in one form of protest or another (including more radical options).

One of the first thrusts to social sciences’ research into protests, not deriving from philosophical considerations, emphasised the importance of relative deprivation. Authors involved here included James C. Davies, Walter Runciman and Ted Gurr. Empirical study confirmed the relatively great explanatory power of fraternalistic relative deprivation (the perceived discrepancy between the position that a person’s in-group actually has, and the position the given person thinks that group should have). However, still-stronger explanations can be obtained where fraternalistic deprivation meets with egoistic relative deprivation (the perceived discrepancy between an individual’s own current position and the one the person thinks they should have). A further significant theory emerged as the “frustration-aggression” theory, which underlines that,

when certain goals are blocked by external agency, the reaction can take the form of acts aiming to lift the blockade (Klandermans and van Stekelenburg, 2017).

Both of these theories were seen as forming part of the broader category of "grievance theories". When the resource mobilisation theory, emphasising the role of resources (like time, money and skills) and the ability to use them, became popular, grievance theories lost the attention of many academics (*ibid.*).

Also exerting an influence was social identity theory, which underlines the way in which people participate in collective action to raise group status if they are not able to leave a group, or when they believe that the position of the group as regards status is variable, or when the low status of a group is perceived as illegitimate.

Recent studies by social psychologists like Bert Klandermans and Jacquélien van Stekelenburg emphasise how social identity (awareness of membership in a group, attached to emotional significance and a positive evaluation of that membership), cognition (processes whereby information is interpreted, analysed, stored and used), emotion (a feeling of frustration as an accelerator) and motivation (a desire to achieve a goal) all mediate between collective identity and collective action.

Collective identity influences collective action, but is also influenced by it. The role of the collective identity in protests is also underlined in movements theories set up on the meso-level of analysis (i.e. the level of groups, parties and movements). Identification with the group is a strong predictor of attendance at protests⁸. The stronger the collective identity, the greater the chances of protests taking place.

Collective identity should not be confused with social identity, even as the two are linked closely. According to Tajfel, social identity represents an individual's cognition of his or her membership in one or more groups (Tajfel, 1978: 63). The role of other group members is then

that of providing for the sharing of ideas, feelings and interests, in a process that leads to awareness as regards similarity and shared grievances.

According to social identity theory, protests arise where the status of a group is not perceived as legitimised, but where its position is felt to be capable of being changed. Group identity has to be politicised for protests to actually take place. The more people feel their links with a protesting group, the greater are the chances that sympathy will turn into actual involvement on the ground.

Social psychologists have also emphasised the soundness of a distinction being drawn between two pathways leading to participation in collective action (i.e. the instrumental involving perceived costs and benefits of participation, access to resources and an assessment of chances of success; as well as the identity-related, whereby there is identification with people involved). There might even be a third such pathway (entailing emotions – group-based anger, and an awareness of the unfairness of the decision-making processes) (Klandermans and van Stekelenburg, 2017).

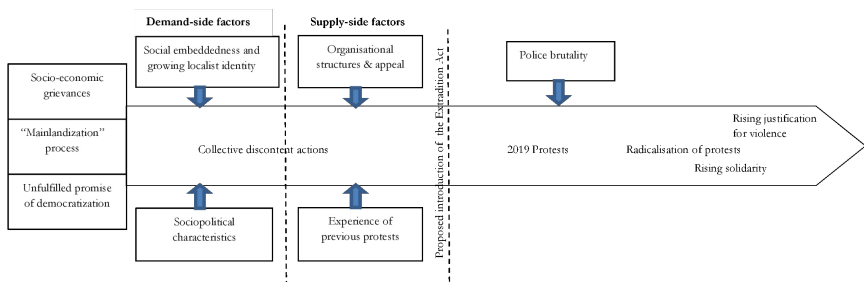
Involvement in protests is also very much predicated on involvement with organisations active in society. This is *inter alia* associated with the greater chances of a person in the latter category being inclined to mobilise; as well as the way in which organisations convey the importance of the situation in society.

Equally, individuals' commitment to a protest does not arise in isolation, so it is crucial that the premises underpinning the emergence of a protest movement are elucidated and indicated. These will be factors operating at the meso-level, rather than the micro. Those studying the politics of contention (McAdam, Tarrow and Tilly, 2001) stress the importance of:

- networks and mobilising structures/social embeddedness (social networks and movement organisations);
- ideology/cognitive frameworks/collective identity/emotions (*i.a.* collective processes of interpretation);
- political opportunities and threats (a changing political/economic/social environment, socio-political cleavages).

In line with these cases of what has been established theoretically, we have found ourselves in a position to propose a model that can account for the outbreak of protests in Hong Kong in 2019. On the so-called “demand side”, it is possible to point to socio-economic and political grievances, as well as a growing localist identity. On the “supply side”, the growth of organisational networks among local circles combined with experience relating to earlier protests (in the context of a learning organisation). A further key factor underpinning the radicalisation of protests entailed the growing brutality of action on the part of the police.

Figure 2 The Outbreak of the 2019 Hong Kong Protests



Source: Author’s own elaboration.

5. The Demand Side

5.1. *Socio-economic Grievances*

For many, Hong Kong would seem to symbolise great economic achievements, given annual average GDP growth of 3.0 per cent (2018); an unemployment rate of about 3.2 per cent (2019), an inflation rate around 3.0 per cent (2019), GDP per capita at one of the world's highest levels, a budget of the region that is in surplus and, one of the largest monetary reserves anywhere in the world, despite the fact of this being a polity of just 7.5 million inhabitants. Beyond that, the HKSAR was the world's number-eight exporter of goods as of 2018, as well as its fifth-placed region where net inflows of FDI are concerned. According to the Heritage Foundation, Hong Kong has long taken top positions in rankings of ease of doing business and economic freedoms, while taxes are among the world's lowest (Heritage Foundation, 2019).

It is as more person-focused indicators are turned to that Hong Kong starts to look much less favourable, in relation to the level of human security. For a start, as of 2018, more than 20 per cent of the region's inhabitants could be regarded as living below the poverty line – with this characteristic in fact exhibiting an upward trend in recent years (Census and Statistic Department, HKSAR, 2018). Stratification of the society here represents one of the world's worst such cases, with figures worse than in any other highly developed parts of the world (Government of the HKSAR, 2018); and the trend for this is once again upward. It is typical for the alarm to be sounded where disparities go above 0.4, yet the 2006 figure for Hong Kong stood at 0.533, and had reached 0.539 by 2016, according to Hong Kong Census Reports. Alternative research from Oxfam reveals a Gini coefficient value of 0.473 (Oxfam, 2018). The median monthly household income of the top 10 per cent is thus 44 times as great as that among the lowest 10 per cent in society (while in

2006 it had “only” been 34 times greater, according to Oxfam). It is worth adding that, as of 2018, 21 Hong Kong business tycoons had a total net worth equal to the HKSAR’s entire fiscal reserves.

Meanwhile, in the period 2003–2008, as many as 62.9 per cent of those in employment in Hong Kong experienced no advancement in levels of earnings, while the figures for the whole decade of 1998–2008 revealed 47.2 per cent of employed people failing to increase their earnings. In turn, in the same period, only 45.9 per cent of the lowest earners saw their remuneration increase at all (Legislative Council Secretariat, Hong Kong, 2015).

Thus, while the whole 1997–2013 period brought GDP growth in Hong Kong averaging out at 3.5 per cent a year, what people earned only increased by 14 per cent overall⁹. The Oxfam team offered the following summary of the situation in Hong Kong – “the rich have gotten richer, while the poor – despite their hard work – have not been able to share the fruits of economic growth” (Oxfam, 2018).

These economic indicators can readily be supplemented by data on Hongkongers’ actual feelings of deprivation. According to work by the HK-based Civic Exchange think-tank, as many as 68 per cent of inhabitants felt disquiet about the threat of poverty (compared with just 28 per cent of the people of Shanghai, and 47 per cent of Singaporeans (Lai and DeGolyer, 2016: 10-12)). Hong Kong sociologist Alvin Y. So summed up the post-1997 changes as the collapse of the Hong Kong Dream: “Hong-Kongers began to doubt the belief that Hong Kong was full of opportunity, because no matter how hard they worked they still could not avoid experiencing downward mobility” (So, 2011).

In turn, according to the *World Happiness Report 2019*, Hong Kong society took just 76th place among 156 states for which data were presented (Helliwell, Layard and Sachs, 2019). The region’s rating in

terms of the *Happy Planet Index* in turn leaves it ranked 123rd out of 140¹⁰ (*Happy Planet Index*, 2016).

At a level more specific to our considerations, surveys actually conducted among protesters in July 2019 had 92 per cent of respondents agreeing or even agreeing strongly that “the wealth gap in Hong Kong is at an unreasonable level”. Eighty-four per cent were likewise prepared to support the statement that “I am angry about the class inequality that exists in Hong Kong” (Fung and Lee, 2019).

A 2019 research in turn shows that 61 per cent of Hongkongers are considered to have “poor mental well-being and unsatisfactory mental health”, with this representing a significant drop from previous studies undertaken in the region (Mind Hong Kong, 2019).

Through to 1997, the net value for people’s satisfaction with their condition as regards livelihood at the given time remained above 0. In contrast, since that time, it was only in the years 2005-2009 that satisfaction exceeded 0 (PORI, 2020d). Levels of satisfaction with the “present political situation” have in turn manifested a downward trend since 2007 (PORI, 2020e), while the last 10 years have seen Hongkongers regarding “livelihood problems” as their matters of greatest concern (PORI, 2020c).

Polls also show that Hongkongers have lost confidence in their region’s future (with a downward trend noted for this issue through the period since 2007 (PORI, 2020a)).

Polls show how housing has been one of the key problems in Hong Kong. According to *The Demographia International Housing Affordability Survey 2019*, property here is among the world’s most expensive (Demographia, 2019). In the case of Hong Kong, the index generated by dividing median house prices by median household income yields a ratio of 20.9:1 (cf. 3.5:1 in the USA).

In line with that kind of trend, the mean price of a small flat increased 273.9 per cent in the years 2007–2017; while median household income rose by just 54.8 per cent (Census and Statistics Department, HKSAR, 2019). Thus, instead of the prospect of a person having their own flat becoming a more realistic one over time, it is actually becoming a more distant one. Indeed, while flat ownership in the 1981–1996 period rose from 40.6 to 67.1 per cent, the change for the years 2006–2013 was a decline from 70.5 to 66.7 per cent (Legislative Council Secretariat, Hong Kong, 2015).

Thus, in research by academics at the City University of Hong Kong over 75 per cent of people in the 18–35 year group were found to be living with their parents (Yip and Forrest, 2014). The average cost of hiring 1m² of flat on the Hong Kong market as of 2017 was 408 HKD, while the purchase of such an area was close to 140,000 HKD.

Over 209,000 Hongkongers live in the legendary "caged homes", i.e. cages of floor area even as limited as 1.9 m², located within shared flats; while a still-greater number reside in very poor conditions (Census and Statistics Department, HKSAR, 2016). The median size of "dwelling boxes" is 4.5 m² per person. Furthermore, the mean area of new property in Hong Kong represents one of the lowest values anywhere in the world at 45 m², as compared with 76 m² in the UK, 95 m² in Japan, 109 m² in Germany, and 201 m² in the USA (Wilson, 2014).

Rental costs of "caged homes" take up 41 per cent of occupants' income (*South China Morning Post*, 23rd June 2019) and are still rising, while social housing will not resolve this problem. Recently, the average waiting time for general applicants seeking this kind of accommodation has been 5.4 years (Hong Kong Housing Authority, 2020).

Alongside residential issues, the economic situation also makes it harder for the people of Hong Kong to access medical services. It is not

just total public spending on social welfare as a percentage of total public expenditure that is low, as expenditure on healthcare is also among the lowest levels to be found among OECD countries. Wong Hung's research shows that 34 per cent of those surveyed cannot afford regular dental care, while 13 per cent are not in a position to pay for healthcare, should they become ill (*South China Morning Post*, 24th June 2016).

Young people in Hong Kong face major problems. Unemployment among people of this age is at twice the average level. Promotion among 15-24-year-olds mainly took place in the less well-paid service professions and groups of salespeople (from 21 per cent in 1991 to 34 per cent in 2011). Mean monthly earnings in this group are at the 9880 HKD level, while middle-level employees earn 18,250 HKD, managers 35,000, and specialists 35,900 (Legislative Council Secretariat, Hong Kong, 2015). It is thus typical for young people to be working in considerably less well-paid positions – a circumstance that does not reflect their still-developing professional experience, as much as the fact that promotion within the professional structure is difficult to achieve. More than half of all those in the 20-34-year age group have less than the median remuneration for Hong Kong. And, while 18-22-year-olds were earning as much as 80 per cent of median remuneration back in 1981, by 1996 that figure was at 60 per cent, and by 2006 – 56 per cent (Wu, 2010: 16). If these data are not alarming in and of themselves, we might add to them the fact that just small group of people in this age group declare themselves satisfied with the region's economic situation.

At the same time, levels of youth frustration may be higher than they otherwise would be given rising ambition, while the years 1991–2016 brought almost a three-fold increase in numbers taking their education beyond the secondary level – from a figure of 11.3 per cent in 1991 to 32.7 per cent in 2016.

5.2. Political Grievances

One of Hongkongers' leading concerns surrounds the influence Mainland China is able to exert on the internal politics and *realia* characterising Hong Kong. Hongkongers are striving to achieve universal suffrage for the region, and to resist its "Mainlandization".

Surveys on more than 1,000 of the 2019 protesters show that 93 per cent of respondents either agree strongly or at least agree with the statement "I am angry due to the absence of universal suffrage in Hong Kong", while 88 per cent concur that: "I am angry due to Beijing's intervention in Hong Kong affairs" (Fung and Lee, 2019).

According to the EIU *Democracy Index*, 2020 saw Hong Kong down again to 75th position among 167 polities monitored. Freedom House conferred a 59-point assessment on Hong Kong in 2019, compared with 68 points in 2009 (where 100 points is best and 0 worst). Freedom of the press is also on a downward trend, according to Reporters Without Borders. Hong Kong's 18th placing in 2002 compares with 73rd (out of 180) in 2019.

For Hongkongers, the most striking signs of "Mainlandization" relate to:

- a lack of progress with the region's promised democratisation;
- attempts to introduce Art. 23 legislation in Hong Kong, as well as "Moral and National Education";
- curtailment of freedom of speech and academic freedoms;
- the promotion of Mandarin in place of Cantonese;
- backing for controversial infrastructure projects that integrate Hong Kong with Mainland China;
- interference in the process by which candidates for the legislature are nominated, with certain legislators even expelled from LegCo (as with the 2016 oath-taking crisis).

The main, immutable, aim of the whole movement of the Opposition to the HKSAR Government entails the democratisation of elections of the Chief Executive and the Hong Kong legislature. In this regard, the wording of Articles 45 and 68 of the Basic Law are invoked, with this being as follows.

Art. 45:

“The Chief Executive of the Hong Kong Special Administrative Region shall be selected by election or through consultations held locally and be appointed by the Central People's Government.

The method for selecting the Chief Executive shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly progress. The ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures. (...)”

Art. 68:

“The Legislative Council of the Hong Kong Special Administrative Region shall be constituted by election.

The method for forming the Legislative Council shall be specified in the light of the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all the members of the Legislative Council by universal suffrage. (...)”

The fact that opportunities for universal-suffrage elections to be run seem to be fading away is what pro-democrats see as Mainland China's coercion against Hong Kong. Such an interpretation is for example

applied to a measure in paper providing for the democratisation of Hong Kong elections, but in fact framing them very markedly is the "Decision of the Standing Committee of the National People's Congress on Issues Relating to the Selection of the Chief Executive of the Hong Kong Special Administrative Region by Universal Suffrage and on the Method for Forming the Legislative Council of the Hong Kong Special Administrative Region in the Year 2016".

A very important matter – and seen as a further effort to subordinate the region to the mainland – is the implementation of Art. 23 of Hong Kong's Basic Law, which provides as follows: "The Hong Kong Special Administrative Region shall enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the Central People's Government, or theft of state secrets, to prohibit foreign political organizations or bodies from conducting political activities in the Region, and to prohibit political organizations or bodies of the Region from establishing ties with foreign political organizations or bodies". The fear of Hongkongers was that a provision of this kind might offer a pretext for jailing the regime's political opponents. They therefore came out in protest against attempts to introduce legislation implementing Article 23. The most spectacular manifestation of that was a massive demonstration held on 1st July 2003, when 500,000 people marched against the introduction of a National Security Bill. Specific fears relating to this legislation were that it might further erode freedom of speech in the region, and provide for the prosecution of political opponents of the PRC.

Yet further public discontent was aroused by the spectre of "Moral and National Education" being introduced in the HKSAR. It was Chief Executive Donald Tsang who heralded this measure in October 2010, suggesting that the new lessons in question would come in with the 2012/2013 school year. However, this idea provoked opposition among

pupils, teacher and parents alike, the fear obviously being of an injection into Hong Kong schooling of the kind of ideology put across in classrooms elsewhere in the PRC. Indeed, the fact that these fears were by no means groundless was made clear when material being prepared for teachers was revealed to present the Chinese Communist Party in glowingly uncritical terms, even as the two-party system in the USA was criticised for the way it simply inflicts a kind of suffering and exhaustion upon the American people (Kan, 2012).

Hong Kong's striking decline in terms of its ranking in the *Press Freedom Index* reflects an increasing number of assaults on journalists, as well as progressing self-censorship at the level of both media and individual journalists. The considered view of the Hong Kong Journalists Association (HKJA) was that, while Beijing had once been a back-seat driver vis-à-vis the Hong Kong media, the protests had propelled it forward into the front seat (Hong Kong Journalists Association, 2017). Undisputable fact is the way in which more media are now under the direct control of Mainland-Chinese capital; while there are also suggestions regarding arbitrary activity on the part of the Communication Authority (as Hong Kong's media market regulator). However, what are obviously the most serious reservations concern cases in which journalists apparently now fear for their health or lives. This *inter alia* reflects: (1) notorious abductions of employees at a publishing house willing to entertain unfavourable views of the authorities in Beijing, (2) the shocking physical assaults on journalists alluded to above, and (3) threats directed at journalists (Reporters Without Borders, 2017).

Naturally, Hongkongers are sensitive to any activity or event that might signal some attempt to curtail the region's autonomy (Yuen and Chung, 2018). The list therefore extends all the way from large new infrastructural developments serving to further integrate the region with

"the motherland" through to limitations on the teaching of Cantonese in schools and the displacement of the language in the public sphere.

Likewise capable of raising the temperature at any moment are situations perceived as influencing Hong Kong's internal political processes, as for example when 6 localist candidates were refused permission to register for the 2016 elections to LegCo.

5.3. Localism

As we have seen, the emergence of a collective identity and a social identity in Hong Kong has been a key underlying aspect where the protests are concerned. Increased generational and local identity in Hong Kong has been tangible since around 2008¹¹, and the circumstance in which an identity is seen to be developing is provided by the doctrine of localism.

Perhaps paradoxically, the development of local identity in the region has been noticeable even as a steady stream of settlers have come into Hong Kong from Mainland China (*i.a.* thanks to a possibility present since 1997 for 150 Chinese people a day to settle in the region, ostensibly as part of an effort to reunite families). Yet, when the results of Hong Kong Public Opinion Research Institute polling carried out between 4th and 10th December 2019 came in, they revealed a record 55 per cent of respondents declaring themselves to be Hongkongers. Even more than that, the figure was of almost 82 per cent where the group of 18-29-year-olds was concerned. Where a somewhat broader definition is used (to include Hongkongers alongside Hongkongers in China), the figure rises to almost 78 per cent of respondents (and over 94 per cent of 18-29-year-olds). In general, the younger the age group, the more frequent some kind of settling into a local identity becomes, and the lower the level of trust or confidence in the "one country, two systems" approach, or indeed the authorities of the HKSAR as such (PORI,

2020b). In fact, the now-distinct localism present in Hong Kong seems to have grown in line with Mainland China's interventionism, as well as the degree to which the HKSAR Government is perceived as subservient to the PRC (Wang, 2019).

The developing localist and nativist movements are serving their socialisation functions (Lee, 2020). The first recently present circles of a proto-localist nature were the parties dubbing themselves “radical democrats” (and hence at the same time pointing to excessive moderation on the part of the Democratic Party existing since the early 1990s). The parties in question were the Civic Party and the League of Social Democrats, which both came into being in 2006, with both helping nurture “sharper” forms of political activity connected with the changes in Hong Kong following the 2003 protests. With time, they found themselves propelled into the political mainstream in the role of Opposition, while still ensuring that their circles espoused greater activism than had been the case previously (Kwong, 2016).

The development of localist identity was facilitated by the protests against the proposals of demolition of the old Star Ferry and Queen's Ferry buildings, parallel trading, the Hong Kong Express Rail Link, and the pursuit of the “Moral and National Education” idea; as well as by the “Umbrella Revolution” of 2014. In the aftermath of that event, further organisations came into being, such as Hong Kong Indigenous, Demosistō, the Hong Kong National Party and Youngspiration. These fed on the dissatisfaction rooted in the streets of Hong Kong during the Umbrella Revolution, and their manifestos refer to the slogan of the region's self-determination, or even to the issue that would be a natural extension of that – independence for Hong Kong¹².

Indeed, slogans relating to independence are an aspect of identity change of a kind that could hardly be noted at all pre-2011. Thus, the development of a broader self-determination doctrine can be linked,

inter alia, with the publication of the 2011 work by Horace Chin Wan-kan entitled *On the Hong Kong City-State*. Chin Wan-kan slogans and postulates found their resonance among younger inhabitants of Hong Kong, leading certain activists to go a step further and begin slipping independence-type ideas into the political debate. And when (in 2016) the Chinese University in Hong Kong engaged in polling, that produced a result astounding for many – that around 40 per cent of young Hongkongers (aged 15-24) were ready to swing behind the idea of their region's independence (*Hong Kong Free Press*, 8th June 2017).

In turn, in October 2019, as the protests against the Extradition Act were in full swing, the Hong Kong Public Opinion Research Institute carried out telephone research on a group of 1,000 inhabitants of Hong Kong, from which it emerged that 11 per cent (and 25 per cent of respondents aged 18-25) were backing the idea of the region's independence (PORI, 2019a).

A localist identity is linked with concern to preserve the city's autonomy and local culture. The current localism is thus characterised by a major integral component of civic nationalism (Kwan, 2016; Veg, 2017), as well as growing radicalism (Chan, 2016). This is not merely the defence of Hong Kong's interests, or its identity, but rather an emphasising of civic values, such as the rule of law and civil liberties (Kaeding, 2017).

The tendency for the Hong Kong identity to be brought into sharp relief in recent times needs to be linked to the marked socio-political divide now being delineated, as well as the radicalisation of activity on the part of political opponents ("probably the most powerful factor that brings group membership to mind is conflict or rivalry between groups" (van Stekelenburg, 2013)). The development of local and generational identity is seen to be a key aspect of opposition to the HKSAR authorities.

6. The Supply Side

6.1. Organisational Structures and Appeal

Participation in protests is very much predicated on social embeddedness, with protest movements not found to arise in circumstances of social isolation. The role of organisations in which citizens are active is very important (Klandermans, Toorn and van Stekelenburg, 2008). A person's being active in given social circles facilitates the interactions needed if protests are to develop. It is in groups that awareness develop, processes of identification gain strength and the sense of grievance grows. Organisations in society also have an information role, as well as a role in socialisation; and they supply the frameworks within which action becomes a real possibility. A presence in given circles at the same time increases the likelihood of a given person being targeted and motivated to participate in protests.

Alongside social networks as defined in the classical way, social media and communication online would seem to be ever-more relevant. This is made very clear by research into contemporary protest, whether this be the "Arab Spring" beginning in 2010, or the protests held around the world in 2019¹³.

Social and political cleavages in Hong Kong led to the development of two distinct blocs, i.e. a pro-democracy one operating in opposition to the government of the HKSAR and Chinese influence in Hong Kong; as well as a pro-establishment one. And what has been noticeable is the spinout in the direction of autonomy – from the aforesaid pro-democracy camp – of a more-radical "localist" pillar.

While the 2019 protests were in progress, participants were most likely to define themselves as "moderate democrats" (37.5 per cent of those surveyed). However, more often than among the population of Hong Kong as a whole, they would instead be inclined to use the

description "localist" (in 31.6 per cent of cases) (Lee, Yuen, Tang and Cheng, 2019). Furthermore, and interestingly, as time passed, and as protests therefore radicalised, the share of protesters regarding themselves as localists increased steadily.

According to Wai-man Lam, in the period 2014-2016 alone, 45 of the organisations appearing in Hong Kong used the term – or could be regarded as – localist (Lam, 2018). However, a further sub-division is seen to be possible¹⁴, into: community-oriented organisations (some 15 in number, including Fixing Hong Kong, Wan Chai Commons or TaiPosunwalker; and orientated towards the assistance of the elderly and needy, as well as support for the development of local communities, which is to say the first thrust of activity known to have characterised localism); professional organisations (of which there are around 15, including the Progressive Lawyers Group); and political groups (today represented by The Alliance to Resume British Sovereignty over Hong Kong and Independence, Civic Passion, Demosistō, the Hong Kong Autonomy Movement, Hong Kong First, Hong Kong Indigenous, Hong Kong Localism Power, the Hong Kong National Party, the Hong Kong Resurgence Order, the Neo Democrats, and Youngspiration).

Among the latter localist organisations that are political in nature, it is possible to draw a distinction between the more nativist (even chauvinistic) circles focusing in on the struggle for the political and cultural separation of Hong Kong from Mainland China (and thus comprising "Autonomists"), or else the groups that stress the significance of social problems in a region afflicted by economic disparities (i.e. the "Left-Wingers") (Tse, 2014).

Needless to say, social media and the Internet represent an important means by which these groups promote information exchange, build ties and generate an appeal. According to Francis L.F. Lee and colleagues, more than 76 per cent of polled protest participants had been

obtaining their data from “online media”. When the surveys run during the mass protests were excluded, that share was found to be even greater. Internet fora proved to be a very important information channel (more crucial than traditional media) – being mentioned by 75.9 per cent; as did *Facebook* (85 per cent) and *Telegram* (46.97 per cent) (Lee, Yuen, Tang and Cheng, 2019; Lee, Tang, Yuen and Cheng, 2019).

The appeal posted on social media in 2019 had a clear focus on police brutality. Analysis of groups established by protesters on *Telegram* (the *Anti-Extradition Promo Channel*) shows that, over the 14 days considered (1st to 14th October 2019), 180 of the 771 graphic items posted were aimed at the police (as compared with 129 targeted either at the HKSAR Government itself, or its institutions, or at public entities like MTR (the Mass Transit Railway)). Rather fewer (143) entries sought to motivate people into taking action, reminding people about protests and showing the level of solidarity with them internationally. Yet further items (102 in number) attacked the Chinese Communist Party and PRC central authorities, while there were 6 launching a simultaneous attack against both the latter and the HKSAR Government. Only a surprisingly small number of these visual items (49) were exclusively about the promotion of values, and protest slogans. On the other hand, there were no items attacking Mainland Chinese people directly¹⁵.

A finding of importance if we are to appreciate the roles of the networks of organisations and appeals came from Lee and colleagues, who noted how more than 84 per cent of participants in protests took part along “with friends, schoolmates, family members or colleagues”. 4.5 per cent turned out alongside other members of an organisation they belonged to, while over 15 per cent regarded themselves as independent participants.

These data attest to the younger part of the region's population being more influenced by the localist message, and more likely to frame their behaviour in terms of actual participation in protests, and tangible opposition to the HKSAR Government.

6.2. Experience of Previous Protests

People's involvement in collective action at a given time is very much predicated on their earlier experience with participation in protests. Also important – at the institutional level – is the status of a movement as a "self-learning organisation". The recent protests in Hong Kong prove to be no exceptions to these rules. The last decade has brought several (or more) important protest actions in which this region's inhabitants were in a position to acquire experience. Most participants studied by Lee *et.al.* had indeed joined the Umbrella Movement of 2014 (between 44.3 and 76.6 per cent, depending on the 2019 event). They had also honed their protesting skills at annual (4th June or 1st July) marches, as well as in the 2012 anti-national-education movement (Lee, Tang, Yuen and Cheng, 2019). Equally, a notable fact is that 2019 offered the first experience of action within a social movement for a certain percentage of protesters researched. In fact, depending on the demonstration, between 12.7 and 22.5 per cent of those polled declared that they had had no previous relevant experience (Lee, Tang, Yuen and Cheng, 2019).

Participation in earlier protests nevertheless increases the probability of involvement in further ones, as well as raising the level of professionalism associated with collective action; and this is in line with the theory of self-learning of social movements.

7. The Dynamic of the 2019 Protests

7.1. *New Forms of Protest and Identity Changes*

Even globally, there was an inclination to regard the events unfolding in Hong Kong in 2019 as something exceptional. What is more, certain subsequent protests breaking out in Europe and Latin America have been regarded as inspired (at least in terms of form) by the resistance young Hongkongers have been manifesting. Such conclusions have mainly been reached on the basis of the specific structure protests have assumed, as in part signalled in this article's introduction. Relevant features are taken to be as follows.

- (1) A central(ised) leadership of the movement is seen to be lacking, and the term “leaderless” is applied specifically (Serhan, 2019; Rachman *et al.*, 2019), as no single organisation or group is coordinating the course protests take, or designating objectives, forms or stages of the collective contention being manifested. It is thus symbolic that there are simply no leaders that might be singled out by name. Indeed, even the actual progress with the protests in Hong Kong did not result in the emergence of any new leaders – an unusual circumstance. Participants this time seek to go on anonymously, and this is favoured by a decision-making structure subject to far-reaching dispersal and decentralisation. Thus “decisions” as to the fact of a protest being organised, and as to its level of intensity, often “emerge” from the Internet, sometimes even on the basis of votes called and held (*BBC News*, 29th June 2019). Where organisation is present, it involves several-person groups of friends and colleagues, and it is at this level that the decision to join a protest announced on social media is taken (Ag, 2019). Only with great difficulty are the police able to smash a structure of this kind and profile.

Decentralisation of the decision-making process is a more and more typical feature of ongoing protests noted in different parts of the world. Hong Kong is nevertheless the very clear example that other movements are now following. Most research into today's protest movements focuses rather on the mobilising role of social media, as opposed to on the influence of such media on a movement's structure. However, a few studies do show the Internet exerting a real influence on management structure (Bennett, 2004; Bennett and Segerberg, 2012; Anduiza, Cristancho and Sabucedo, 2014; Sloam, 2014). The lack of central leadership is seen to be possible thanks to the involvement of effective, professional activists, as well as the clear defining of tasks (Koustova *et al.*, 2013)¹⁶. Indeed, it happens that the movements in question come to be seen, not as leaderless, but as replete with leaders, given the dispersed nature of activity.

- (2) The role of social media is key, and a further feature linking up with the movement's decentralised structure and decision-making processes is the major role of communication online. The aforementioned structure of the movement is also influenced through and thanks to social media. Those who participate in the Hong Kong protests communicate via the *LIHKG*, as well as the encoded *Telegram*. Information is also passed on via documents posted on *Airdrop* disks (Purbrick, 2019). Spectacular success (as measured by numbers of downloads) is also enjoyed by *Bluetooth* technologies (e.g. *Bridgefy*) that still provide for communication over short distances even when protesters have been cut off from the Internet or denied access to phone networks (*The Next Web*, 3rd September 2019).

- (3) There is a great deal of Internet activity as, alongside their activity via online fora and communicators, Hong Kong protesters prove extremely active in setting up websites devoted to protest, and also – for example – revealing the names of police personnel. Involvement in the virtual world can certainly be associated with the youthful nature of the protesters, and this leads on to further features that may be thought of as linked with the sphere of symbolism.
- (4) An alternative art and graphic culture is taking shape, as young people become very much involved in the development of the protests' visual and musical narrative. Internet fora and discussion groups are filled with graphic art, posters and “memes”, while Hong Kong's “Lennon Walls” have assumed a kind of legendary status since the first (inspired by the original in Prague) appeared in the “Umbrella Movement” context of 2014. Five years later, they were present *en masse* throughout the region. However, protesters have not confined themselves to graphic forms of making their views known, as 2019 also yielded a host of new songs, including *Glory to Hong Kong*, which came to serve as a kind of anthem for the protests. Together, slogans and music build the collective identity of those protesting.
- (5) Adaptive tactics are deployed. Indeed, those commenting on features of the protests often home in on the partisan-type formula espoused. The protesters have given effect to “Be water” – the slogan already referred to at the beginning of this article which harks back to Hong Kong actor and master of martial arts Bruce Lee. It is taken to denote a tactic that combines instant action with adjustment to any situation. The protesters eschew prolonged action, choosing instead to remain mobile.

- (6) There is no choice but unity among those protesting, as they seek to present a united front, with no splitting into separate factions. The maintaining of such unity in the longer term is obviously extremely difficult, especially as the movement continues to radicalise; but it must be conceded that the "do not split" (不割席) slogan has proved possible to pursue for some months at least.
- (7) "Black bloc" tactics have been deployed widely. While it is true to say that successful protest was achieved with these many times in the further past (with the longest history of use characterising anarchist circles), Hong Kong's achievement has been to professionalise this among a far-wider group of protesters. The crowds gathering thus include large numbers of participants up and ready for physical confrontation with the police, wearing masks (even gas masks) or goggles, and thus able to operate even where tear gas had been fired. Paramedics are also on hand in the crowds, and participants have developed their own sign language to make agreeing on things possible, while some also carried home-made shields.
- (8) An escalation of confrontational tactics has been achieved. The presence of "black blocs" also denotes a readiness to accept more-confrontational forms of struggle. Above we pointed to the growing acceptance of more radical means of protest, and indeed the 2019 situation in Hong Kong did (*inter alia*) see petrol bombs brought into use by those on the streets.
- (9) Care was taken regarding publicity. The achievement of worldwide visibility for the slogans of the Hongkongers (an important matter, given the asymmetry of the Hong Kong-PRC setup) required considerable activity on the aforementioned social media. From the outset, protesters took care to maintain links with politicians abroad, and indeed to seek out foreign backing, *inter alia* via social-media campaigning and even the purchase of advertising space in the

foreign press. Further activity on the part of the protesters includes public collections of money and the promotion of slogans online. Assistance with making the protests resonate more around the world has also been provided by such “nestors” of the protest movement as Joshua Wong and Nathan Law.

7.2. The Escalation of Violence

When the 2019 protests are set against the 2014 Umbrella Movement, it is easy enough to note a change of tactics, in the direction of the aforesaid appearance of “black blocs” and confrontational tactics. This reflects a growing sense of normative and utilitarian justification for violence among the youth of Hong Kong. From July 2019 on, almost all (95.28 per cent of) people surveyed as the protests were ongoing agreed with the statement that “when the government fails to listen, the use of radical tactics by protesters is understandable” (Lee, Tang, Yuen and Cheng, 2019). Signalled readiness to radicalise activity was also visible in the tactics of localists, e.g. during the February 2016 Mong Kok unrest.

As research seems to make clear, this greater acceptance of violence, and consequent widening of the spectrum of protest instruments to include those of a more disruptive nature, may well reflect the development among angry and disenchanted people of a feeling of disdain for the object of protest; as well as a growing sense of the impossibility of the situation ever changing (and hence a feeling of limited effectiveness) (Wright, Taylor and Moghaddam, 1990).

Clark McCauley and Sophia Moskalenko point to three reasons for group radicalisation, i.e. polarisation, competition and isolation (McCauley and Moskalenko, 2011). Group polarisation emerges in the context of in-group dynamics, with communication within a group leading to mutual learning. Against a background of intensifying internal

debate, members of a group tend to agree about what is discussed, with the effect that, in some sense, the only way out is for some members to resort to more extreme ideas. In essence, group discussion among people with similar views inevitably seems to lead to the airing of more radical ideas (albeit in the same overall direction).

Group competition represents a further reason for radicalisation, as competition with another group not only raises the level of unity and cohesion internally, but also ensures a competitively-derived radicalisation.

The last of the elements referred to – group isolation – is emphasised by the role of the total institution in the meaning of Goffman (1961). The more totalistic a group's dynamics, the greater its degree of radicalisation.

As they experienced – and became disillusioned by – a lack of progress with democracy, the Hong Kong circles made up of younger people matured through protest action. Developed online discussion fora and enhanced communication among opponents of the HKSAR Government in social media as combined with a deep socio-political division in society, and the enclosure of protesters within their own group allowing the governments of Hong Kong and the PRC (hence also the Communist Party) and pro-Beijing activists to be written off as "them", to encourage the radicalisation of protest action. But a key trigger was of course the reaction the police displayed to the protests of June 12th.

Radicalisation may also be linked with the already-acknowledged lack of leadership and dispersed decision-making now characterising Hong Kong residents. However, it is important to note that a certain threshold of (excessive) radicalisation has not in fact been crossed – wisely, given that such a step would deprive the protests of their broad base in society.

8. Discussion

This article comes forward with a model to account for the outbreak of protest in Hong Kong in 2019. The achieved mobilisation into overt protest can be seen to have resulted from both socio-economic and political grievances growing in a part of Hong Kong society that includes younger inhabitants in particular. Feeding into this were major – and growing – economic disparities (and stratification) within the region, a number of social challenges (including as regards a place to live), and unkept promises on the democratisation of elections (in fact in the face of growing curbs on Hong Kong’s autonomy). The probability of participation in a protest grows as there is more and more experience of this at earlier events, and hence also a growing group identity *inter alia* reflecting improving communication within a group. The Opposition circles steadily taking shape over some 10-20 years have supplied structuring and increased political appeal, while visible brutality on the part of the police made more radical forms of protest appear justified.

The model proposed here is in need of further verification. Moreover, it is hard to say that this is now a closed process, given the way the protest is basically still ongoing. Equally, the empirical research to date does not suffice to fully verify the proposed model, though what is mainly lacking now is work on subjective feelings of economic and political deprivation that protesters themselves manifest.

Notes

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1. The draft Act did not confine extradition possibilities to the territory of the PRC, but also provided for transfers – via a process of mutual legal assistance – of people from Hong Kong territory to any other place (including regions hitherto excluded from such possibilities, i.e. China, Macau and Taiwan).
 2. Work already published on the 2019 protests includes: F. Lee, S. Yuen, G. Tang and E. Cheng (2019), "Hong Kong's summer of uprising: From anti-extradition to anti-authoritarian protests", *China Review*, 19(4), pp. 1-32. doi:10.2307/26838911, as well as Martin Purbrick (2019), "A report Of The 2019 Hong Kong protests", *Asian Affairs*, 50(4), pp. 465-487, doi: 10.1080/03068374.2019.1672397.
 3. As well as analysis of press articles at the *Hong Kong Free Press* and *South China Morning Post* portals.
 4. More detailed data on the forms of abuse involved are supplied in the report from the Association Concerning Sexual Violence Against Women (<https://rainlily.org.hk/eng/news/2019/11/release>).
 5. It should be recalled that, while the official number of "places" in Hong Kong prisons is around 11,220, as at the end of 2018, the penal institutions

were actually holding some 8,181 inmates (see Hong Kong Correctional Services, <https://www.csd.gov.hk/english/statistics/npuc.html>, and *World Prison Brief*, <https://www.prisonstudies.org/country/hong-kong-china>).

6. Hong Kong became a possession of the United Kingdom thanks to three treaties imposed on the Emperor of China, once the Middle Kingdom had emerged as the loser in several armed conflicts. The 1842 Treaty of Nanking (ending the First Opium War) provided for the “in perpetuity” conferment upon the British of Hong Kong Island. The 1860 Convention of Peking (signed after the Second Opium War) handed over a small part of the Kowloon Peninsula directly opposite the island, as well as the tiny Stonecutter Island. Finally, the second Convention of Peking dating from 1898 (and signed once China had lost its war with Japan) related to the so-called New Territories and a 99-year lease thereof.
7. A term very popularly used in relation to Hong Kong. It gained currency thanks to a June 28th 2000 article in *The Washington Post*, and then gained frequent use in the subject literature, as in Ngok Ma (2009), “Social movements and state-society relationship in Hong Kong”, in *Social movements in China and Hong Kong: The expansion of protest space*, p. 52; Ming K. Chan (ed.) (2008), *China’s Hong Kong transformed: Retrospect and prospect beyond the first decade*; Antony Dapiran (2017), *City of protest: A recent history of dissent in Hong Kong*.
8. Collective identity can be studied by examining the group’s symbols, beliefs and values.
9. According to other data, the 2001–2011 period actually brought a 2.9 per cent fall in median earnings (Pok Yin and Adrian Chow (2015), “The Umbrella Movement: The bigger picture behind and its broader imaginations”, *Cultural Studies@Lingnan*, 47, <http://commons.ln.edu.hk/mcsln/vol47/iss1/4/>, accessed 01.02.2016).
10. Hong Kong’s overall result is seen to be low, given that the *Happiness Index* ranking takes account of such factors as GDP per capita or

corruption, while the HPI considers life expectancy. (Hong Kong does well in all of these areas).

11. About Hong Kong local identity: Yidong Wang (2019), "Local identity in a global city: Hong Kong localist movement on social media", *Critical Studies in Media Communication*, 36(5), pp. 419-433, doi: 10.1080/15295036.2019.1652837. Important source of knowledge about changes in Hongkongers' attitudes can provide data of Hong Kong Public Opinion Research Institute (<https://www.pori.hk/>).
12. On the difference between self-determination and independence – Yiu-chung Wong (2017), "Localism in Hong Kong: Its origins, development and prospect", *Contemporary Chinese Political Economy and Strategic Relations: An International Journal*, Vol. 3, No. 2, July/August, pp. 617-655.
13. The role of social media in collective action mobilization is a well-studied phenomenon since Arab Spring: Eira Martens-Edwards (2014), *Social media during the Egyptian Revolution: A study of collective identity and organizational function of Facebook & Co*, Anchor Academic Publishing, Hamburg; Linda Herrera (2014), *Revolution in the age of social media: The Egyptian popular insurrection and the Internet*, Verso, London and New York; Katrin Hillenbrand (2013), *Facebook Revolutions? Social Media und der politische Wandel in Ägypten*, Bachelor + Master Publishing, Hamburg; Robert Brym, Melissa Godbout, Andreas Hoffbauer, Gabe Menard and Tony Huiquan Zhang (2014), "Social media in the 2011 Egyptian uprising", *British Journal of Sociology*, Vol. 65, No. 2; Onook Oh, Chanyoung Eom and H.R. Rao (2015), "Role of Social Media in Social Change: An Analysis of Collective Sense Making During the 2011 Egypt Revolution", *Information Systems Research*, Vol. 26, No. 1; Theodor Tudoroiu (2014), "Social media and revolutionary waves: The case of the Arab Spring", *New Political Science*, Vol. 36, No. 3; Grażyna Piechota and Robert Rajczyk (2015), "The role of social media during

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14. Organisations of a localist profile also include the nativists.
15. Posts were coded as follows: (1) aimed at the HK government and HK public institutions (excluding the police); (2) aimed at the police and its activities; (3) aimed at the PRC and CCP; (4) aimed at the same time at the HKSAR government and the PRC; (5) directly motivating to participate in the protests/reminding about the day of protests/indicating international solidarity for protesters; (6) promoting ideas and values guiding protests; (7) relating to both ideas and values and to directly motivate to participate in protests; (8) aimed at the private companies for their connections with the authorities of HK.
16. A leading role of this kind is played by the appeal in the form of the “5 Demands”.

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China's Changing Ruling Strategies on Hong Kong and Their Implications

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Abstract

This paper analyses the recent developments of the ruling strategies, including the united front work, of China on Hong Kong and their implications. It examines the development of the strategies of integration, co-optation, collaboration, containment and denunciation, and investigated into the Hong Kong Hakka Associations and the Silent Majority for Hong Kong as cases of interest. The paper argues that the ruling strategies have become ever-expanding, more statist and institutionalised in nature despite a growing dichotomy in the local society. Lastly, it evaluates the limitations of the evolving ruling strategies and their repercussions and implications.

Keywords: *state-society relations, statist ruling strategies, united front, state corporatism, Hong Kong and China*

1. Introduction

Protests against the Extradition Bill in Hong Kong (2019), as characterised by composing mainly of young people and without organised central leadership, have been labelled a radical movement. Importantly, opinion polls have indicated increasing public acceptance of violent protest actions, heightened dissatisfaction with the Hong Kong Special Administrative Region (HKSAR) government and the central Chinese government, rapid erosion of public trust in the authorities' commitment to the "One Country, Two Systems" model, and escalating state-society antagonism. Indeed, the protests have had rocked the authorities like a thunderbolt. Since the Umbrella Movement (2014) and the Mong Kok Riots (2016), the Hong Kong society had largely been pervaded with a strong sense of political powerlessness and political quietism with subsequent arrests and imprisonment of movement leaders and the futility to bring about universal suffrage. Meanwhile, counter-mobilisation efforts by pro-Beijing groups and the Liaison Office of the Central People's Government in Hong Kong (CPGLO) were launched in high gear in the Hong Kong society. For instance, in the District Council elections in 2015 and the Legislative Council elections in 2016, the pro-Beijing camp had respectively won around 54.6% (*Wikipedia*, 2015) and 40.6% (Tsui, 2016) of the total votes. The protests against the Extradition Bill, nevertheless, have witnessed the repercussions of China's ruling strategies on Hong Kong.

This paper analyses the changing ruling strategies of China on Hong Kong in the recent years and their implications based on my published framework of analysis of China's united front work in Hong Kong (Lam and Lam, 2013). The paper examines the development of the strategies, namely, integration, co-optation, collaboration, containment and denunciation, which have become ever-expanding, and more statist and institutionalised to the extent beyond the traditional definition of united

front work. The HKSAR government has also become more embroiled in China's overall ruling mechanisms on Hong Kong. Methodologically, this research retrieved the related information about the individuals, organisations and events under study via the WiseNews and various websites for the period of 2010 to 2019.

2. Evolving Ruling Mechanisms

A significant part of China's ruling strategies on Hong Kong has been qualified as "united front work". By definition, united front work is relatively informal and soft tactics adopted to build friendship and political following, which include the work to educate, persuade, co-opt and integrate people. The importance of united front work to the Chinese Communist Party (CCP) as a whole is obvious. As proclaimed by Mao Zedong in the "The Communists" in 1939, the united front has been one of the three magic weapons of the CCP along with armed struggle and communist party building (Groot, 2016: 167). Despite its informal and soft nature, united front work in China has actually been augmented by extensive corporatist structures and manpower. The United Front Work Department (UFW) of the Central Committee of the CCP, which reports directly to the CCP's central committee, manages relations with various organisations and individuals inside and outside China to ensure support for the rule of CCP. Since united front work is regarded as a whole CCP activity, its operation is unified, coordinated and visible in different sectors (Brady, 2019: 4). Various co-optation mechanisms, such as the Chinese People Political Consultative Committee (CPPCC), have existed alongside the UFW to facilitate its goal achievement.

The fact that China's united front work is institutionalised and well coordinated by the state partly explains why some scholars have analysed it as an element of Chinese state corporatism. Since the 1990s,

the concept of state corporatism has been widely employed by scholars in analysing the ruling strategies of China. Under state corporatism, the state plays an important architectural role in the building of relatively cohesive and hierarchical bureaucratic institutions and structures facilitating control of different social sectors, interest groups and political parties. It also acts as an active arbiter for various parochial interests organising the relations among them. In practice, united front work serves as a part of the tactics to educate, persuade, co-opt and integrate people (e.g., Foweraker, 1987; Oi, 1992; Unger and Chan, 1995).

The UFWD underwent a major reorganisation in 2018. Before that, signs of the rising importance of the UFWD were noticeable. In 2012, a CCP document titled “Opinions on Strengthening the Building of the Team of Non-Party Representatives in the New Situation” indicated the importance of making friends with non-party representatives (Liao and Tsai, 2019: 32-33). A 2013 internal CCP memo may hint at the reasons for the perceived importance of united front work. As stated in the memo, the threats to CCP rule, including civil society, democracy and media freedom, would need to be tackled (*Geopolitical Monitor*, 22nd March 2019). Being a strong promoter of united front work (Groot, 2018: 15), Xi Jinping, General Secretary of the CCP and President of China since 2013, had described it as important for the whole CCP and China’s broader foreign policy (e.g., Shen and Yang, 2015; Information Office of the State Council, PRC, 2017; Bowe, 2018). Under Xi’s leadership, united front activities came to fall into four main types. These include the efforts to control the Chinese diaspora, co-opt foreigners for promoting the CCP’s foreign policy goals, support a global multi-platform on furthering pro-China perspectives, and promote the Belt and Road Initiative (Brady, 2019: 4). Meanwhile, the UFWD has a significant expansion. For instance, some 40,000 new cadres have

been recruited into the UFWD since 2013. Its scope of mandate has also expanded to cover the Religious Affairs Bureau, State Ethnic Affairs Commission, and State Council's Office of Overseas Chinese Affairs (*Geopolitical Monitor*, 22nd March 2019, p. 6). In Xi's address to the 19th National Congress of the CCP in 2017, he further urged the CCP to form the broadest possible patriotic united front. As stated, this would be important for bringing about "the great rejuvenation of the Chinese nation" (Xi Jinping, 2017; Bowe, 2018). In 2018, the UFWD underwent a major restructuring from nine bureaus to twelve. And its responsibilities have come to cover policies on Xinjiang and Tibet, and target businesspeople and Chinese diaspora communities as well. After restructuring, united front work in Hong Kong is put under the central leadership of the Hong Kong, Macau and Taiwan United Front Work Bureau of the UFWD (Joske, 2019: 6-7).

In Hong Kong, during the period before 1997 when China was not the sovereign, the concept of united front work had been widely employed to understand the informal influence of the formerly Xinhua News Agency in Hong Kong (now the CPGLO) on Hong Kong's civil society. Since 1997, the CPGLO acts as the representative for Beijing, being responsible for liaison between Mainland agencies and the local community, coordinating the activities of the Chinese Communist Party in Hong Kong, and conducting united front work, propaganda and supervision. It also controls Beijing-affiliated publications and media in Hong Kong mobilising support for the policies of the Beijing-appointed government (Yep, 2007). As proclaimed, the targets of united front work in Hong Kong are relatively inclusive of all the nationalists (愛國一家), including socialist nationalists (擁護社會主義的愛國者), People's Republic of China nationalists (擁護中國共產黨統治的愛國者), unification nationalists (擁護祖國統一的愛國者) and Chinese cultural nationalists (擁護中國文化的愛國者) (Qiang, 2010: 86).

Worthy of note, there were significant reshuffle of China's personnel on Hong Kong since 2012. For instance, Zhang Xiaoming replaced Peng Qinghua as the director of the CPGLO in 2012. In the same year, Zhang Dejiang, chairperson of the Standing Committee of the National People's Congress (NPC), took over the leadership of the Central Coordination Group on Hong Kong and Macau Affairs while Li Yuanchao became his deputy. In 2014, a high-level think tank, the Chinese Association of Hong Kong and Macau Studies was formed (Cheung, 2018). In the same year, China promulgated "The Practice of the 'One Country, Two Systems' Policy in the HKSAR" (Information Office of the State Council, PRC, 2014), stating its overall jurisdiction over Hong Kong. Also, the Standing Committee of China's NPC denied Hong Kong the possibility of having genuine universal suffrage in electing the Chief Executive, which subsequently triggered the Umbrella Movement. In February 2020, Xia Baolong, vice-chairperson of CPPCC, was appointed as head of the Hong Kong and Macau Affairs Office, which has thus added weight to the role of the Office in governing Hong Kong.

Scholars observed that China's united front work in Hong Kong has consistently classified people into supportive majority to mobilise, a wavering middle to neutralise and an enemy to defeat (Loh and Lai, 2007). The previous studies of China's united front work in colonial Hong Kong tended to focus mostly on how Beijing consolidated its relationship with individuals in Hong Kong through co-optation (e.g., Wan, 2003; Lee, 2006). The works published afterwards have expanded the scope of examination contributing to more systematic investigations into China's united front work in Hong Kong (Chu, 2010; Loh, 2010; Cheng, 2020; Lo, Hung and Loo, 2019). These works testify to the observation that owing to the principle of "One Country, Two Systems", China has had to experiment with its ruling strategies on Hong Kong,

not only in proclaiming sovereignty after the handover, but also in assimilating and gradually merging Hong Kong into the greater Chinese social, cultural and political system.

3. Development of China's Ruling Strategies on Hong Kong

As pointed out in my earlier work, five types of united front strategies have been employed in parallel, namely integration, co-optation, collaboration, containment and denunciation, in Hong Kong since political handover of 1997. To quote, firstly, integration refers to the process of merging different parties with one another based on common interests, and at the ideological and affective levels, aiming at the development of common instrumental interests, wills and feelings. Such strategies have been widely visible in all aspects of life in Hong Kong since 1997. Notable examples included the implementation of numerous economic interchange and activities between Hong Kong and the mainland, such as CEPA (the Mainland and Hong Kong Closer Economic Partnership Arrangement). Alongside strategies of economic integration, attempts to cultivate patriotism and cultural integration have also become notable. For instance, patriotism was made a criterion of selecting the Chief Executive. National education and patriotism have been promoted in schools and public discourses. Secondly, co-optation refers to the process of bringing outsiders inside so that alternative views of its supporters can align with those of the Chinese authorities. Important co-optation mechanisms in Hong Kong included the CPPCC, the NPC, functional constituencies of the Legislative Council, and the Election Committee of the Chief Executive of Hong Kong. Since 1997, there has been extensive co-optation of key persons in the media and social bodies. Also, the CPGLO has collaborated with civic bodies in Hong Kong or sponsored them in organising youth activities and

education projects. United front work has also taken the form of political appointment of pro-Beijing elements into the HKSAR government and advisory committees. Thirdly, collaboration targets the wavering middle and indicates a more detached relationship between the united front work agents and the targets. Collaborators are often those who would prefer a little distance from Beijing while not antagonising it. Pragmatic collaborations of the CPGLO and those so-called “independent” candidates in elections are good examples. Fourthly, containment characterises the Communist agents’ efforts to check the expansion or influence of the opposition in Hong Kong by nourishing and forming supporters’ networks and strategic alliances. Previously, such efforts predominantly targeted the democratic camp in Hong Kong. Notable examples included cultivation of regimented participation led by pro-establishment figures, such as the Alliance for Constitutional Development, to counteract the influence of the opposition of democrats to the government’s constitutional reform proposal. The several times of reinterpretation of the Hong Kong Basic Law by the Standing Committee of the NPC can be seen as attempts to bring in the Chinese authorities’ understandings of the related Hong Kong laws. One reinterpretation made in 2005 virtually disallowed Hong Kong to implement universal suffrage in the upcoming elections of the Hong Kong Chief Executive and the Legislative Council which, nevertheless, is “promised” in the Basic Law. Discursive-wise, the Chinese officials and pro-Beijing figures had also pushed forward their definitions and understandings of human rights, universal suffrage and democracy to shape public understandings of these terms. Lastly, denunciation, characterised by threats, condemnation and outright rejection, is one of the most exclusive forms of measure used by the Chinese authorities to defeat its enemies and control the Hong Kong society. This is done to halt the opposition’s influence immediately and permanently, such as the

denunciation of the democrats in Hong Kong as colluding with foreign forces (Lam and Lam, 2013).

It should be noted that although united front work is often apparently soft and informal, it has been part of China's overall national integration and ruling strategies. Thus, its ultimate aim is to ensure Hong Kong continue to be in China's grip. Although China's ruling strategies on Hong Kong were relatively subtle in the first fifteen years after political handover, it has started to change radically and has gone beyond the traditional definition of united front work in the recent years. There are several notable features of the change.

China's ruling strategies on Hong Kong have expanded with elaborate targets, programs and institutions aiming at maintaining the Chinese authorities' hegemony and achieving high degrees of political collaboration in Hong Kong. Specifically, the CPGLO has played an increasingly important and visible role of coordination and command in Hong Kong politics. This phenomenon has been accompanied by the growing and acquiesced importance assigned to the CPPCC and NPC Hong Kong deputies in Hong Kong's governance. Meanwhile, it has also become common to appoint and thus co-opt pro-Beijing figures into the government. Knitted networks of pro-Beijing grassroots, social and political organisations, facilitated or led by affiliates of CPGLO, have flourished. As their interests are well connected, this has given rise to the so-called clientelistic state corporatism (Liao and Tsai, 2019). Along with these developments, the Chief Executive and Principal Officials have been subject to greater political demands on their patriotism. Even civil servants, who should be politically neutral in Hong Kong's political tradition, are required to participate in exchange tours on national education in the mainland. Those employed from 1st July 2020 would even be required to pledge allegiance to the SAR and support the Basic Law in writing.

The enhanced role of the CPGLO in Hong Kong's governance and the expanding united front work of the Chinese authorities in Hong Kong have directly blurred the autonomy of the HKSAR government. The supposedly autonomous HKSAR government has facilitated the work of the CPGLO or become an agent of united front work and statist control. As it will be analysed below, the result of these developments is the decline of the legitimacy and credibility of the HKSAR government and the policy of "One Country, Two Systems" in the eyes of the people.

Comparatively speaking, the strategies of containment and denunciation are used much more than before to achieve a halt of the influence of the opposition and quick resumption of political control. Point-to-point tactics are employed by which specific front organisations are mobilised to curb the influence of specific targets immediately, such as the founding of the Silent Majority for Hong Kong to halt the influence of the Occupy Movement. Moreover, such counter mobilisation has led to the growth of parallel organisations in various sectors in Hong Kong in the recent years (e.g., *Business Insider*, 28th November 2014; Cheng, 2020; Lo, Hung and Loo, 2019).

Last but not least, rhetoric mobilisation has been employed to counter the opposition's mobilisation. The principles of stability, economic development, sovereignty and patriotism have been the focuses of the Chinese state corporatism. In Hong Kong, the narratives have become more emotional and populist with greater emphasis on the principles of Chinese sovereignty, political loyalty to the CCP, social order, rule of law, and maintaining economic prosperity to appeal to the economic and political elites. They have functioned to agitate fears, prejudices and concerns of the general public against democracy movements as a result (Stulz, 2016).

The following analysis will highlight important examples of China's ruling strategies on Hong Kong in the recent years based on my previous analysis framework.

3.1. Integration

Integration measures have taken place in all aspects. Particularly, in the recent years, economic integration took place as there are more and more infrastructural and economic projects merging Hong Kong into the mainland. For instance, the Hong Kong-Zhuhai-Macau Bridge, besides the highly controversial express rail link, was built since 2009 and was completed in 2018. Besides, both the Tuen Mun-Chek Lap Kok link and the Tuen Mun Western Bypass will help connect Hong Kong with some key mainland cities.

Building upon the CEPA, the CEPA supplement agreements VII to X were signed between 2010 and 2013 which further strengthened cooperation between Hong Kong and the mainland in finance, investment, services and trade (Trade and Industry Department, Government of HKSAR, 2010, 2011, 2012, 2013). The importance of Hong Kong as a centre of international finance for China was emphasised in the 12th National Five-Year Plan (2011) and further in the 13th National Five-Year Plan (2016). Important trade agreements between Hong Kong and mainland cities were also made. These included the Shanghai-Hong Kong Stock Connect (2014), and the Agreement between the Mainland and Hong Kong on Achieving Basic Liberalisation of Trade in Services in Guangdong (2014), and the Shenzhen-Hong Kong Stock connect (2016). The promulgation of the Belt and Road Initiative (2013) and the Greater Bay Area (2016) further indicated that Hong Kong would be fully integrated into national development through participation in these initiatives. The Greater Bay

Area, comprising of nine Guangdong municipalities, Hong Kong and Macao, was mentioned under the chapter entitled “Upholding ‘One Country, Two Systems’ and Moving toward National Reunification” in Xi Jinping’s report to the 19th National Party Congress in 2017 (*Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay Area*, 2019).

Politically and legally, the famous document “The Practice of the ‘One Country, Two Systems’ Policy in the HKSAR” promulgated in 2014 has stated the central government’s overall jurisdiction in Hong Kong and that loving the country is the basic political requirement for Hong Kong’s administrators with judges of the courts and other judicial personnel also regarded as the administrators. Regarding cultivation of patriotism, it has become common for Chinese officials to criticise Hong Kong people as ungrateful and unpatriotic. In 2019, the National Anthem Bill, aiming at ensuring the respect for the national anthem, has been gazetted and is pending for a second reading in the Legislative Council. Also, the National Security Law was gazetted on 30th June 2020 and took immediate effect on the same day.

The governments have highly encouraged cultural integration between Hong Kong and the mainland. For instance, the number of primary and secondary school students receiving government subsidies for mainland exchange programs had increased respectively from 19,900 to 24,100 and 19,700 to 46,300 from 2011/2012 to 2015/2016. Those post-secondary school students who had gone to these exchange tours had also increased from 1,200 to 5,000 from 2011/2012 to 2015/2016 (Fong, 2017). Moreover, since 2014, the HKSAR government has conducted the Mainland University Study Subsidy Scheme to support Hong Kong students in pursuing undergraduate studies in the mainland (Education Bureau, Government of HKSAR, 2018). After the Protests against the Extradition Bill, there have again been calls to reform youth

education in Hong Kong, for example, removing the liberal studies curriculum which has been blamed for radicalising young students.

Regarding the media sector in Hong Kong, as of 2016, 35% of the 26 main media outlets came to be owned or controlled by Beijing or Beijing-related capital (Hong Kong Journalists Association, 2017: 7) whereas the rest of the media outlets were largely co-opted and self-disciplined (Hong Kong Journalists Association, 2018: 30-39).

3.2. Co-optation

The strategy of co-optation has various targets including the media, professionals, the business sector and selected figures from the opposition camp. The co-optation of the media in Hong Kong was important to China which, as analysed above, has largely completed (Ma, 2007; Hong Kong Journalists Association, 2017, 2018). As will be analysed below, the arrest of Jimmy Lai, founder of *Apple Daily*, a pro-democracy newspaper, his two sons and four other senior executives of the Next Digital (formerly known as Next Media) under the National Security Law in August 2020 further signalled the authorities' determination to silence the political dissent in the media.

The business sector has been another important target of co-optation along with the media. This has continued unabatedly with official and unofficial meetings between Chinese officials and selected business people in Hong Kong. For instance, in 2014, during the saga of Occupy Movement, 70 business people were invited to meet with Xi Jinping in Beijing to make sure that they would not support the Movement. At the institutional level, a good example of co-optation is the composition of the giant machines: the NPC and the CPPCC. The business sector has remained the most significant target of co-optation in these two organisations (Table 1 and Table 2).

Table 1 Occupational Background of NPC Hong Kong Deputies

Occupational background	12th NPC (2013-2018)		13th NPC (2018-2023)	
	No.	%	No.	%
Politician	3	8.3	2	5.6
Business	20	55.6	22	61.1
Professional	5	13.8	6	16.6
Social services	3	8.3	3	8.3
Labour	2	5.6	2	5.6
Culture and media	1	2.8	0	0
Others	2	5.6	1	2.8
Total	36	100	36	100

Source: Author's own research.

Table 2 Occupational Background of CPPCC Hong Kong Deputies

Occupational background	12th CPPCC (2013-2018)		13th CPPCC (2018-2023)	
	No.	%	No.	%
Politician	7	5.6	5	4
Business	88	70.4	92	74.2
Professional	11	8.8	14	11.3
Social services	7	5.6	4	3.2
Labour	1	0.8	1	0.8
Culture and media	7	5.6	3	2.4
Others	4	3.2	5	4
Total	125	100	124	100

Source: Author's own research.

As with the media, the authorities have also set more stringent political standards for the Hong Kong capitalists to follow. For instance, in 2015, Li Ka-shing, one of the most prominent businessmen in Hong Kong, was reported to have moved the domicile of Cheung Kong Holdings from Hong Kong to the Cayman Islands and sold some

properties in Shanghai and Beijing. He was then criticised as “ungrateful” in the Chinese state media. Later on, Cheung Kong Holdings issued a three-page statement denying the allegations that the companies were divesting from China and affirming Li’s support for the leadership of Xi Jinping.

Interestingly, some democrats were also the targets of co-optation. For instance, Ronny Ka-wah Tong, originally a key member in the Civic Party, was appointed as the ex-officio member of the Executive Council in 2017. He has become extremely pro-Beijing and pro-government from that time onwards. Andrew Wai-kwong Fung, formerly a member of the Democratic Party, quitted the party in 2012 and was appointed by the then Chief Executive Leung Chun-ying as the government’s Information Coordinator in 2013. Law Chi-kwong, also a member of the Democratic Party, was appointed the chairperson of the Community Care Fund established to provide assistance to people with financial difficulties in 2012 and then the Secretary for Labour and Welfare in 2017. As earlier stated, the autonomous role of the HKSAR government has blurred as it participates more in the political integration of Hong Kong into China. It is observed that during Carrie Lam’s term as the Chief Executive since 2017, more pro-Beijing figures have been appointed into the government as undersecretaries and political assistants under the political appointment system. For instance, in 2017, out of the eleven Undersecretaries appointed, four of them were from the pro-establishment camp, who included Bernard Pak-li Chan (Undersecretary for Commerce and Economic Development) and Caspar Ying-wai Tsui (Undersecretary for Labour and Welfare) from the pro-Beijing Democratic Alliance for the Betterment and Progress of Hong Kong (DAB), Joseph Ho-lim Chan from the Liberal Party (Undersecretary for Financial Services and the Treasury), and Choi Yuk-lin (Undersecretary for Education) from the pro-Beijing Hong Kong

Federation of Education Workers. Also, out of the ten political assistants appointed, seven of them had former pro-establishment political affiliations. They are Elizabeth Hoi-yung Fung (Political Assistant to the Secretary for Commerce and Economic Development) from the Path of Democracy, Jade Wing-yu Lai (Political Assistant to the Secretary for Home Affairs) from the Hong Kong United Foundation, Lillian Man-lei Cheong (Political Assistant to the Secretary for Innovation and Technology) from Arete, Pauline Yeung (Political Assistant to the Secretary for Financial Services and the Treasury) from Our Hong Kong Foundation, Mark Chuen-fu Fu (Political Assistant to the Secretary for Transport and Housing) from the Liberal Party, Jeff Chun-fai Sze (Political Assistant to the Secretary for Education) from the New People's Party, and Siu Ka-yi (Political Assistant to the Chief Secretary for Administration) from the DAB (HKSAR government, 2017).

3.2.1. A case of co-optation: Hong Kong Hakka Associations

In the civil society, as before, pro-Beijing associations in Hong Kong have taken up a lot of co-optation activities. The Hong Kong Hakka Associations (香港客屬總會) is one of the examples. The association was founded in Hong Kong in 2011 to unite all patriotic Hakka (an ethnic group in China) people originated from the provinces such as Guangdong, including places like Shenzhen and Dongguan, in Hong Kong. In this regard, the association has interestingly played around identity politics to appeal to Hong Kong people's ethnic and provincial origins. As perceived by the founders of the association:

“Since the reunification, Hong Kong and the mainland have formed a community of fate and blood. More and more people agree that Hong Kong can only rely on the motherland so as to maintain its assets and foundations of development in the long run. More and more people

believe that the NPC has laid down the direction of universal suffrage in Hong Kong, which will effectively clear the obstacles to Hong Kong's political reform and promote the development of Hong Kong's democracy. More and more people recognise that street social movements are harmful to Hong Kong's economy, democracy and the rule of law. The rule of law and rationality are Hong Kong's mainstream public opinion. We firmly believe that the social divisions and political stalemate caused by the opposition's turmoil will be disintegrated. A more stable and harmonious Hong Kong will move from a vision to a reality."

(Hong Kong Hakka Associations, 2013: 1 – author's translation)

The association has multiple objectives including uniting the two million Hakka people and building network among them in Hong Kong. As stated, its objectives are:

"To adhere to patriotism, loving Hong Kong and loving indigenous hometown, unite Hong Kong Hakka folks, participate in Hong Kong's public affairs, support the HKSAR government's governance according to law, safeguard Hong Kong's prosperity and stability, promote cooperation and exchange between Hong Kong and the mainland as well as build economic development in the indigenous hometown."

(Hong Kong Hakka Associations, 2013: 1 – author's translation)

Overall speaking, the association has used soft power, such as organising visits to various Hakka cultures in the mainland, to achieve its aims. In the previous years, it had even organised exchange tours to the Hakka communities in Taiwan aiming at helping national unification. It also aims at giving support to the HKSAR government's

governance in Hong Kong. In 2014, it participated in the Alliance against the Occupy Movement with other pro-Beijing organisations and supported the government's constitutional reform proposal. It is a patriotic organisation which holds annual celebrations of the national day in Hong Kong. Lastly, it is well connected to the CPGLO and united front departments in the mainland that had paid high-profile visits to the association. As stated in the Annual Report of the association:

“Since its establishment, the Hong Kong Hakka Associations has received the support of the Central Government, the Central CPGLO in Hong Kong, the Guangdong Provincial Party Committee, the Provincial Government, the municipal committees of the Guangdong Province, the Municipal Government, and the Hong Kong SAR Government. Thus our association has developed smoothly. In the past year, the leaders and heads in the mainland had personally visited our association to deepen their understanding of it.”

(Hong Kong Hakka Associations, 2014: 6 – author's translation)

Regarding the structure of the association, it is complex with 39 founders, 18 honorary chairpersons, eight honorary advisors, three honorary presidents, one founding chairperson, one chairperson, one executive chairperson, four general vice-chairperson, 20 vice-chairpersons, nine presidents, one secretary, four deputy secretaries, one treasurer, two legal advisors, and 119 members of the board of directors. The backgrounds of the personnel of the association are interestingly affiliated with the Chinese authorities. Take the founders as an example. Out of the 39 founders, there are 26 CPPCC members, five NPC members, two Chief Executive Election Committee members, one former Hong Kong Advisor (who advised China on Hong Kong's political transition matters before 1997), and one former civil servant.

Also, their occupational backgrounds are highly affiliated with the business sector with 24 of them being business people. The rest are politicians (five), rural village sector elites (three), professionals (three), former civil servants (two), and cultural and media sector people (two). Regarding the social and political affiliations of the founders, most of them were with chambers of commerce such as the Chinese Chamber of Commerce, DAB and the New Territories Association, which is another huge united front organisation.

As of mid-2019, the Hakka Associations has 77 member organisations. Most of them are clan associations (52), followed by confederation of societies (seven), friendship associations (six), chambers of commerce (five), alumni associations (three), fitness association (one), and others (three). Nevertheless, the transparency of the operation of the member organisations is low as the information of most of the member organisations are not available to the public.

As shown above, the Hakka Associations is a good example of co-optative united front organisation in Hong Kong. Its nature, focus on ethnic identity, composition, scale, connection with Chinese officials and the fact that it was formed in 2011 all seemed to show that its establishment was to respond to the challenges from the local civil society by strong co-optation work.

3.3. Collaboration

As shown in my previous research, the measure of collaboration has continued because collaborators would prefer a little distance from Beijing while not antagonising it. Nevertheless, this area of work has shrunk in importance as the state has stepped up its efforts to integrate and co-opt various social forces and if unsuccessful, to oust them.

One previous example of collaboration is the backroom negotiation between the Democratic Party and Beijing in 2010. The HKSAR

government had proposed an electoral reform which was generally criticised by the democratic legislators and the community as too conservative. Nevertheless, several days before the government proposal was put to vote in the Legislative Council, Li Gang at the CPGLO met with the representatives of the Democratic Party and opened green light for their revised constitutional reform proposal. Their revised proposal was then successfully passed by the Legislative Council, which triggered public condemnation of the Democratic Party and then divisions in the democratic camp. Similar secretive negotiations happened in 2015 again. Emily Lau, chairperson of the Democratic Party and other two vice-chairs of the party were found to meet with Feng Wei, Deputy Director of the Hong Kong and Macao Affairs Office, in secret and without the knowing of even their party members. It was rumoured that the secret negotiation was about the District Council elections that was to take place later in the year. The incident again invoked much criticisms and suspicion towards the Democratic Party.

Another trend is about the developing self-censorship among the groups and organisations that choose not to antagonise the Chinese authorities and as a result, have implicitly collaborated with them. The extent of such collaboration is yet to be investigated. One notable example is the self-censorship of the owners of cinemas in Hong Kong in relation to the broadcasting of a film entitled *Ten Years*, which imagines the decline of Hong Kong in its rule of law, human rights, freedom, and so on, from 2015 to 2025. The film was harshly criticised by China's media as nonsense and overly pessimistic about the development of "One Country, Two Systems". Although the film won a best film award, only a few cinemas in Hong Kong agreed to broadcast it. Eventually, the film producers had to reach out to broadcast the film in different districts.

3.4. Containment

Strategies of containment have flourished in the recent years, which variously included the attempts to revise existing rules or legal framework, establish parallel organisations and pro-Beijing online media, and cultivate the so-called “new Hongkonger” identity. The local legislature and the civil society are important battlefields.

While the democratic legislators have attempted to use the legislative space in the Legislative Council to influence the policy process, the HKSAR government has implemented revisions of legal rules and/or framework to contain their influence. For instance, in 2010, five democratic legislators had resigned to trigger a by-election so that voters could show their support for having universal suffrage in elections if they chose to vote the legislators back to the legislature. On the grounds of wasting public funds, the government proposed a bill stipulating that resigned legislators would not be allowed to run in the legislative election again within six months subsequent to their resignation. The bill was passed by the Legislative Council. Moreover, in 2012, the then president of the Legislative Council Tsang Yuk-shing, for the first time, restricted the duration of the legislative debates on arrangements for filling a vacancy arising from the resignation of Legislative Council members or other reasons. Since then, it has become more common that the Legislative Council president manipulates the legislative rules of procedures to “cut cloth”, so as to contain legislators’ action of filibustering.

Besides the legislative rules of procedures, the oath-taking ceremony of the legislators has also become another battlefield. Over the past years, the oath-taking ceremony has been the venue of protest of some democratic legislators. However, in 2016, the HKSAR government mounted legal challenge to disqualify two localist legislators from

Youngspiration on the grounds that their actions in the oath-taking process had contravened the Basic Law. Subsequent to the reinterpretation of the Basic Law by the Standing Committee of the NPC, altogether six newly sworn-in legislators were disqualified. All of them were either localists or democrats.

Also in 2016, candidates of elections were required to pledge to uphold the Basic Law articles that state that Hong Kong is an inalienable part of China, that the SAR comes directly under the central government, and that no changes to the Basic Law can contravene Beijing's basic policies regarding Hong Kong. Nevertheless, Agnes Chow, co-founder of Demosistō, and Edward Leung of Hong Kong Indigenous were both disqualified from Legislative Council election although they had signed similar declaration forms. Chan Ho-tin, convenor of the banned Hong Kong National Party, was rejected to run after refusing to sign one. In July 2020, 12 pro-democracy activists were disqualified from running in the Legislative Council elections in September 2020 which have afterwards been postponed for a year due to the COVID-19. In November 2020, the mass resignation of democrats from the Legislative Council after the government ousted four pro-democracy legislators was condemned by the Hong Kong and Macau Affairs Office.

The local civil society is another battlefield. Since political handover, the political authorities have worked hard to cultivate patriotism in Hong Kong (Lam and Lam, 2013: 309-310). Such efforts have met challenges especially during the Protests against Moral and National Education in 2012. As a measure of containment, a new Hong Kong identity or the so-called “new Hongkongers” has been promoted. The idea was stated in the *People's Daily* in 2013 which published the articles of “Development of Hong Kong needs new Hongkongers” (香港發展需要新香港人) and “New Hongkongers are

the main strength for building Hong Kong” (新香港人是建設香港的重要力量)。“New Hongkongers” may refer to the mainland immigrants who came to Hong Kong since the 1980s or those mainlanders who worked in Hong Kong, resided in Hong Kong for family reunion, and mainland students who stayed and worked in Hong Kong after graduation. According to the articles, “new Hongkongers” constituted over 40% of the total Hong Kong population, and as said, they should participate in Hong Kong politics (Li, 2013).

Parallel organisations, established to contain the influence of the opposition, have flourished. There are parallel organisations that adopt a soft approach to attract followers. Examples include the young people groups such as Achievers Association (雋士會 2012), Hong Kong New Youth Energy Think Tank (香港新活力青年智庫 2014), Hong Kong Army Cadets Association (香港青少年軍總會 2015), Hong Kong InnoVision (香港青年新創見 2015) and many others. There are professional bodies of a similar nature, such as The Small and Medium Law Firms Association of Hong Kong (香港中小型律師行協會 2012), Hong Kong Cultural and Educational Exchange Association (香港文化教育交流協進會 2012), Hong Kong Legal Exchange Association (香港法學交流基金會 2014) and Hong Kong and Mainland Legal Profession Association (香港與內地法律專業聯合會 2015). Moreover, social and clan associations have also grown significantly. Examples may include New Home Association (新家園協會 2010), Chinese Social Worker Development Association (內地留港社會工作者發展協會 2014) and Hong Kong Volunteers Foundation (香港義工聯盟 2014). Many clan associations, aiming at consolidating Hong Kong people's ethnic identity, have also been established. Notable examples include Hong Kong Hakka Associations (香港客屬總會 2011), Hong Kong Qidong Natives Association (香港啟東同鄉會 2012), Hong Kong Federation of Hainan Community Organisation

(香港海南社團總會 2012) and Wuyi Association of Hong Kong (香港五邑總會 2016). Furthermore, parallel pro-Beijing online media have been founded to attract followers notably youngsters. Important examples of such online media include *HKGPao* (HKG 報), *Line Post* (線報) and *OrangeNews.hk* (橙新聞).

There are other hardliner groups dedicated to counter democratic mobilisation. For instance, Patrick Tat-pun Ko, a former director of the United Front Work Department's Shenzhen overseas liaison committee, established the Voice of Loving Hong Kong (愛港之聲) in 2012. Around the same time, more similar grassroots groups were formed, such as Defend Hong Kong Campaign (保衛香港運動), Justice Alliance (正義聯盟), Caring Hong Kong Power (愛護香港力量), Sounds of Silence Hong Kong (沉默之聲), Take Action (齊心行動) and Silent Majority for Hong Kong (幫港出聲).

3.4.1. A case of containment: Silent Majority for Hong Kong

The above containment measures are all part of the organised strategy to counter democratic mobilisation. Take the Silent Majority for Hong Kong as an example. The association was founded in 2013 by pro-Beijing figures including former *RTHK* radio host Robert Chow, economics professor Ho Lok-sang and some CPPCC members. It was established with an explicit aim to arouse public concerns about the damages of the Occupy Movement. Also, it encourages people to speak out fearlessly against any attempts disruptive of Hong Kong. As stated, the organisation seeks to “promote a prosperous and stable Hong Kong, it supports ‘One Country, Two Systems’ and national unity, and opposes any attempt to undermine peace in Hong Kong.” (Silent Majority for Hong Kong, n.d. – author’s translation)

The association is special in the sense that it has been an efficient containment agent in Hong Kong in employing both rhetoric and actual

political mobilisation such as signature campaigns and rallies. The following analysis will focus on its rhetoric mobilisation especially on how it narrated against its opposition, the Occupy Movement, and about itself, and how it mobilised by fear with straightforward narratives, which were appealing to ordinary people unfamiliar with politics.

It is noticed that Robert Chow and other founders of the Silent Majority had stressed from the very beginning that they came out because they did not want Hong Kong to become chaotic (只係唔想香港亂). The fear of 亂 (pronounced *lyun* in Cantonese, *luan* in Mandarin) – instability and chaos – served as a straightforward appeal to ordinary Hong Kong people who cling to social stability. Despite the fact that the Occupy Movement organisers had stressed that the movement would be conducted peacefully and with love, in Chow's perspective, that would be impossible as people assembled (*Wen Wei Po*, 9th August 2013a).

Narratively, their appeal to people's fear was backed by the stress on the importance of the moral imperative of the rule of law or law-abidingness. As claimed by Ho Lok-sang, it would be all the more important to obey the law (守法係最重要嘅). Without any detailed explanation of the ideas such as the differences between the ideas of the rule of and rule by law as what the Occupy Movement organisers had done, the Silent Majority founders pressed forward the belief that the movement would make Hong Kong chaotic and divided (社會陷入撕裂紛亂) and the core value of law binding would vanish (理性守法的核心價值更面臨蕩然無存). Perceived in this way, law served instrumental functions in preserving social order instead of social justice as suggested by the Occupy Movement organisers (*Wen Wei Po*, 9th August 2013a). Also, according to Ho Lok-sang, law-abidingness is even more important than equality of political rights, as law serves to protect people's rights (法治精神保障市民的權利, 較平等的政治權利而言是更為重要) (*Ta Kung Pao*, 10th August 2013: A16). However,

it remained unanswered on how being law-abiding would help if people do not even enjoy fundamental rights.

The appeal to the fear of the people was also backed by the appeal to people's concerns about their pragmatic interests. As argued by the Silent Majority founders, the Occupy Movement would affect people's pragmatic interests, such as the business environment of Hong Kong, people's livelihood, price or properties and salaries (佔中是會影響香港的營商環境，損害民生) (*Ta Kung Pao*, 11th August 2013: A02; *Ta Kung Pao*, 14th August 2013: A02). In a word, they should not affect other people (如果是純粹的公民抗命，你咪自己唔交稅博拉，唔影響其他人咯) (*Ta Kung Pao*, 11th August 2013: A02), which is a typical local understanding of freedom as negative freedom.

Having framed their own demands, the Silent Majority founders had also blurred the importance of the demands of the Occupy Movement: implementation of genuine universal suffrage in elections. As argued by the founders, there was no blueprint of genuine democracy. "One person, one vote" as an ideal would not be possible (所謂真普選，全世界都無藍本，一人一票，票票等值根本無法落實). They cited the electoral college system in the elections of the United States as example, implying that genuine democracy was unrealisable (*Wen Wei Po*, 9th August 2013b).

At times, the Silent Majority founders would help defend the government. Chow reframed the Broken Window Theory and claimed that any governance had holes and problems which only needed mending. But if more windows were broken, which means that the government would face even greater challenges, then in the end people would suffer as they would be left unprotected by any windows (想像一下，政府管治及公共機構有那處(的窗戶)不是千瘡百孔？大家預計新玻璃窗裝上又會被打破，只會修修補補，對嗎？... 風雨一來，全無遮擋，受苦受傷就是香港市民) (*Ta Kung Pao*, 9th August

2013(a): A04).

Interestingly, Silent Majority founders would like people to believe that the organisation is politically neutral. They had stressed that the organisation would not comment on politics, participate in politics and make policy suggestions (作為一個組織，我們不論政，不參政，不提議) (*Ta Kung Pao*, 9th August 2013(b): A04), and it was not affiliated with the CPGLO.

3.5. Denunciation and Arrests

It was found that the ruling strategy of Beijing has become increasingly more aggressive, with greater rewards for those in Hong Kong who followed Beijing's line, and punishments for those who betray. For instance, Benny Yiu-ting Tai, who initiated the Occupy Movement, was criticised by various pro-Beijing sectors. In 2014, the state media *CCTV*'s daily news for the first time condemned the Occupy Movement for severely disrupting Hong Kong's socioeconomic order. Later in the same year, *Wen Wei Po* and *Ta Kung Pao*, the newspapers owned by the CPGLO in Hong Kong, published internal emails of Tai and accused him of receiving anonymous donation of HK\$1.45 million for the Occupy protests. During the Umbrella Movement, Chan King-cheung, the then editor-in-chief of *Hong Kong Economic Journal*, quitted abruptly, revealing that he had received pressure from the management to drop the column of Tai. In July 2020, Tai was removed from his tenured associate professor position over his criminal convictions related to the Occupy Movement.

The missing booksellers incident that took place in 2015 was another famous example which further revealed the growing stringent nature of Chinese authorities' strategies on dealing with opposition views. Lee Bo, a Hong Kong bookseller who sold banned political books on the mainland disappeared. Two colleagues and two employees of Lee

had also disappeared later. In 2016, Gui Minhai, one of Lee's colleagues, appeared on the state television *CCTV*, admitting that he killed someone in a drunk driving crash twelve years ago and he has been sentenced to ten years in prison in China in February 2020 for providing intelligence overseas.

Significant denunciations of the pro-independence movement in Hong Kong have also taken place. After the founding of the Hong Kong National Party in 2016, an editorial piece in the Chinese government-owned *Global Times* condemned the Hong Kong National Party calling it “a practical joke” and labelling it as political extremism. Moreover, the Hong Kong and Macau Affairs Office issued a statement through the official Xinhua News Agency slamming the party. In 2018, the HKSAR government banned the Hong Kong National Party under the Societies Ordinance. The Protests against the Extradition Bill had caused the arrest of over 6,000 people and nearly 40% among them were students. Since the passing of the National Security Law on 30th June 2020, there have been arrests made under the new law, including Jimmy Lai, founder of *Apple Daily*, and Agnes Chow, co-founder of Demosistō.

4. Limitations of the Ruling Strategies and Implications

The ruling strategies including the united front work which aim at the assimilation and integration of Hong Kong into China in the past decade have proven otherwise, notably evidenced in the onset of the Umbrella Movement, the Mong Kok Riots and their aftermath. The Protests against the Extradition Bill at the turn of the decade further exposed the challenges to the ruling strategies of China on Hong Kong. Namely, these include, firstly, shrinking faith in the promises of “One Country, Two Systems” and high degree of autonomy to Hong Kong as well as declining government legitimacy; secondly, backlashes against

mainlandisation and the united front agents leading to heightened political activism and a more consolidated Hongkonger identity; and thirdly, polarisation of the civil society with tension between the state and society transformed into clashes between different local groups.

Firstly, the expansion and extremes of the ruling strategies have eroded the already thinning faith in “One Country, Two Systems” and the protection of human rights and freedom stipulated in the Basic Law of Hong Kong. In a survey conducted by the Path of Democracy in 2017, the public’s assessment of “One Country, Two Systems” scored only an average of 4.84 out of a scale of 10 (*South China Morning Post*, 10th July 2017). Even before the outbreak of the Protests against the Extradition Bill, the Hong Kong University Public Opinion Programme had found that 55.3% and 55% of the respondents did not have confidence in “One Country, Two Systems” and Hong Kong’s future respectively (HKU POP, 2019a). In parallel, the HKSAR government had suffered from a humiliatingly low support rate, and a historic legitimacy and governance crisis. Back to mid-2019 with hard-handed suppression on the anti-Extradition Bill protests, the support rate for the Chief Executive Carrie Lam was only 32.8% (HKU POP, 2019b). Eight months later in February 2020, this further plunged to 18.2% (PORI, 2019a) and 82.5% of the respondents stated that they were quite or very dissatisfied with the performance of the HKSAR government (PORI, 2019b).

Secondly, the step-up efforts by the authorities to assimilate Hong Kong people and denouncing any resistance identity building and mobilisations have agitated the locals igniting even greater resistance before the passing of the National Security Law on 30th June 2020. Scholars observed that the Hong Kong polity has been expanding with rapid politicisation on all fronts of issues. Growing political activism prevailed, signified by the people’s proactive challenges to the

fundamental and mainstream social and political values and structures and a corresponding growing acceptance of the use of radical tactics (Lam, 2012, 2018a). Various types of localist organisations, including community-oriented organisations, professional organisations and political organisations, flourished ever since (Lam, 2018b). Importantly, the Hongkonger spirit has drawn attention since the former Chief Executive of Hong Kong Leung Chun-ying in his policy address in 2015 lambasted the *Undergrad*, a student publication of the Hong Kong University Student Union, and its publication *Hong Kong Nationalism*. Thereafter, the *Undergrad*, the young people and sympathisers alike have been labelled and attacked by the pro-Beijing camp as advocates of independence for the city (Aih, 2015). In reaction, there witnessed greater call from organisations and individuals to preserve Hong Kong's political autonomy and further demand for self-governance until today. Another landmark was the "anti-mainlandisation" bill introduced by legislator Claudia Mo. The bill was aimed to defend Hong Kong's local history and culture from the influence of mainland China. It proposed to immediately cancel multi-entry permits for Shenzhen residents, halt projects promoting regional integration and instead formulate a long-term population policy for sustainable development in Hong Kong (*Hong Kong Free Press*, 19th November 2015). The motion was defeated but like other examples mentioned above, it had demonstrated the backlashes against mainlandisation and the united front agents in Hong Kong through heightened political activism and a consolidated Hongkonger soul.

Thirdly, as stated, with soft and hard tactics as well as patronising and repressive strategies used in parallel by both the HKSAR and the central authorities, the ruling strategies on Hong Kong have resulted in polarisation of the local society. The tensions between the authorities and the people have diverted and diffused into clashes between local

groups campaigning for universal suffrage and protection of human rights and those counter-mobilisation efforts by the pro-Beijing camp and clashes between the police and protesters involving violence on both sides. People's discontent with propaganda by unpopular pro-Beijing figures and businessmen was aggravated into wider discontent and even rage when allegedly triad gangs were deployed to attack protestors or fake as vandalising protestors. In a poll conducted for Reuters by the Hong Kong Public Opinion Research Institute in December 2019, it was found that the protests against the Extradition Bill were supported by 59% of the respondents. More than one third of the respondents attended the demonstrations. The respondents who were older, less educated and not born in Hong Kong were relatively less supportive of the protest movement. Also, 74% of them demanded an independent inquiry into alleged police brutality in the protests (Reuters, 31st December 2019).

5. Conclusion

This paper analyses the recent developments of the ruling strategies, including the united front work, of China on Hong Kong and their implications for the future Hong Kong polity. The paper examines the development of the strategies of integration, co-optation, collaboration, containment and denunciation. It also investigated into the Hong Kong Hakka Associations and the Silent Majority for Hong Kong as cases of interest. The paper found that the ruling strategies have become ever-expanding, more statist and institutionalised in nature despite a growing dichotomy in the local society. Lastly, the paper evaluates the limitations of the evolving ruling strategies and their implications for the future Hong Kong polity.

Note

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Hong Kong: The End of the City of Protest?+

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Abstract

On 1 July 2020, a new National Security Law for Hong Kong has taken effect. It is intended to end the three-decade tradition of Hong Kong protests. While it might successfully suppress protests, it will not mitigate the grievances that Hong Kong's citizens protest against. Politically, it restricts civil liberties of Hong Kong – quite the opposite of what the protesters call for. Economically, the law will come with a weakening of Hong Kong as a financial centre, particularly since it undermines the cybersecurity of financial services. This will most likely further fuel the economic challenges that underlie the demonstrations. The law also contributes to a further Mainlandization that disregards the call of many Hong Kong protesters to acknowledge Hong Kong's post-colonial identity. While the Chinese Communist Party's calculus that the introduction of the law during the coronavirus pandemic would reduce the political, economic and legal price it has to pay will turn out to be a misjudgement, the prospects for Hong Kong have turned to the worst.

Keywords: *Hong Kong, protest movement, National Security Law*

1. Introduction

*Hong Kong as we know it is under threat from the creeping authoritarian influence of the [Chinese Communist] Party. [...] But what gives me some hope is that we still protest. After the Umbrella Movement in 2014 ended [without bringing democracy to Hong Kong] I thought none of us would ever demonstrate again. But now I know that we are still standing to protect our freedom in Hong Kong.*¹

*I fear that Hong Kong is dead. [...] I remember I had similar thoughts before and Hong Kong would always get back. Maybe we need to find new forms of protest. I am not optimistic, but I haven't lost my hope entirely.*²

June 9, 2019. It is a hot, sunny, and humid summer day in Hong Kong, the Special Administrative Region (HKSAR) of the People's Republic of China (PRC). Regardless of the heat of over 30° Celsius, hundreds of thousands of Hong Kong citizens, the “Hong Kong Civil Human Rights Front” (CHRF), organizer of the protests and umbrella movement of a number of Hong Kong-based pro-democratic organizations, claims that even 1.03 million people hit the streets to protest. The people on the streets demand that the local government should withdraw a draft bill (“extradition bill”) that would have allowed extradition of criminal suspects to any country that Hong Kong has no extradition treaty with, including the rest of China, often referred to in Hong Kong as “Mainland China” (*The Guardian*, 9th June 2019). For the protesters, this is an important issue because even though the HKSAR is part of China, it enjoys a high degree of autonomy and has a political, economic and legal system distinct from the rest of the country. Hong Kong has a functioning rule of law including an independent judiciary, Mainland has

not (Summers, 2019). The fear of the protesters is that legal charges could be raised against political dissidents to allow them to be extradited to Mainland China.

One year later, the situation has changed fundamentally. The protests have successfully prevented the extradition bill of being legislated, but a new, even more draconian law is being drafted – not in Hong Kong, but in Beijing: the National Security Law (NSL) that took effect on 1 July 2020 (Xinhua, 1st July 2020).

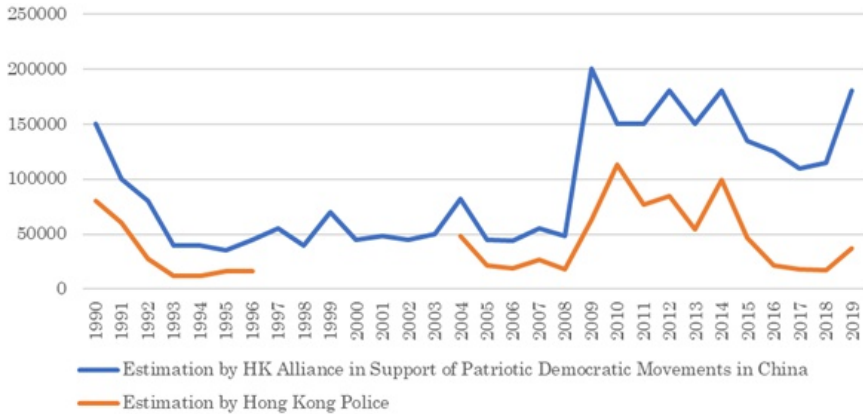
In 2019, the high turnout of protesters came as a great surprise to all experts. I had followed the developments from far away in Stockholm sitting at my desk watching the live footage and scrolling through the news. After a while I texted a friend of mine in Hong Kong: “Are you protesting?” A few minutes later I received his response: “Of course! Everyone is out. It’s on again!” – “Did you expect this?” – “Nobody did. I thought I would never see such a protest again,” he wrote. A bit more than one year later with the NSL being in effect, I discuss with him whether it is time to leave Hong Kong permanently or to stay.

In 2019, not only the (international) media, but the local Hong Kong government and the rulers in Beijing had underestimated the dissatisfaction of the Hong Kong people. Not even the organizers of Hong Kong’s CHRF had foreseen such a high turnout.³ It might have very well been this surprise that led the leadership of the Chinese Communist Party (CCP) to decide at the Fourth Plenary of its Central Committee in the autumn of 2019 (*South China Morning Post*, 1st November 2019) to effectively end the semi-autonomy of Hong Kong and set an end not only to the most recent, but to a series of demonstrations over the last three decades.

Over the last thirty years, Hongkongers have protested against many different policies and sometimes they have been successful. Every year since 1990, tens if not hundreds of thousands commemorated the violent

crackdown of the protests in June 1989 at Beijing's Tiananmen Square (see Figure 1). On July 1, 2003, the citizens demonstrated against a national security legislation that they feared would have undermined the civil liberty rights that Hong Kong has preserved from its colonial history and that do not exist in the rest of the PRC. The bill was withdrawn and no government has dared to make another attempt of introducing national security legislation again (Cheng, 2005). In reaction, the Chinese authorities drafted the NSL in Beijing in 2020. Ever since 2003, an annual protest rally draws tens of thousands to the streets of Hong Kong Island on each July 1, the anniversary of the handover of Hong Kong from British colonial rule to the PRC. Only in 2020, both the Tiananmen commemoration and the 1 July rally were forbidden and fewer people hit the streets. In 2007, another wave of protests fought for the preservation of the colonial heritage of Hong Kong and against the demolition of the city's old Queen's piers or the "Wedding Card Street" – with partial success (Lee, 2012). In 2012, a high school student strike prevented the introduction of a "national education" that was meant to teach Hong Kong's pupils that they should love China, including its political leadership. From this protest, a then-15-year-old boy emerges as the leader of the protests. His name is Joshua Wong Chi-fung (Wong, 2015). Only two years later, Joshua Wong became one of the leading figures of another social movement that occupies three districts of Hong Kong for 79 days to advocate the democratization of Hong Kong's Chief Executive (CE) elections. This protest is known as the Umbrella Movement because the protesters used umbrellas to protect themselves against the police's pepper spray (Rühlig, 2015a). The list of protests could be continued.

Figure 1 Participation in 4 June Commemoration in Hong Kong's Victoria Park



Although in early 2019 it seemed that the citizens were tired and frustrated from all the protests that – in the eyes of many⁴ – had not achieved significant results, a record number of people joined the rally on 9 June. This turned out to be not a one-day wonder. Instead it was the beginning of a long protest cycle that ended only with the outbreak of the coronavirus pandemic. Already three days after the breakout of the protests, demonstrators temporarily occupied the HKSAR's parliament, the Legislative Council (LegCo). In reaction, CE Carrie Lam Cheng Yuet-ngor, the city's highest political representative, announced the suspension of the bill on 15 June. But only one day later, an even larger number of people – the protest organizers speak of more than 2 million people – hit the streets again and demanded the complete withdrawal of the extradition bill. In early September 2019, the Hong Kong government announced to fulfil the protesters' demand and formally withdrew it in October. But the protests continued. In the

meantime, the demonstrations that remained almost completely peaceful in the beginning turned more violent, not least in reaction to escalating police tactics. The peak of the escalation has been the occupation and the siege of the city's Polytechnic University in the second half of November when mostly young protesters aimed to defend the campus against the heavily armed Hong Kong police. After the end of the siege, the confrontation turned less violent again. On New Year's Day 2020, the organizers claimed that, once more, 1.03 million citizens demonstrated.

All this is a clear indication of the deep-seated dissatisfaction of the Hong Kong population. Why are they protesting? Will the NSL end protests? How will the people deal with the grievances?

Addressing these questions, this article delves into the reasons behind the Hong Kong protests (Section 2), unpacks crucial myths about the protests that are widespread (Section 3), asks for the rationale behind the Central People's Government (CPG) action (Section 4) before closing with an outlook carving out the relevance of the issue from a European perspective (Section 5).

2. Why Do Hong Kong People Protest?

I have never protested in my life before, but this time I felt I had to get my voice heard. The "evil bill" [the "extradition bill", T.R.] is about the very core of what makes Hong Kong the place it is: judicial independence. I have stood at the side when our youngsters protested in 2014 for democracy. Since Hong Kong has never been a democracy I thought we shouldn't demand something unrealistic. Now I know we need to ask for more. Otherwise, we cannot keep what Hong Kong is all about. We need change to preserve what we have.⁵

I sit in Mong Kok, one of Hong Kong's poorest neighbourhoods with a protest veteran. "We must always fight!" – "Always? What do you mean?" – "Yes, always! This is Hong Kong." – "Do you find Hong Kong such a bad place?" – "No, I love Hong Kong. This is why I protest." – "Yes," my conversation partner makes a small pause, sips her tea and continues: "I am a real Hong Kong girl. A real Hong Kong girl must protest." We laugh, but I know that she has nailed it. Political protest has become part of Hong Kong's DNA. What will happen to it now that the NSL has been enacted with the attempt to bring protests to an end?

The multitude of protests mirrors the turbulent recent history of post-colonial Hong Kong. Already shortly after the handover of Hong Kong from British colonial to Chinese rule in 1997, the financial centre faced the outbreak of the Asian Financial Crisis. Five years later, the city was hit hard by the Severe Acute Respiratory Syndrome (SARS) pandemic, which cost almost 300 lives in Hong Kong. The first CE of Hong Kong, Tung Chee-hwa, was widely perceived as mishandling these two crises. Hence, the 1 July 2003 protests against the introduction of a national security law under Article 23 must be seen in the context of wider dissatisfaction with the CE's work (Cheung, 2005; DeGolyer, 2005). Protests against the demolition of the Star Ferry Piers, the Queen's Piers and the Wedding Card District, in turn, reflect that many people in Hong Kong felt that their distinct identity and culture were neglected since rulers assumed that the people would agree to a "Mainlandization" of the city (Rajadhyaksha, 2015; Cheng, 2016). The grievances grew as did the protests with the "national education" protests in 2012, the Umbrella Movement (2014) and finally the "anti-extradition bill" demonstrations (2019). In light of limited successes, protests that had been exceptionally peaceful included violence in the

“Fish ball Protests” of Mong Kong (2016) and the anti-extradition bill demonstrations.

Already the multitude of protests and its sustainability over so many years indicates the existence of severe grievances. A closer look brings three layers of discontent to light that need to be distinguished, namely political demands, economic grievances and a conflict over identity. I turn to each of those separately in the following.

2.1. Political Demands: Electoral Democracy and Civil Liberty Rights

In the 1980s, we were happy about the handover [to China]. We are Chinese people and were set to return to our motherland. Back then, China underwent an unprecedented period of reform. Even Deng Xiaoping thought that China would become similar to Hong Kong. [...] The table has turned. Now we fight for the preservation of our freedoms and aim to fend off Mainland Chinese authoritarianism.⁶

It is Summer 2015. I sit in a small and dark room at Hong Kong University and talk to a political activist at the faculty of law. He is a legal scholar; this is why our conversation focuses on how the Chinese leaders utilise law to control Hong Kong. The main concern is that not an independent court, but a political committee, namely the Beijing-based Standing Committee of the National People’s Congress (SCNPC) that is under the full control of the CCP, has issued in 2014 an interpretation of Hong Kong’s Basic Law that has become famous as the “31 August Decision” (SCNPC, 2014). I have heard about this decision before because it interprets Hong Kong’s Basic Law in such narrow terms that a real democratization of the city is hardly possible. My conversation partner, however, points to a more fundamental challenge: “The Basic Law grants the right of its interpretation to the independent courts of Hong Kong in adjudicating cases, as article 158 (3) reads. Only

in cases when Hong Kong's courts are faced with the situation that they need to interpret the Basic Law concerning the relationship between the central authorities in Beijing and Hong Kong shall they seek an interpretation from the Standing Committee in Beijing on their own initiative. In 2014, however, not Hong Kong courts reached out to Beijing, but the Standing Committee took the initiative." In other words, the interpretation of Hong Kong's Basic Law is subject to political calculations not subject to an independent judicial review as an effective separation of powers and rule of law would require. "You think it is about more than democracy?" I ask him. "It is about the liberal political system that combines electoral democracy with the rule of law. Mainland China does not have this kind of system, but we in Hong Kong are deeply rooted in our belief in this system – no matter what political stance we take."

Hong Kong's political landscape is traditionally divided into two opposing camps referred to as the "pro-democracy" and the "pro-Beijing" camps. The "pro-democracy" camp is the opposition, the "pro-Beijing" camp effectively holds control over the government and has the majority in the LegCo. The distinction of these two groups describes the general fault lines in Hong Kong. Critics of the government are focusing on the demand to democratize the political system of the HKSAR. In recent years, in particular after the Umbrella Movement failed to bring genuine democracy to Hong Kong in 2014, some of mostly young democracy advocates have come to the belief that Hong Kong will not democratize as long as it is part of the PRC. This has led them to call for independence from the Mainland. This group is mostly referred to as "localists" (Chan, 2016; Chen and Szeto, 2015).

Surprisingly and often overlooked but rightly pointed out by my conversation partner at Hong Kong University, the pro-Beijing camp in Hong Kong is mostly not opposed to the idea of democratization either.

However, in contrast to traditional pro-democrats and localists, proponents of the pro-Beijing camp take a pragmatic stance. They care mostly about the economic and social development of the HKSAR and are convinced that closely working with the rulers in Beijing will be most beneficial to the city. They believe that the Beijing government will not allow the democratization of the HKSAR in the first place; for them, it is useless to fight for the unattainable.⁷ Apart from this pragmatism, many pro-Beijing figures personally profit from the existing system. They fear that a democratization could strip off their political and economic privileges. In fact, co-optation of economic elites is most decisive for Chinese rule over Hong Kong. This has been the same under British colonial rule (Summers, 2019).

Never in its history has Hong Kong been a democracy. Under British colonial rule, the most far-reaching decisions were taken by the British governor, who was appointed by London. The local parliament enjoyed only very limited powers. The elections to the parliament were only significantly democratized when the United Kingdom (UK) had already agreed to handover the control over Hong Kong back to China. And even then, the LegCo elections were not fully free and fair.

In the early 1980s, the UK and China negotiated the terms and conditions of the handover that was due to take place in 1997. On December 19, 1984, the negotiations ended with the signing ceremony of a bilateral treaty later registered as such with the United Nations (UN) between Great Britain and the PRC. This treaty, termed the “Sino-British Joint Declaration on Hong Kong” (SBJD), established the principle of “One Country, Two Systems” (OCTS) and guaranteed Hong Kong a “high degree of autonomy except in foreign and defence affairs which are the responsibilities of the Central People’s Government”, as Article 3.2 of the SBJD reads (HKSAR Government, 1984).

The guiding principle and promise that was made to Hong Kong was to preserve the status quo for 50 years after the handover until the year 2047 (Chan, 2015). Hong Kong was set to be controlled by Beijing, remained a capitalist entity with its own, freely convertible currency, a functioning rule of law including an independent judiciary, enjoying the full protection of civil liberty rights such as a free speech, freedom of assembly, and press freedom. All this was far from a commitment to democratize Hong Kong. Instead, the SBJD envisioned to transfer London's colonial powers to Beijing. Most of the British governor's competences were transferred to the new CE. On the CE's selection method, the SBJD falls far short of promising a democratic election. Instead, Article 3.4 of the SBJD states that "the Chief Executive will be appointed by the Central People's Government on the basis of the results of elections *or consultations* to be held locally" (HKSAR Government, 1984, emphasis added).

Already in the second half of the 1980s, however, interest in a democratization of Hong Kong's polity grew within the city. Hence, when the Basic Law for the new HKSAR was drafted with the participation of local Hong Kong elites, the idea – even though somehow vague – made it into the Basic Law. Most importantly, Article 45 states that "the ultimate aim of political reform is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures" (HKSAR Government, 1997). In other words, the Basic Law did not introduce democracy right away and it did not detail when universal suffrage would be introduced. It also did not specify what makes a nominating committee "broadly representative". However, it injected the promise of democratic reform and was even more concrete with regard to the LegCo reading in article 68: "The ultimate aim is the

election of all the members of the Legislative Council by universal suffrage” (HKSAR Government, 1997).

While the vague promises made in the Basic Law have fuelled the demand of Hong Kong people to have a significant say in the future of their home city, the current system falls short of any such hopes. Power lies not with the general citizenry but mostly with an unholy alliance of co-opted business elites and the CCP in Beijing. The CE, for example, is selected by means of an Election Committee that is dominated by pro-Beijing business elites. Half of the LegCo is voted into to office by universal suffrage, but the other half is elected by a selective constituency that massively overrepresents pro-Beijing business elites.⁸

Particularly important for the controversy around the reform of this system is the question of nomination. In 2014, the governments in Hong Kong and Beijing initiated a reform proposal. In line with a very narrow interpretation introduced by the 31 August Decision, it suggested to turn the Election Committee into a Nomination Committee without any changes with regard to the composition method of the Committee (SCNPC, 2014). In elections by universal suffrage, Hong Kong voters would have been able to select one of the candidates nominated by the Beijing-controlled Nomination Committee. The Hong Kong government argued that it had to treat the 31 August Decision as a document of constitutional power, which leaves little if any room for a more democratic approach. The pro-democracy camp called the reform proposal a “fake democracy” and initiated the Umbrella Movement in protest. The reform bill finally failed in the LegCo.

Even though Hong Kong has never been a real democracy, the Basic Law’s promise and the unequal treatment of ordinary citizens and the co-opted business elite in the selection of both the CE and the members of the LegCo⁹ fuels discontent. What adds to the concerns of Hong Kong’s opposition even further is the creeping erosion of civil

liberty rights as well as shrinking spaces of freedom ranging from the kidnapping of Hong Kong booksellers including the Swedish citizen Gui Minhai (*The New York Times*, 16th June 2016) to the purchase of media outlets by Mainland Chinese investors such as the acquisition of the *South China Morning Post* by Jack Ma in 2016, owner of the Mainland Chinese e-commerce and tech-giant Alibaba (Reporters Without Borders, 2016). All this is coupled with the gradual erosion of judicial independence. In this context, Beijing's claim that the SCNPC has the right to interpret the HKSAR's mini-constitution at its will is a particularly important case, as the above-mentioned example of the 31 August Decision demonstrates.

This episode also exemplifies how the lack of democracy is intertwined with a different understanding of the rule of law. The SCNPC interpreting the Basic Law is not a judicial body but part of China's legislature and fully controlled by the CCP. Over the years, the SCNPC has, however, not just issued interpretations of the Basic Law when Hong Kong's courts asked for it, but also upon its own initiative and upon the initiative of the pro-Beijing government of the HKSAR (Tai, 2010; *South China Morning Post*, 1st November 2016). Law does not function as a constraint to, but a means of power (Rühlig, 2018).

2.2. Economic Grievances: Relative Economic Decline and Social Challenges

Hong Kong has always made people dream and hope. In the 1970s, a TV series titled "Below the Lion Rock", named after a landmark mountain [in Hong Kong] has captured this. Since then, we speak of the "Lion Rock Spirit". [...] Nowadays, the Lion Rock Spirit is gone. The promise that our lives will get better if we only work hard is not true for our children anymore. Just look at the housing situation.¹⁰

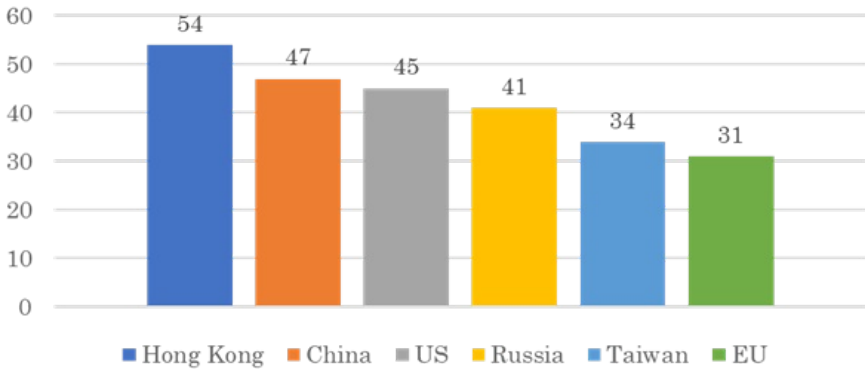
I sit with several high-rank members of advisory institutions of the central authorities on Hong Kong in Beijing. We discuss the protests of 2014 in Hong Kong. After only a few minutes, all my Chinese conversation partners exclusively discuss the economic and social situation in the HKSAR. One summarizes the perspective of the whole group: “Come on, forget about democracy! If Hong Kong was economically prosperous these protests would end tomorrow.” It is not the first time I am confronted with this perspective but I find it remarkable given all the emphasis that protesters give to democracy, the rule of law and human rights. Beijing’s focus on economics is yet another example of how the Mainland misses the essence of Hong Kong protests. However, the Chinese government’s obsession with discussing Hong Kong’s economic situation has its foundation and certainly the protests in the HKSAR have an economic dimension.

To begin with, the clear separation of the demand for electoral reform on the one hand and economic and social issues on the other hand that is often made by both Chinese and international observers and media is misleading. China’s power is based on the loyalty of co-opted economic elites. Hence, leaders in Hong Kong and the CPG have to carefully consider the economic self-interest of this co-opted elite. The result is a policy that does not effectively fight poverty and inequality but favours particular business interests (Kwong, 2007).

20.4% of Hong Kong’s citizens live below the poverty threshold (*South China Morning Post*, 11th January 2020). This figure stands in sharp contrast to the wealth of Hong Kong’s rich. Accordingly, the HKSAR is one of the most financially unequal political entities. The Gini coefficient is an internationally accepted measure of the degree of inequality with a value of 100 representing maximum inequality (= a status in which one person has everything and all others have nothing)

and 0 stands for maximum equality (= all citizens have the same amount of resources). Hong Kong's Gini coefficient is higher than that of China, the US, Russia, Taiwan, and the European Union (EU) (see Figure 2).

Figure 2 Inequality (Gini coefficient), selected entities



A particular challenge to Hong Kong's unequal society is housing. On average, Hong Kong citizens' apartments comprise 15 square meters per person only. For years, the city was famous for the thousands of people who stayed in cages that landlords piled up in the poor areas on the Kowloon Peninsula and the New Territories. The rental of cages turned illegal, but to this day, more than 200,000 people live in terribly small places, commonly referred to as "sub-divided units". Throughout the city, 86,500 sub-divided units exist. Most of them consist of not much more than a bed, a wardrobe above the bed as well as a shared kitchenette and a shared bathroom (Society for Community Organization, 2019). Many of the sub-divided units do not even allow one to stand outside of the bed that covers the whole floor area.

Politicians are fully aware of the extreme housing situation, which does not exist by default. Instead, real-estate developers represent a cornerstone of the co-opted pro-Beijing elites. Several Hong Kong governments have announced their commitment to tackle the housing situation promising to invest in subsidised housing (Lo, 2005). Not least, the current administration under CE Carrie Lam has made the same promise (*South China Morning Post*, 16 October 2019). However, until this day, no less than 45% of all construction is carried out by only five real-estate developers. This strong market presence allows them to dictate the prizes. In fact, significant amounts of property are left empty on purpose to shorten the supply of living space and increase the price. The Hong Kong and Beijing governments have identified this problem, but shy away from going against the business interests of their allied co-opted elites.

Ironically, the 2019 protests and the tendency of a stronger political influence of pro-democratic political parties in Hong Kong make it even more difficult for the Beijing government to risk the support of its local loyalists including in the real-estate sector.¹¹ In fact, the high turnout of anti-extradition bill protests that included traditional supporters of Hong Kong's government has made clear once more that the support of large parts of the pro-Beijing elites in Hong Kong does not rely on conviction but is transactional in nature. If pro-democratic influence in the Election Committee and the LegCo increases, Beijing has even more reason to make sure that its loyalists stand with the interests of the CCP. This, in turn, provides less leeway to go against the vested interests of Hong Kong's co-opted elites, including in the real-estate sector.

Finally, a strengthening of Hong Kong as a prosperous business location is risky for Beijing. Hong Kong's economic importance for the PRC – although still significant – has drastically declined (Bond, 2020). This comes with worse employment opportunities for Hong Kong's

workforce. Of particular importance to Hong Kong's economy is that it is a prime financial centre in East Asia. Over the last decade, Shanghai and Shenzhen are quickly catching up with Hong Kong. This leaves the CPG in yet another dilemma. In an attempt to appease protest in Hong Kong, the Beijing government could aim to re-strengthen Hong Kong and provide preferential treatment to its special administrative region. However, this would send a signal to the rest of the country that if people only protested, they would be economically rewarded. Left with this choice, Beijing seems to rather aim for a further decline of Hong Kong's relative economic importance to the Mainland.

2.3. Identity Conflicts: Post-Colonial Identity, Distinct Culture and Xenophobia

*It is true that we are ethnically Chinese. But Hong Kong has never been Chinese. The British have founded the city and ruled it for 150 years. We are not Chinese; we are not British; we are Hongkongers and we want to keep our city as our home. I am sick of all the Mainlandization of Hong Kong. You want to see a Chinese city? Go [across the border just a few hundred meters away] to Shenzhen!*¹²

Autumn 2019. I visit the southern Chinese metropolis of Shenzhen next to Hong Kong. Only a small river separates the HKSAR from Shenzhen, but this demarcation is guarded like a national border. I take a subway to the border knowing that I will not be able to visit Hong Kong this time because otherwise I would need a separate visa that allows me to re-enter Mainland China. I am a little tired of a full working day and start to think of my friends across the border, who have also finished work now and – most likely – make their way to yet another protest rally. I fear that they will get involved in violent clashes when confronting the police when all of the sudden I freeze. Next to me is a young woman playing a

game on her smartphone, just like almost everybody else in the subway. Here in Shenzhen, just a few minutes away from Hong Kong, not a single sign indicates what is happening on the other side of the river. But this young woman does not just play any random game, no: On the screen of her phone I see little birds fluttering. The young woman aims to catch them with her figure and drag them into little cages at the bottom of the screen. I cringe. What a symbolic moment: This young Shenzhen woman enjoys to be entertained with an online game caging flying birds while we get closer and closer to Hong Kong, a city that is standing up in protests for weeks and months. “What a cultural difference?!” I think. “In Hong Kong, people protest. Here in Shenzhen, she does not only play this game but is unpolitical enough not to even think of its symbolism.” I cannot stand to watch her playing, leave the train and rather wait for the next subway to arrive to continue the journey and dare not look at the screens of the fellow travellers around me anymore.

Ethnically, there is no difference between the local Hong Kong citizenry and the population in the south of the PRC. Culturally, however, Hong Kong and Shenzhen that are geographically so close, seem to be on different planets. At first glance, this appears to be not only surprising because of the proximity but also in light of the fact that each day around 735,000 people cross Hong Kong’s border with the Mainland (HKSAR Government, 2016).

At this point, the enormous impact of history is apparent.

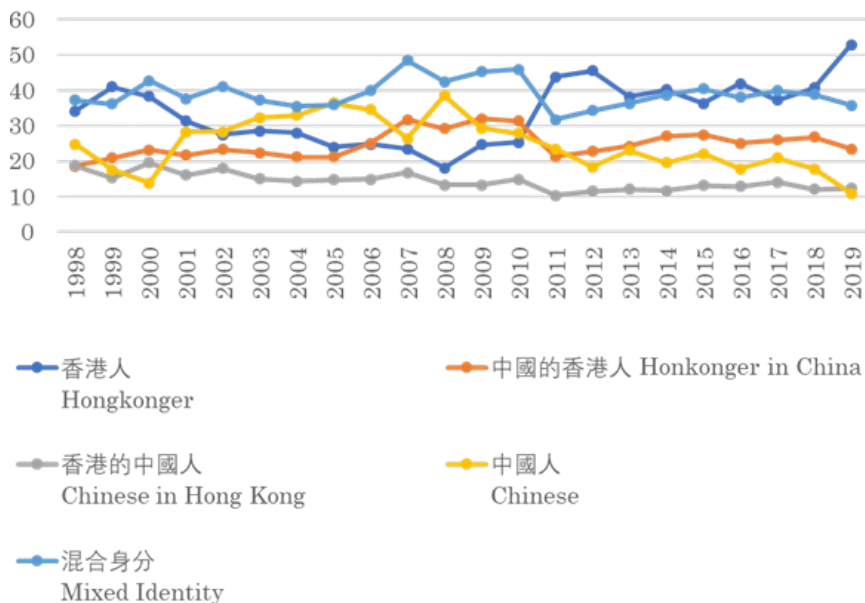
Before Hong Kong became a colony, the island was only inhabited by a small fishermen’s village. In essence, Hong Kong was founded by the British and remained under British colonial rule for around 150 years. Most of Hong Kong’s citizens are ethnically Chinese. Whenever China was undergoing a crisis – be it a civil war, a famine, or political persecution – Chinese citizens made their way to Hong Kong in search

for freedom or the opportunities that a capitalist society seemed to promise to hard-working people (Carroll, 2007).

At all times, Hong Kong's destiny was closely bound to China's development. Hong Kong even served as a basis for Chinese dissidents such as the legendary founder of the Chinese Republic, Sun Yat-sen. But despite these relations, Hong Kong developed separately from China. It was home not only to Chinese refugees and Westerners, mainly British, ruling the colony but also to workers from Southeast Asia. To this day, each Sunday tens of thousands of foreign domestic workers, mainly from the Philippines and Indonesia, flood the streets and public parks to meet their fellow countrywomen on their only free day (Rühlig, 2015b). The result is that Hong Kong developed a distinct culture as a post-colonial and more cosmopolitan city than any other place within the PRC.

Independent opinion polls clearly show that only a small share of the Hong Kong population identifies as either "Chinese" or "Chinese in Hong Kong". Much more widespread is the self-characterization as either "Hongkonger", "mixed identity", or "Hongkonger in China". Even more worrisome for the leadership in Beijing is the development over time that indicates that the non-Chinese identity among Hong Kong's citizens is rather on the rise the longer the city is part of the PRC (see Figure 3).

Many citizens of Hong Kong are well aware of the city's colonial past and proud of their distinct Hong Kong culture. Over the course of the last 10-15 years, a social movement has developed that pays close attention to the colonial heritage of the city striving to raise awareness of a post-colonial identity. This does not necessarily imply that the people of Hong Kong glorify the colonial past (even though some do). For example, protests to protect the "Wedding Card Street" on Hong Kong Island or the old colonial piers have often been misunderstood in

Figure 3 Development of Identity among Hong Kong People over time (self-affiliation)

Source: Hong Kong Public Opinion Program (HKPOP).

Mainland China as an attempt by activists to transfigure British colonial rule. In fact, such protests rather aimed at the preservation of Hong Kong's old buildings to remember and critically engage with the city's past to stimulate a nuanced and enlightened debate about what Hong Kong is all about. Widespread is the fear that the local Cantonese dialect could be replaced by Mandarin (Bridges, 2016; Chen and Szeto, 2015).¹³

Apart from such progressive movements, growing cultural influences from Mainland China not least as a result of the influx of tourists and permanent citizens settling in Hong Kong from across the

internal border, the loss of economic superiority over the Mainland as well as the decreasing attractiveness of Hong Kong's popular culture in Asia – Hong Kong's film industry and pop music were once famous throughout the continent and even beyond (Davis, 2019) – including in the PRC have fuelled anti-Chinese sentiments including xenophobia. It is a shockingly widespread prejudice among Hong Kong protesters that Mainland Chinese are uncivilized. Tourists from China, many argue, are rude, pee in the streets, and roll their suitcases over the feet of others without apologizing. Another accusation is that Mainland Chinese buy up daily necessities such as milk powder and drugs and smuggle them across the border. This, many people of Hong Kong complain, raises the cost of living for the local population. Such prejudice has already found cultural expression in some of the most popular songs of Hong Kong's social movements and are subject of movies that are box-office hits throughout the city (Rühlig, 2016). One protester summarized these xenophobic ideas when claiming that “the Mainlanders pollute the city”.¹⁴ Politically, the rising anti-Chinese sentiments also strengthen the above-mentioned localist call of independence.

Hong Kong's protests while focusing on political issues of democracy, human rights and the rule of law carry an identity and an economic angle as well. In fact, these three elements are closely intertwined. China's authoritarian control over Hong Kong relies on local economic elites. Inequality is to a significant extent a result of elite co-optation. The desire for democratic self-governance is further rooted in a deep-seated identification with Hong Kong as a place that is distinct from all other political entities, including Mainland China.

Any attempt that aims to appease Hong Kong needs to tackle all three dimensions; otherwise, it will only suppress protest.

3. What Are the Myths around the Protests?

*I am not against democracy, but I think the protests will be useless. I am afraid the best we can do is find an arrangement with the government in Beijing to preserve our lifestyle and our freedoms, but not challenge the Communists.*¹⁵

It is a late-October day in 2019. I sit down in Shanghai with a member of a leading Chinese think tank to discuss Chinese foreign and industrial policy. When I am just about to stand up and leave the room, she holds me back: “May I ask you a question?” Without giving me the chance to respond, she continues: “I know you have been working on the Hong Kong riots for quite some time. You are a reasonable man: How can we stop this mob without using violence like we did in 1989 [at Beijing’s Tiananmen Square]? I know that the majority of the Hong Kong people are reasonable and do not support this mess. They are the silent majority. But what is with all these deluded young kids?! They are so young and just ruin their lives!” I am not surprised of her view on Hong Kong. Her statement contains three major misrepresentations of the situation in Hong Kong: the assumption that a silent majority is against the protests; that Hong Kong protests are inherently violent riots; and that it is exclusively driven by the city’s youth that she calls “deluded young kids”. To this list, very often a fourth misrepresentation is added that says that the protests are staged by the US.

Not only the misrepresentations of the Hong Kong protest movement is exemplary for the widespread perception in Mainland China but also the negative undertone. Many Chinese argue that the people of Hong Kong are spoiled because instead of appreciating the political and economic freedoms the HKSAR has they ask for even more privileges (*The Economist*, 13th November 2014). Another common objection is that Hong Kong people are unpatriotic since they are seen as

jealous of the Mainland's economic success. In this context, one might sense that many Mainland Chinese have been looking up to Hong Kong's prosperity for a long time and are now disappointed for not feeling the same recognition for the PRC's growing wealth from the citizens of Hong Kong. What contributes even further to the antipathy is the localist call for independence sometimes coupled with xenophobic anti-Mainland sentiments as described above. But most Chinese citizens are simply disinterested in the developments in Hong Kong.

Against this background, any reflection whether the protests could spill over to Mainland China is essentially groundless. This remains, however, not only a widespread hope among Western observers, but continues to be a fear of the CCP leadership. When justifying the NSL, China's Hong Kong and Macau Affairs Office (HKMAO) spoke of the protesters as a "political virus" and the law as an "anti-virus software" (*The Guardian*, 6th May 2020). While this language made reference to the coronavirus pandemic, it also expresses the CCP's concern that Hong Kong protests could spread "like a virus" to other parts of China. Given Hong Kong's sense of exceptionalism and the widespread scepticism among Mainland Chinese people coupled with the Chinese government's high degree of control over the flow of information in Mainland China, it is hard to take such fears serious.

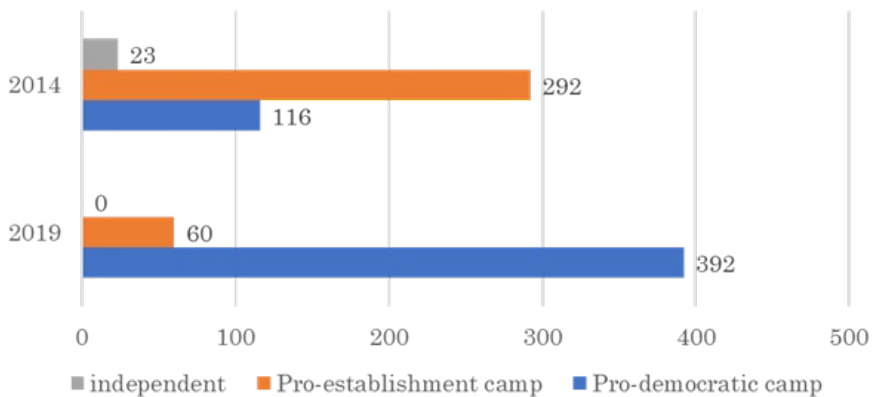
Whatever the opinion is in Mainland China, many Chinese including the CPG were taken by surprise when Hong Kong's electorate dismantled the common assumption that a silent majority would oppose the violent protests. Contrary to Mainland China, the protests find strong support among a majority of Hong Kong's citizens.

On 24 November, Hong Kong headed to the polls to elect what is called District Councils, a neighbourhood institution with hardly any political power. In contrast to previous elections, however, the voter turnout was particularly high in 2019 (71.2% compared to 47.1% in the

previous elections in 2014) because Hong Kong's voters did not primarily consider the very limited power of the District Councillors but treated the local election as a referendum on the ongoing protests (*Financial Times*, 21st November 2019).

The results of the District Council Elections brought a landslide victory for the pro-democratic protest movement (HKSAR Government, 2019). The pro-democratic camp won 392 seats up from 116 seats in the previous elections in 2014. The pro-Beijing camp, in turn, lost most of its 292 from 2014 and is reduced to 60 seats in 2019 (see Figure 4).

Figure 4 Results of the 2019 District Council Elections (seat allocation of estimated political affiliation)



The distribution of seats overestimates the support for the pro-democratic camp that profited from Hong Kong's electoral system. The pro-democracy candidates received almost 60% of the popular vote. This is more or less in line with previous elections with a high voter turnout in Hong Kong, particularly the free half of the LegCo elections (i.e. the

geographical constituencies). In fact, local elections show that the public opinion in Hong Kong is a remarkably stable 60-40 divide to the advantage of the pro-democrats. This also calls into question the Chinese accusation that the protests are all staged by the US and the UK. In fact, there is no indication that this is the case and the deep-rooted support within a majority of the Hong Kong people is counter-evidence. China's rhetoric of foreign forces meddling into Hong Kong affairs is groundless as is the perception of the subject through the lens of national security.

Reportedly, the CCP leadership was shocked by the results. In early January it implicitly acknowledged its misjudgement when replacing its highest official within Hong Kong. Wang Zhimin was recalled as head of the CPG's Liaison Office in the HKSAR and replaced by Luo Huining, a relatively old and experienced Party cadre with no previous ties to Hong Kong who was set to retire (*South China Morning Post*, 4th January 2020). While Luo is regarded as being close to President Xi, his appointment is widely interpreted by China watchers and the media as a sign of Beijing's attempt to get a more appropriate understanding of the situation in Hong Kong.

While the election results do not support the hypothesis of a "silent majority" rejecting the protests, it also clearly shows that not all of Hong Kong's 7.5 million citizens align with the protesters.

Furthermore, a generational difference is visible even though the reduction to the protesters as being only youngsters is simplistic. By trend, young people in Hong Kong are more critical of the PRC's influence over the city (Lee, 2015; Lee *et al.*, 2015). This remains puzzling because most of the young protesters were not yet born by the time when Hong Kong was handed back to China in 1997. They only know Hong Kong as being part of the PRC and under the control of the CCP. This, however, does not imply that the demonstrators are all young. In fact, one can distinguish two generations of protesters.

The “older protesters” were mainly politicized in the late-1980s and early-1990s in the wake of the Tiananmen Massacre and the commemoration of it. They regard themselves as Chinese patriots but disagree with the authoritarian rule of the CCP. Localism, in turn, is much more widespread among young protesters, who were born in the last-1990s or early 2000s (Lagerkvist and Rühlig, 2016; Rühlig, 2017).

Finally, the characterization of the Hong Kong protests as particularly violent deserves some elaboration. This claim was frequently made by Mainland Chinese media and the Hong Kong government. There is no doubt that the confrontation between the protesters and the police turned more violent over the course of the protests. This stands in sharp contrast to the remarkably peaceful tradition of civil disobedience in Hong Kong. The Umbrella Movement in 2014, for example, remained peaceful throughout the 79 days of occupation. Preceding the Umbrella Movement, Hong Kong experienced an unprecedented public education campaign by a group of activists calling themselves “Occupy Central with Love and Peace” that informed Hong Kong’s population of peaceful protest means and the concept of civil disobedience (Yuen and Cheng, 2015; Chan, 2014). And even the mass rallies in 2019 and 2020 of up to 2 million demonstrators were largely peaceful. Four aspects, however, contributed to the 2019/2020 protests turning more violent over time. Firstly, rising frustration among young demonstrators made them more receptive to non-peaceful protest tactics. Secondly, there is clear indication that Hong Kong’s police infiltrated the protesters with agent provocateurs in order to have a justification for clearing the streets (*BBC News*, 13th August 2019). Thirdly, the Hong Kong police itself reacted more aggressively increasingly using force. Fourthly, there is indication that forces close to the Hong Kong government cooperated with local mafia groups, widely

known as triads, beating up pro-democracy protesters (*The Washington Post*, 24th July 2019). To speak of the demonstrators as being violent is thus an oversimplification and misses the root causes of the non-peaceful developments.

4. What Explains Beijing's Hong Kong Policy?

*Although there is almost no risk the protests will spread to the rest of China this is a very serious issue. President Xi is in a particularly difficult situation to balance all consideration. He faces a real dilemma.*¹⁶

I sit at the breakfast table and turn on my phone. “Have you seen the news from Shenzhen?” a text message reads I have received. I open the news and read about an “anti-terror exercise” carried out by China’s People’s Liberation Army (PLA) in Shenzhen, just kilometres away from the border to Hong Kong. I don’t need to ask whether he is concerned. In 1989, he saw the tanks rolling through Beijing; he was loosely involved in “Operation Yellowbird” that brought dissidents out of China to Hong Kong in 1989; and since then, the commemoration of that night has become the task of his life. But not only for him the question is in the air: Will there be a military crackdown on the protests in Hong Kong?

The military does not intervene. The cycle of protests rather comes to an end with the outbreak of the coronavirus pandemic. The real crackdown follows one year later with the adoption of the NSL. Which calculations are driving the CCP? Why have they not intervened militarily even though accusing “foreign forces” of meddling into Hong Kong affairs, which in Beijing’s view justifies the NSL?

The Chinese government like any other in the world does not want to use force against its own population. Xi Jinping might be an autocratic and nationalist leader, but he probably does not take the decision over a violent crackdown of a civil unrest mildly. Furthermore, using military force would have come at an enormous direct and indirect cost for the leaders in Beijing. Direct costs would have mostly been economic. Hong Kong continues to be an important entry point for foreign investment into the PRC. If investors lost their confidence in the legal certainty that Hong Kong provides, it harmed Chinese economic interests. This is particularly troublesome for China now that it is undergoing economic transformation and distress, which was only further deepened by the US-Chinese trade war and the two superpowers competing over high technology.

Indirect costs are largely reputational with consequences for the CCP's domestic legitimacy. For decades, the authoritarian Communist rulers enjoyed a high degree of legitimacy in China because of the steady growth of wealth and prosperity due to double-digit growth rates (Holbig and Gilley, 2010). This source of domestic legitimation while still existing is being challenged in recent years. China's economy is undergoing a substantial transformation from a labour-intensive market moving up the global value chain. In this situation, the CCP under Xi Jinping has started to re-strengthen another traditional source of legitimation: national pride. A violent crackdown would have proved that Hong Kong people are not happily returning to their beloved motherland, as the CCP's propaganda reads, but Chinese rule over Hong Kong is based on force.

Another blow to national pride could have stemmed from a damage of China's international reputation as a responsible power. A violent crackdown in front of the eyes and lenses of the world media would

have destroyed the slowly growing international reputation of China as a responsible great power in world affairs.

Of particular importance in the Beijing government's calculus in this context must have been the general elections in Taiwan in January 2020. Before the protests in Hong Kong started, the governing China-critical President Tsai Ing-wen and the China-friendly challenger Han Kuo-yu were almost on par with a slight advantage for Han in the opinion polls. Just one week before the June 9, 2019 protest, an opinion poll carried out by Taiwan's Chinese Communication Society (CCS, 中華傳播學會) saw Han at 39.4% and Tsai slightly behind with 37.2% (*Newtalk*, 3rd June 2019). The PRC government feared that a harsh approach to Hong Kong could support China critics in Taiwan, not least since the PRC government is promoting the OCTS principle as a template for its reunification with Taiwan for many years. In fact, political observers agree that the Hong Kong protests had a massive impact on the Taiwanese elections (even though other factors played a role as well) and helped President Tsai to achieve a landslide victory where she gained 57.1% of the vote compared to 38.6% for Mr Han (Bloomberg, 2020). Taiwanese voters apparently looked at Hong Kong as a negative example of what increased Chinese influence under a Beijing-friendly government could look like (Chiu, 2020).

For Xi Jinping, the growing Chinese national pride is, however, a double-edged sword. While his desire for international reputation represented an incentive for not militarily interfering in Hong Kong, it could have also been seen as a source of a more aggressive nationalist approach. From this vantage point, one could have expected that Xi needed to demonstrate China's strength and also send a signal to potentially secessionist movements in Tibet or Xinjiang. It is therefore not unlikely that some forces within the leadership of the CCP have urged President Xi to demonstrate strength and intervene. In the end, Xi

seemed to have believed that China, Hong Kong and his own power base were better off without a military intervention.

In comparison to the decision to abstain from a military intervention, the CCP leaders saw the introduction of the NSL as a politically and economically cheaper option. Most importantly, the NSL does not produce the same mediated pictures of violence. Domestically, the CCP can argue that it is directed against the interference of foreign forces.

Internationally, the CCP expected criticism but thought that the coronavirus pandemic in which countries around the globe rely on medical equipment and face masks produced in the PRC would have them abstain from following up on such criticism. Similarly, economic interest in an economic crisis would be too strong to leave Hong Kong for international business.

At first, the Chinese calculus seemed to work out well, at least partially. The United States (US) was quick to not only criticize the move, but also impose sanctions and withdraw Hong Kong's special status (*BBC News*, 2nd July 2020; The White House, 14th July 2020). This must have been expected by China given the rising tensions under President Donald Trump and in the run-up to the 2020 US elections, in which neither Republicans nor Democrats want to look weak on China. The UK shortly joined the US alongside Canada, Australia and New Zealand in its criticism. The UK also angered China by offering a simplified path to UK citizenship for British Overseas Passport holders, i.e. almost 3 million Hong Kong citizens that were born before 1997 (*BBC News*, 1st July 2020). The UK's move was, however, largely symbolic and will harm Hong Kong and China only to the extent that it facilitates a brain drain from the HKSAR. This move is also symbolic because the young generation, born after 1997, that leads the protests, is not profiting from the UK's decision. More importantly to China, the EU

voiced its concern only to declare that it would not adversely affect relations with China and the ongoing negotiations on an investment agreement (POLITICO, 29th May 2020).

If China's leaders were pleased with the outcome they had celebrated too soon since three dynamics covering politics, economics and legal affairs became clear. *Politically*, the EU as a key factor in the Chinese calculus turned much more critical. First the European Parliament adopted a legally non-binding resolution that calls upon the EU to sanction China, bring the case to the International Court of Justice, and call for a UN Special Envoy for Hong Kong among several other measures (European Parliament, 2020). Addressing the media after the EU-China Summit, European Commission President Ursula von der Leyen also hardened the EU's position speaking of "consequences" if China was not changing its Hong Kong policy (European Commission, 2020). Simultaneously, more and more European states moved closer to China-critical decisions, most prominently the exclusion of Chinese vendors from the buildout of 5G wireless networks, an issue that is a policy priority of China (Rühlig, 2020; Rühlig and Björk, 2020). While China found explicit support in some Asian and African states, the NSL turns into a watershed that deepens an emerging split into the West on the one side and China on the other. The PRC's calculation that this could be avoided by launching the NSL during the coronavirus pandemic has not yielded its desired outcome.

Economically, the US decision to withdraw Hong Kong's special status comes with some, though minor, direct cost. US investments into Hong Kong are relatively scarce. Chinese companies that have a subsidiary were able to largely circumvent US punitive tariffs (ING, 31st May 2020). Indirect costs could, however, be higher than expected. Hong Kong's status as a financial centre in East Asia is largely based on the trust of international investors. European business associations, such

as the German BDI, have already voiced grave concerns (BDI, 2020). A survey among US companies based in China further found that 68% were worried with 48% expecting negative impacts on their business and 35.5% with concrete plans to withdraw capital from Hong Kong (*South China Morning Post*, 13th July 2020). Such concern is reasonable not only because legal certainty is endangered now that China is violating international law (see below), but also since US sanctions could put digital services at risk. Reportedly, around 70% of Hong Kong's cybersecurity technology is US American (ING, 31st May 2020). The US decision to treat Hong Kong like Mainland China implies, however, the halt of technology exports and could seriously undermine international investor's trust in the cybersecurity of digital financial services.

Legally, it has become clear to the international community that the NSL is a violation of international law. The NSL breaches the SBJD directly and indirectly where it is not in conformity with the Basic Law of Hong Kong, because the SBJD guarantees Hong Kong the rights that are enshrined in the Basic Law (HKSAR Government, 1984). More concretely, the introduction of Mainland security institutions in Hong Kong violates §3(11) of the SBJD and Articles 14 and 22 of Hong Kong's Basic Law, since these articles promise that the maintenance of public order is the sole responsibility of the HKSAR government and lies within Hong Kong's autonomy. Also, the fact that China bypassed LegCo by making it a national law that it added to Annex III of the Basic Law (only national laws mentioned in Annex III are applicable in Hong Kong) violates the Basic Law. Article 18 of Hong Kong's Basic Law grants the SCNPC the right to do so only with laws that lie outside the autonomy of Hong Kong. Article 23 of the Basic Law, however, explicitly lists the enactment of a national security law as a right and duty of Hong Kong's legislature. Apart from that, the NSL undermines a

number of civil liberties that the SBJD, the Basic Law and the International Covenant on Civil and Political Rights (ICCPR) – that China has signed and agreed to apply to Hong Kong as under British rule – guarantee (Cheung, 2015; OHCHR, 2020). As a result, more and more in the international community realize that China's imposition of the NSL is a clear breach of international law.

In sum, China's calculation that the introduction of a NSL would be politically, economically and legally cheap might very well turn out to be incorrect.

5. Outlook from a European Perspective

This is about more than “only” Hong Kong. It is about the question whether the free world stands with a social movement that faces the most powerful authoritarian regime in its fight for universal values. It is about whether the free world holds China accountable to honour the international treaty it has signed. And it is about sending a signal to the world that democracy is well and alive.¹⁷

In early 2020, I talk again with the friend of mine that I had been in contact with on June 9. “In June you told me that you had never expected to be a part of such a protest again after the Umbrella Movement failed to achieve genuine democracy in 2014. How do you feel now? What will come next?” – “I don't know what will happen. Probably things will get gradually worse,” he responds. After a short break he continues and all of a sudden his voice sounds much more optimistic: “But now I know that Hong Kong will always protest. We will continue the fight and if we stay home for a little while, we will soon come back to the streets again.”

A few weeks later, such certainty is ushered. The NSL adopts such a broad definition of national security that it criminalizes almost everything that the Chinese rulers deem uncomfortable. Hence, the NSL could turn out to effectively suppress protest. There is, however, no reason to believe that the dissatisfaction of the majority of the Hong Kong citizens will disappear any time soon. The political demands for the preservation of liberty rights and the rule of law as well as the democratization are unlikely to be met. Not least vested interests of co-opted economic elites will probably prevent major social reforms. And the clash over identity and the xenophobia will surely not go away overnight.

The NSL has made the situation for Hong Kong's citizens even worse. Not only does it limit civil liberties, but it will likely come with a negative economic impact. This could make social grievances even more pressing. A possible next wave of social protests could focus on social issues. On the surface, this would appear to be less critical not questioning the political system. Given the close linkages of political authoritarianism by means of co-opted economic elites and social grievances and inequality in Hong Kong, social protests would essentially target the whole system – once again.

The introduction of the NSL is even more regrettable because room for a compromise between both sides exists. As a first step, the promise to uphold the OCTS principle and respect a “high degree of autonomy” for Hong Kong could be prolonged beyond 2047. Carrie Lam had argued in favour of such a move even though she has made the pre-conditions that Hong Kong people should stay “loyal” to Beijing's vision of how the city should be run (Reuters, 16th January 2020). This pre-condition is certainly not building enough trust to get a political dialogue going. Such move would be only substantial if the NSL was withdrawn.

Political reform could further seek for inspiration in concordance with democratic approaches. Such approaches emphasise consensus among all political parties with the aim to overcome the distinction between government and opposition. This would require that pro-Beijing and pro-democracy forces sit down to search for compromises. Ironically, such an approach could reduce the CPG's dependency on its loyalists in Hong Kong and open up the possibility to tackle social issues in the HKSAR more effectively. Reassurances to preserve the Cantonese language and accepting that Hong Kong's history has left its imprints on the local identity and culture is equally important as Hong Kong protesters' understanding that anti-Chinese xenophobia is unfounded and leads nowhere.

Unfortunately, such compromise is very unlikely. Pro-Beijing and pro-democracy camp deeply distrust each other. Many Mainland decision-makers almost never visit Hong Kong and when they come, they do not meet representatives of the opposition. All too often, the political establishment in the PRC takes the stance that the demonstrators are "only" students and cannot be counterparts for a discussion with the leadership of the PRC that is about to turn into a global power again. Like the 31 August Decision ended all realistic hopes for compromise on electoral reform, the NSL seems to bring Hong Kong's freedoms to an end.

This is not only bad news for Hong Kong, but for Europe and the entire free world as well. Contrary to Chinese claims, the Hong Kong question is not an entirely domestic one. The SBJD might be a vague international treaty, but against all Chinese claims it has not expired. Holding the PRC responsible to its commitments does not come with a right of Hong Kong to democratize but guarantees the independence of the judiciary and the preservation of civil liberty rights. It is the duty of the UK as the signatory of the SBJD and the whole international

community to closely watch and demand compliance with the SBJD. As a side effect, this keeps up public awareness and reminds the Chinese leadership of the reputational costs if it decides to use force in dealing with Hong Kong.

The future of Hong Kong might not be a bright one, but working to fend off the worst consequences for Hong Kong could be a realistic goal.

Notes

- + This article is an updated version of a Swedish piece published in early 2020. (Tim Rühlig (2020). Hong Kong. Protesternas stad. *Världspolitikens Dagsfrågor* 2/2020. Stockholm: UI.)
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1. Author's telephone interview with a Hong Kong-based protester, June 2019.
2. Author's telephone interview with a Hong Kong-based protester, July 2020.
3. Author's telephone interviews with an advisor to the HKSAR government and a member of the CHRF, August and November 2019.
4. Author's telephone interviews with Hong Kong-based protesters, January-May 2019.
5. Author's telephone interview with a Hong Kong-based protester, November 2019.
6. Author's interview with a leading figure of the pro-democracy movement, Hong Kong, September 2016.
7. Author's interviews with pro-Beijing politicians and elites, Hong Kong, June 2015-April 2017.
8. According to the Basic Law, the CE of Hong Kong is voted into office of a 5-year term by a majority of more than 50% in an electoral college of almost 1,200 members, called "Election Committee". The Election Committee, in turn, is voted into office by elections in four so-called "functional constituencies" that are supposed to represent four different professions. In fact, only 7% of Hong Kong's population that holds the right to vote in the LegCo elections are part of one of the four functional constituencies; around 93% have no say. Even within the functional constituencies, the votes have unequal weight since all four functional constituencies send around 300 representatives into the Election Committee even though the size of the four functional constituencies differs enormously. All this has the effect that mostly pro-Beijing loyalists, mostly members of the co-opted economic elite have a say.
9. The LegCo consists of 70 seats. 35 seats are voted by universal suffrage ("geographical constituencies"); the other 35 seats are voted by the same functional constituencies that elect the Election Committee (see previous

note). In light of the fact that the pro-Beijing camp dominates the functional constituencies, it always secures a majority in the LegCo. So far, it has always failed to gain a 2/3 majority, which is necessary to change the Basic Law.

Similar to the CE selection method, the Basic Law promises a reform of the LegCo elections that should be held by universal suffrage. The SCNPC has, however, issued a statement that the reform of LegCo would only come after a reform of the CE selection method.

10. Author's interview with a Hong Kong-based protester and social worker, Hong Kong, April 2017.
11. Author's telephone interviews with pro-Beijing politicians, October-November 2019.
12. Author's interview with a Hong Kong-based protester, Hong Kong, June 2016.
13. Author's interviews with Hong Kong-based protesters, Hong Kong, June 2015-April 2017.
14. Author's interview with a Hong Kong-based protester, Hong Kong, July 2015.
15. Author's interview with a Hong Kong-based supporter of a pro-Beijing social movement, Hong Kong, March 2017.
16. Author's interview with a member of a leading think tank, Beijing, November 2019.
17. Author's interview with a leading Hong Kong-based pro-democracy protester, April 2017, Hong Kong.

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Free Speech and Free Press

Free Press under Threat in Hong Kong Protest Fallout

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Abstract

A government bill on cross-border transfer of fugitives whipped up a storm of protests in Hong Kong in June 2019. It soon morphed into a social movement against police brutality, authoritarian rule and resistance against the “one country, two systems” constitutional framework. To suppress dissent, the Chinese Central Government and the Hong Kong SAR government have tightened social and political control and undermined checks and balances in the society. Independent and free media is under increasing threat.

Keywords: *press freedom, media, national security, “one country, two systems”, Carrie Lam, police violence, Umbrella Movement, civil disobedience, extradition bill, self-censorship*

1. Introduction

It was first mooted as a political formula aimed to put an end to the decades-long separation of China by luring Taiwan, a breakaway island since 1949, back. The concept of keeping two systems, namely

communist China's socialism with capitalist Hong Kong, in one nation, was turned into a constitutional document, the Basic Law, which comprises a total of 160 articles and three annexes. Promulgated in 1990 and took effect on July 1, 1997, the Basic Law is the constitutional safeguard of Hong Kong's systems and institutions and high-autonomous powers for the city to be run freely without interference by the mainland authorities. Cracks in the framework began to surface after the ascendancy of Chinese President Xi Jinping (习近平) in 2012. A civil disobedience movement aimed to fight for full universal suffrage, known as Umbrella Movement, ended after 79 days of occupation in Admiralty, adjacent to Central, Hong Kong's central business district. The movement failed to prompt the Chinese Government to loosen its control over the electoral system for the Chief Executive. But it succeeded in stimulating a sense of civic awakening in the society, in particular the young generation.

Fast-forward to 2019, a government bill that sought to amend the extradition law to give powers to the Chief Executive to send people in the city wanted in mainland China, Taiwan and Macau to those places for trial accordingly, dubbed "Send-back-to-China bill", stoked fears that the firewall between the two systems across the border under the "one country, two systems" policy will be removed if the bill is passed into law. Large-scale protests erupted after Chief Executive Carrie Lam (林鄭月娥) decided to bulldoze the bill during the legislative year, which was scheduled to end by mid-July. Lam's repeated refusal to formally withdraw the bill, defying the voices of the people, added more oil to the fire. It was too late when she finally did so in November. Protests grew fierce and morphed into a social movement against police brutality and authoritarian rule by the Hong Kong Government and the Chinese Communist Party leadership. It came about the time Covid-19 pandemic, which has also been dubbed Wuhan virus because it is widely

believed to be first found in the Wuhan city of central China, hit the world, whipping up a storm of China-bashing sentiments in Western countries, the United States in particular. Beijing's backing of government suppression of freedoms has given more ammunition to China-critics. Public opinion in support of Hong Kong people in their fight for liberty and freedom has put more pressure on their respective governments for them to toughen their stance towards the Communist authorities.

Obsessed with deep-rooted fears about "colour revolution" masterminded by Western hostile forces to topple their regime, the Chinese Communist Party decided to impose a national security law in Hong Kong with an aim to prohibit acts of secession, subversion and collusion with foreign governments. The imposition of the law, which also covers non-Chinese people overseas, has sparked strong outcry from Western countries. Their strong opposition against the law and moves to impose sanctions on key Mainland and Hong Kong officials in charge of the law have drawn retaliations from the Mainland authorities. Once an envy of the world, Hong Kong has become the unlikely victim of a "cold war" between China and the United States, in which the issue of Hong Kong is one of the flashpoints. At the time of the writing of this article, the pessimists who have put their bet on the death of Hong Kong before its return to Chinese sovereignty in 1997 are looking more likely to be the winner.

2. Free Press as a Benchmark of Hong Kong's Success Withers

There was no lack of warnings of "death of Hong Kong" before the sovereignty changeover. One of which was given in the cover story of the now-disbanded *Fortune* magazine in its edition published on June 26, 1995. The article headlined "The Death of Hong Kong", written by

Louis Kraar, wrote, “Big Brother in China has also pressured Hong Kong’s lively press, which includes 52 daily newspapers, into prudent self-censorship.”¹ The author cited as a case in point the arrest of Hong Kong reporter Xi Yang (席揚) in 1994 when he visited Beijing. He was secretly tried, and sentenced to 12 years’ imprisonment just for disclosing in his Hong Kong newspaper that China planned to meet its debts by selling gold. Kraar forecast the withering of Hong Kong’s lively press as a sign of the city’s demise. Last governor Chris Patten (now Lord Patten) had given the benefit of doubt to the city’s free press and developments as a whole in his swansong Policy Address, the annual policy speech given by the colonial governor at the Legislative Council. In it, Lord Patten had set out a list of benchmarks that could, put together, help make a judgment on the success or failure of the handover of Hong Kong.² The benchmarks were set out in a list of questions he asked:

“Is the Hong Kong press still free, with uninhibited coverage of China or issues on which China has strong views?”

“Are foreign journalists and media organisations in Hong Kong still free to operate without controls?”

Even before the social movement sparked by the now-withdrawn extradition bill in June 2019, media freedoms in Hong Kong were under threat. A major source of threat came from the Chinese Communist Party led by Xi Jinping, who has tightened state control over the media since he took power in 2012. In a series of major speeches given in Hong Kong in 2017 during an official visit to mark the 20th anniversary of the city’s handover, Xi warned Hong Kong people not to cross the “red line”. He was referring to the bottomline of the spectrum of views

on a host of sensitive issues that the central government could accommodate. It did not take long for Hong Kong people to understand what the “red line” meant.³

In June 2018, the Foreign Correspondents Club was to host a lunch talk by Chan Ho-tin (陳浩天), founder and convenor of the Hong Kong National Party (香港民族黨), which was still a lawful body at that time. FCC was vehemently criticised by both the Hong Kong Government and the Central Government for providing a platform for Chan to advocate pro-independence thinking. Defying officials’ warning, FCC held the lunch talk as planned. Victor Mallet, the then *Financial Times* Asia Editor and First Vice-President of FCC, was made the scapegoat for hosting the event. His application for a work visa renewal later that year was rejected by the Government. No reason was given.

The plight of Mallet sent jitters to the local and international media community. They fear the “red line” warning was no mere empty-talk. Fears about media self-censorship grew deeper, posing threats to freedom of expression and press freedom. The Mallet case has also caused concern among foreign correspondents based in Hong Kong about the work visa policy of the Hong Kong Government. Traditionally, the Government has adopted a liberal policy in the issuing of work visas to expatriates. There were no known cases of application of work visas by journalists being turned down because of political reasons. More importantly, the case is a clear sign of China’s growing jitters about what they deem as a pro-independence movement in Hong Kong and the role of media and press bodies such as FCC in shaping public opinion.

3. Extradition Bill Amendment a Political Bombshell

Against the background of growing unease about Beijing's increased assertiveness of its sovereign power over Hong Kong and concerns about political dissent in the city, a move in January 2019 by Chief Executive Carrie Lam to amend its extradition law, or officially Fugitive Offenders Ordinance, that would enable the rendition of alleged criminal suspects to face charges in mainland China has dropped a political bombshell. The bill was met with strong opposition from lawyers, academics, pro-democracy political parties, business community, journalists and some other sectors in the society. They fear the bill, if passed, would effectively remove the firewall between the two different legal systems being practised in Hong Kong and mainland China. No wonder it was ridiculed as a "send-back-to-China" legislation.

In a statement issued on May 29, 2019, the Hong Kong Journalists Association, the city's largest journalist trade union, called on the city's government to shelve changes to its extradition law. The statement cited statements from high-ranking ruling Chinese Communist Party officials who have opposed any separation of powers in China, leaving the country's court system open to political control. It said journalists in particular have already been targeted for political reasons in China, using "baseless allegations ... including possession of drugs, smuggling, bribery and fraud." Under the planned amendments to the Fugitive Offenders Ordinance, China would be able to request the extradition of an alleged suspect based on the standards of evidence that currently apply in its own courts, the HKJA said. "We understand that Hong Kong courts have no ways to question the fairness and impartiality of the mainland's public prosecution," the group said, adding that Hong Kong chief executive Carrie Lam, who would approve any requests under the amendments, would herself be under irresistible political pressure to approve any requests made by Beijing. "We know it is very difficult for

the chief executive to say no to the central government,” the HKJA said.⁴

Opposition against the extradition bill snowballed as the legislative process neared its final stage. Attempts by the pro-democracy opposition to thwart the process failed. With support from the pro-establishment camp, who held the majority in the legislature, the Lam administration was determined to press ahead with its plan to put the bill to a vote at the legislature before its annual session ended by mid-July. On June 9, more than one million people (Hong Kong has a total population of 7.5 million people) took to the streets. They called on the Government to withdraw the bill. But even before the protest ended in the late evening, the Government had already issued a statement, insisting they would go ahead with the legislative work as planned on June 12. Beginning late June 11, civilians began to converge outside the Legco building. They attempted to block legislators from entering the building to attend the meeting. Riot police officers fired teargas canisters and rubber bullets against protesters outside the Legco building. There were several reports of reporters being targeted. One driver from a radio news crew was hit by a rubber bullet on his head. On June 15, Mrs Lam announced that the bill would be suspended, but refrained from saying it would be withdrawn as protesters had demanded. The June 12 Admiralty clash has also emerged as a curtain-raiser to the problem of police violence towards journalists and, more importantly, moves to tighten the grip on the media.

4. Media under Threat

The failure of Mrs Lam to put a full stop to the public outcry over the extradition bill by withdrawing it from the legislative agenda had fueled public anger. Protests had sprouted across the city and, on most

occasions, ended with violent clashes between police officers and protesters. The protests soon morphed into a social movement. Mrs Lam had failed to resolve the political dispute through negotiation and quiet persuasion. Instead, she put her bet on the 30,000-strong Police Force to suppress opposition voices. Clashes escalated. So did violence. Without effective checks and balances, frontline officers were not able to hold their nerves. The problem of police breaches of laws and regulations in their operation had turned from bad to worse.

Freedom of the press is guaranteed under the Basic Law. Government officials have reckoned the media functions as the Fourth Power; they say they respect the reporting work of journalists. Under Section 39 of the Police General Orders, the police should coordinate the work of journalists. Police officers should not obstruct the taking of photos and videos by journalists. The opposite is true during the protest. When the anti-extradition bill protest began to heat up in late May 2019, police officers have already started adopting different tactics to obstruct reporters' work such as the use of strong lights to disturb their taking of photos and videos. During the June 12 clearance operation in Admiralty, HKJA has received a total of 27 complaints from journalists against the misbehaviour of police officers. The scale of severity of the alleged police violence and number of complaints against police are unprecedented. Still, many would not have anticipated that the police threat and attack against reporters, both verbal and physical, is just the beginning. As violence escalated, police's deliberate attack on journalists has also turned more serious.

Between June 12, 2019, and the end of April in 2020, HKJA has received a total of 55 complaints from reporters against police officers, including 27 cases relating to the clashes in Admiralty on June 12. It is only the tip of an iceberg. The actual number of cases is much much higher. The reasons are multi-folded. They include the lack of an

effective police complaint mechanism. Many reporters do not want to waste their time on the lengthy process of police complaints. Some media organisations preferred to handle their cases on their own. In November, Cable TV (有線電視), a pay TV network, lodged a batch of complaints from 23 reporting staff against unreasonable and brutal treatment by police officers. There are reasons to believe other media organisations faced similar problems.

HKJA has commissioned the Hong Kong Public Opinion Research Institute to conduct a survey on the violent treatment they were given during their reporting of the social events since June last year.⁵ A total of 222 journalists responded to the questionnaire survey between January and March in 2020. Of them, about 65 percent, or 145, said they encountered violence by the police and people with different political views during their reporting work. Only 28 said they had not received such treatment. The rest said they either did not remember well or had not reported on the protests. Threats from the police include the use of strong lights, verbal abuses, pushing, blocking and snatching of cameras, pepper spray attack and firing of teargas canisters from a short distance. Journalists reported a list of injuries and harm to their bodies. They include side-effects of teargas such as skin allergy, diarrhea, and respiratory system problems. Some have suffered bruises and have to be hospitalised for treatment including stitching. The violence from protesters when covering protests journalists have suffered mainly came from supporters of the police, the pro-establishment camp and the Government, accounting for 72 percent. Only 22 percent said they were violently treated by anti-extradition bill protesters. The list of violence includes verbal insult, pushing, blocking and snatching of cameras, and attack with hard objects or corrosive materials.

Judging from the massive volume of videos and personal accounts given by reporters, the problem of abuses of power and breaches of law

and regulations is not isolated, but systematic and common. It shows an attitude of suspicion and distrust among many police officers towards reporters. With the violence in the social movement escalating, such attitudes worsened into hostilities and hatred towards reporters. Some even showed a feeling of scorn towards the watchdog role of the media as the Fourth Power. It was clearly manifested in the verbal violence expressed by police officers towards reporters on many occasions. One common reference to reporters was “triad reporter”. On one occasion, a reporter identified himself as “reporter” when asked by a police officer. The officer replied by turning the Chinese word “reporter” into a foul language. On another occasion, a police officer ridiculed a reporter, asking “do you really think you have the ‘fourth power’?” The lack of respect among the police towards reporters is one of the deep-rooted factors that has pushed police-media relations to a freezing point.

Police, meanwhile, have repeatedly claimed there were “fake reporters” at the protest scenes. They said those “fake reporters” wearing press vests had deliberately obstructed their operation in order to help the arrestees flee. Police had so far failed to provide any case with substance and proof. Despite that, police have repeatedly cited the problem of “fake reporters” as a reason for their call for new identification arrangements to differentiate “genuine reporters” and “fake reporters” in public places with group gatherings. Journalists fear that it is a step aimed to pave the way for an official press accreditation system akin to those being practised in undemocratic societies including China.

Journalists’ fears have been proven as not without ground in a new initiative adopted by the police to give favours to media outlets that they deem as more “friendly”, “trustworthy” and “cooperative” towards them and more “balanced” in their reports about the police. On August 10, police raided the building of Next Digital (壹傳媒), founded by media

mogul Jimmy Lai (黎智英), who was arrested in accordance with the Beijing-imposed national security law shortly before the raid. Police cited limitation of space as a reason for denying entry of all reporters there into a restricted area outside the building. Only 15 journalists were given the permission to report at the cordoned-off area. Police said they selected those who were more cooperative and trustworthy to have access to the restricted area. Police Commissioner Chris Tang (鄧炳強) said it is a trial scheme aimed to facilitate journalists who are more “trustworthy”.

Under the existing long-standing press reporting arrangements, media organisations who are registered under the Government’s Information Services Department and those who hold press cards issued by media outlets, HKJA and the Hong Kong Press Photographers Association are allowed to cover official press events. There is no such extra criteria as “trustworthiness” and “balanced” reporting. The imposition of a selection process based on “trustworthiness” is seen by journalists as a move in the direction of greater control over the media as practised in mainland China.

The increased use of force, violence on some occasions, and imposition of restrictions such as cordoned-off areas over the work of journalists by the police are clear attempts to make it more difficult for reporters to tell the truth. Top police officials have made frequent complaints that journalists only filmed the acts of police officers, but not what they claimed as violent and sabotage acts of the protesters. Accusing the media of being biased towards them, frontline officers have adopted various tactics to hinder the photo-taking and filming by reporters. They include the use of strong lights towards cameramen and photographers and giving orders to reporters to stop filming of police operations.

5. National Security Law Brings Sweeping Changes

Unlike the Umbrella Movement in 2014 that was ended after 79 days of occupation, the 2019 protest movement has arguably not yet become history. At the time of the writing of this article, it is still history in the making, albeit in a slower pace because of the pandemic. True, the scale of protests has sharply reduced following the outbreak of Covid-19 pandemic beginning from February. Police also banned almost all applications for rallies and demonstrations on grounds of threats to public order, citing the frequent violent clashes between police and protesters in previous mass gatherings. Given the fact that the protesters' demands, in particular an independent inquiry into police brutality, are not yet heeded, mass protests looked certain to return as soon as the health crisis ends.

With hindsight, the ruling Chinese Communist Party had acted to find ways to put an end to the protests. Their anxiety grew as they became more sceptical of the nature of the protest movement. Conspiracy theory gained more credence. Like the 2014 movement, it was branded as another "colour revolution" launched by pro-independence activists with the backing of foreign forces behind. The Party convened its fourth central committee plenum in Beijing, which ended on October 30. In a communiqué issued at the end of the meeting, it has set out a list of system-building of the nation. They include the establishment of a legal system and enforcement system for safeguarding national security. It is the first time such policy direction was made by the ruling party. Under Basic Law Article 23, Hong Kong shall enact on its own a law to prohibit acts including secession and subversion. But the article has not yet been enforced through local legislation since 1997. The then Tung Chee-hwa (董建華) administration had made a legislative attempt in 2003, but the bill was shelved after more than 500,000 people took to the streets to oppose the

bill on July 1, 2003. The SAR administration since then had never resumed the legislative work.

As no details were given, the party resolution on national security had not been given a lot of attention. Meanwhile, the Covid-19 pandemic had caused a delay of an annual plenary session of the Chinese National People's Congress, which was originally scheduled for early March. It was deferred to be held in late May. Days before the May plenum was to be convened, local media reported that the NPC would discuss and approve a resolution on the enactment of a national security law for Hong Kong during the plenum. As expected, the resolution was approved. The NPC Standing Committee held two meetings on the draft legislation in June. It was approved at the second meeting. On June 30, the legislation was published. On July 1, it took effect.

HKJA said in a statement: "Article 4 and 5 of the new law stipulate that the SAR Government should respect and protect human rights, including rights to the freedoms of speech, the press, publication, association, assembly, demonstration and rallies. But the fact the Hong Kong national security law has overriding powers over other laws makes human rights protection under the Basic Law, the Bill of Rights Ordinance and laws that give effect to international human rights covenants meaningless." The journalists' body also expressed fears about the vague meaning of wordings in the law, such as "whether or not by force or threat of force, "A person who incites, aiding or abetting" and "A person who advocates terrorism or incites the commission of a terrorist activity". Those wordings were found in articles relating to "Secession", "Subversion" and "Terrorist Activities". Journalists fear that the press would be incriminated by reasons of "inciting, aiding and abetting".⁶

Another provision with profound implications on media freedom is Article 9, which states that the HKSAR Government shall take necessary

measures to strengthen public communication, guidance, supervision and regulation over matters concerning national security, including those relating to schools, universities, social organisations, the media and the Internet. It is a clear sign that news media will be subjected to more restrictions and greater control.

Protection of reporters' source of information and news material is vitally important to press freedom and the functioning of the media as the Fourth Estate. But such protection is lacking in the new law. Article 43 states that Police can require "a person, who is suspected, on reasonable grounds, of having in possession information and material relevant to investigation, to answer questions and furnish such information or produce such material". The article also says that "upon approval of the Chief Executive, carrying out interception of communications and conducting covert surveillance on a person who is suspected, on reasonable grounds, of having been involved in the commission of an offence endangering national security". The article stokes fears that law enforcement departments can freely intercept the dialogue between journalists and interviewees, thus increasing the difficulties of news reporting and scaring people from talking to reporters.

6. Arrest of Jimmy Lai and Raid at Next Digital

The local and international media community were shocked on August 10 when the Hong Kong Police's national security team arrested Jimmy Lai, Chairman of the Next Digital, parent company of the Chinese-language *Apple Daily* (蘋果日報). He was alleged to have breached the national security law and two other ordinances. On the same day, more than 200 police officers raid the company's headquarter. They collected more than 25 boxes of evidence from the office. Some police officers

had inspected some desks in the newsroom, according to live coverage by the *Apple Daily*, sparking an outcry from HKJA and journalists against Police's trampling of media freedom.

The raid of such scale is the first of its kind in Hong Kong. The Government had been extremely cautious not to interfere with the operation of the news media. Although details of the arrest of Lai and the charges he may face are still unclear, the high-profile operation by the Police's newly-set up national security team has sent more chilly wind across the media landscape. Founded by Lai in 1995, *Apple Daily* is known for its pro-democracy and anti-communist stance. Reporters from the newspapers have been banned from reporting in mainland China. Both the Chinese central government and Hong Kong government have stepped up their attack against the newspaper in recent years. On August 27, the official *People's Daily* (人民日報) website carried an article that lambasted *Apple Daily*, saying it was more toxic than Covid-19. The article also claimed that the media group is more a "political organisation" now, accusing it of smearing the central government's support for the Government's anti-virus work and fanning divisiveness in the society.⁷

The fact that Jimmy Lai and the Next Digital has become the first media and media-related target after the national security law took effect is not surprising. Still, it came much earlier than expected and its scale of operation was bigger than envisaged. It has given a clear warning to the media, both local and international, that they are one of the key targets in the nation's attempt to plug the loophole of national security through the new law.

7. Fears of Control Loom

Aside from the Next Digital case, a string of developments related to the media in July and August has added more anxieties to the jittery media community.

In August, *Hong Kong Free Press*, an independent online news platform, was denied a work visa for an established journalist following an almost 6-month wait. The Immigration Department's rejection for *HKFP*'s incoming editor Aaron Mc Nicholas was handed down without any official reason on August 22. It raises further concerns for the business community and the city's press freedom in light of the new security law. Local media reported earlier in August that visas for foreign journalists were being vetted by a new national security unit within the Immigration Department. Some international media organisations have expressed similar complaints against long delays in visa application.⁸

Also in August, Radio Television Hong Kong (香港電台), the city's government-run public broadcaster, removed an interview with pro-democracy Nathan Law (羅冠聰) who is reportedly wanted by the police. Law left Hong Kong ahead of the enactment of the law and has since resided in London. Last month, RTHK produced a programme about the legislative election postponement – in which Law was featured and interviewed – following Chief Executive Carrie Lam's announcement. The programme was aired on July 31 on RTHK's television channel, but it was no longer available on the RTHK website as of mid-August. The case sparks concerns about worsened self-censorship after the national security law took effect.

There are growing signs since the new law became effective that the Lam administration will double its efforts to tighten control over the media in line with the provisions in the law regarding greater regulation and supervision over local and foreign media.

In an interview with state-run *Ta Kung Pao* (大公報) on July 30, Secretary for Security John Lee Ka-chiu (李家超) said legislation could be introduced to regulate the press and punish media outlets that advocate independence. Lee sits on the Government's Committee for Safeguarding National Security.⁹ According to a report by the English-language *The Standard*, Lee said he would not rule out the option of using legislation to regulate the press. "Most media outlets [in Hong Kong] are indeed doing journalism work. [But], of course, some have publicly advocated independence. We will collect evidence and crack down on them," he said. HKJA has demanded an explanation from Lee on who were the media outlets that have advocated independence. Lee had not responded.

Speaking in an interview with the mainland-based Phoenix Television (鳳凰衛視) on August 27, Mrs Lam also singled out media she hoped to "rectify their wrongs" in the next one or two years. She said while there is room for their coverage to be more balanced and fair, it would not be easy to "rectify their mistakes" as Hong Kong is an open society and the Basic Law promises freedom of the press. She called on media firms to take it upon themselves to maintain impartiality.

Mrs Lam did not elaborate. But during the anti-extradition bill protests, both the police and the Government have blasted some media for sending alleged misinformation and fake news. Police have launched numerous complaints, for instance, against the *Apple Daily* for their alleged misinformation. They have also claimed that some reporters were "fake reporters" and that they had obstructed the police's operation. But the police had not provided any evidence to substantiate their claim. Both the Chinese Central Government and the Hong Kong Government have repeatedly claimed that people with malicious motives have deliberately spread misinformation and rumours to smear the Government and cause confusion in the society. The spreading of

rumours has been further elevated to the high political plane. On July 1, Zhang Xiaoming (張曉明), deputy director of the Hong Kong and Macau Affairs Office (HKMAO) under the State Council, cited rumours about alleged police brutality inside the Prince Edward MTR station that resulted in unreported cases of deaths of civilians as an example. Zhang said that such rumours have fuelled public discontent over the police and even the Central People's Government, thus causing bad consequences. He said such spreading of rumours may breach the national security law because it could sow public hatred towards the Hong Kong Government and Central Government.¹⁰

8. The End of Media Freedom?

Hong Kong has boasted to have a vibrant, free press and to be a regional hub of journalism, which is vitally important to the city's strategic development. Former chief executive Tung Chee-hwa has envisioned Hong Kong as Asia's world city in his 1999 Policy Address, an annual policy blueprint for the city. He has vowed to build on Hong Kong's existing strengths in a wide range of areas, including free flow of information, openness and diversity. In its 2000 report, the Commission on Strategic Development that he chaired said: "Hong Kong needs to promote its unique position as one of the most cosmopolitan and vibrant cities in Asia to a wide range of international audiences."¹¹ Without a vibrant and free press, the flow of information will be adversely affected, causing negative chained effects in many areas, in particular business and finance.

Against the background of a decline of press freedom in Hong Kong since the ascendancy of Xi Jinping in 2012, the threat of violence and obstruction by the police to reporters in their reporting during the social movement that erupted in 2019 have been unprecedented in terms of

their severity and frequency.¹² Police violence has posed a direct threat to journalists' right to freedom of reporting and, thus, people's right to know. The social movement saw the emergence of citizen journalists, student journalists and online media, self-media at sites of protests and demonstrations. It mirrors the drastic changes in the media similar to other places in the world. Also importantly, it reflects a growing feeling of mistrust in some quarters of the society, in particular the younger generation, towards the traditional mainstream media. They feel adamant that the mainstream press has become biased in favour of the Government and Beijing because most of their proprietors have close ties with the mainland government. The emergence of a new fleet of journalists has given a boost to the overall coverage of the media. The fact that the media have given extensive coverage of the police brutality and problems in their operation has sharpened conflicts between the police and the media. Police have put the blame on the media for their worsened public image, claiming that media reports were loaded with biases and misinformation. They started moving to put more restrictions on the reporting activities of student journalists and citizen journalists in public places. Taken together, they are keen to weaken the power of the media in telling the truth on occasions like protests when the whole truth of police's law-enforcement is more important than ever.

At a broader level, remarks made by Mrs Lam and provisions regarding media supervision in the national security law are clear signals of a further tightening of control over the media. They could include the setting up of an official press accreditation system similar to those in mainland China, a ban on journalists (student journalists, citizen journalists) who are not government-registered bodies in reporting in protests. There have been vocal calls by the pro-establishment political parties for the Government to emulate places like Singapore to legislate on fake news.

Access to information and preservation of official archives are important in enhancing open, transparent and accountable government. But there have been no legislations for that purpose. Mrs Lam has promised to speed up the legislative work in her election campaign in 2017. No progress has been made since she took up the top post in 2017. Worse still, the Government has backpedalled in the dissemination of news and press arrangements in the past three years. For instance, there have been more official activities of Mrs Lam with no press invitation for reporting. They were often made public through the Government's Information Services Department.

At the time of the writing of this article, a fresh round of row over whether Hong Kong's political system has a system of "separation of powers" erupted following a move by the Education Bureau to order deletion of such references in schools' liberal studies' textbooks. On September 1, Mrs Lam stressed that the Basic Law, the city's post-1997 constitution, stated that the chief executive was both the leader of the city and its government. Her remarks ran opposite to statements made by the city's top judge Geoffrey Ma (馬道立) and his predecessor Andrew Li (李國能) that there is separation of powers.

On its face, the argument is academic and unrelated to the media. It is not. It goes to the heart of the most critical problem facing Hong Kong purportedly under the "one country, two systems" policy, namely power. Under the political framework, Hong Kong enjoys a high degree of autonomy with the preservation of a separation of powers system governed by checks and balances. Media is not a power organ under the Basic Law. But like other open and free societies, the media functions as the Fourth Power exercising checks in the interest of the public against any wrongdoings of the three powers and society at large.

HKMAO's Zhang Xiaoming said in 2015 that Hong Kong did not practise a system of "separation of powers". He said that the Chief Executive "is above" the three branches of power because of its role as the leader of the city being accountable to the central government. Mrs Lam's remarks on "separation of powers" toed the line of the central government.

With the backing of the central government, Mrs Lam has moved to assert her superior status and overriding powers in running the city, raising serious questions about the power of the judiciary and the legislature – and the media – in exercising any meaningful checks and balances. The social protests that broke out in summer 2019 have not yet come to an end when this article went to publication. Likened to a perfect storm, it is indeed a catastrophic earthquake that has brought about seismic changes in Hong Kong. A free media has been an integral part of a free Hong Kong. The shock and after-shock of the 2019-2020 protests have rocked the city's free media.

Notes

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2. Lord Patten's 1996 Policy Address can be downloaded from the archives of the then Legislative Council at: https://www.legco.gov.hk/yr96-97/english/lc_sitg/hansard/han0210.htm.
3. See "President Xi Jinping marks 'red line' in warning to Hong Kong on national sovereignty", *South China Morning Post* (Hong Kong), 2nd July 2017. <https://www.scmp.com/news/hong-kong/politics/article/2100895/president-xi-jinping-marks-red-line-warning-hong-kong>
4. Press statements issued by the Hong Kong Journalists Association can be found at: <http://www.hkja.org.hk>.
5. Full details of the HKJA survey can be found at: <https://www.hkja.org.hk/en/press-release/hong-kong-press-freedom-index-hits-record-low-police-obstruct-news-activities-using-violence-viewed-as-the-major-reason-in-decline/#more-7817>.
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7. *Ta Kung Pao* report on the *People's Daily's* article can be found at: <http://www.takungpao.com/news/232109/2020/0827/491023.html>.
8. Article about the visa delay can be found at: <https://hongkongfp.com/2020/08/27/visas-weaponised-govt-denies-hong-kong-free-press-editor-a-work-visa-without-explanation-after-6-month-wait/>.
9. Remarks made by Lee Ka-chiu can be found in *The Standard*, July 31, 2020: <https://www.thestandard.com.hk/sections-news-print/221467/Lee-sends-'chilling-message'-to-media>.
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11. Tung Chee-hwa's 1999 Policy Address can be found at: <<https://www.info.gov.hk/gia/general/199910/06/address1j>>.
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Hierarchy of Influences on Press in a “Partly Free” Society: Dismantling Journalistic Autonomy

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Abstract

This study used the hierarchy of influences model to explain the control of the state over the newsroom in a partly free society of Hong Kong during the anti-extradition movement. We interviewed 20 reporters, who work as leading journalists or editorial managers in 9 influential media houses in Hong Kong. Previous studies have used the political economy perspective to analyze the autonomy of Hong Kong media and treated self-censorship as an influential practice. By contrast, this paper has shown how the influence of the state, political actors, media owners, advertisers, and the audience have aligned to undercut journalistic professionalism and autonomy. This paper contributes to the literature by demonstrating the effectiveness of the model in illustrating how political control has been exercised from the macro- to the micro-level.

Keywords: *journalistic autonomy, hierarchy of influences, press freedom, political control*

1. Introduction

Independence is one of the most important factors in maintaining professionalism in journalism. Many media scholars and critics have investigated how news media become a tool of autocratic regimes and how to retain journalistic autonomy worldwide under such challenging circumstances (Milojević and Krstić, 2018). Advances in digital communications and the development of commercialization have made it more difficult for authoritarian states to control the press. However, political actors hold hostile attitudes toward reporters, even in democratic societies. The President of the United States, Donald Trump, has accused the media of disseminating false information. He has called the press “the enemy of the people”. Hong Kong Journalists association has warned that this messaging is sending the wrong signal to other countries that reporters can be verbally abused (*The Guardian*, 25th February 2017).

At the same time, civil society in authoritarian states is striving toward more freedom (Chan, 2018; George, 2012; Zhao, 2008). Journalists are promoting and protecting press freedom in docile media systems, such as those of China and Singapore. Hong Kong is an exceptional case that warrants attention. Hong Kong is a previously free society that has been returned to an authoritarian state. This situation provides a unique case for political communication scholars to examine how a state exercises control over media during such a political transition (Lee, 2015).

Since the return of Hong Kong to China, the consensus among observers, academics and journalists is that press freedom in Hong Kong has declined. According to the Freedom House 2020 rating, Hong Kong is “partly free” on the Global Freedom Index, with a score of 55/100. Hong Kong’s ranking for press freedom dropped to 80th in 2020 (Freedom House, 2020) from 18th in 2002 (HKJA, 2017).

Many media scholars and critics have analyzed the decline in press freedom in Hong Kong from a political economy perspective (Fung, 2007). Under the Sino-British Joint Declaration and the Basic Law, Hong Kong is guaranteed to retain its autonomy from the central government and have the right to freedom of speech and press. The central government is not supposed to exert any direct control over the Hong Kong news media. The strategy of the Chinese state since the early 1990s has been to co-opt the major Hong Kong media owners, many of whom are businessmen with vast interests in China. They are entitled to political appointments (Lai, 2007), and some are members of the Chinese People’s Political Consultative Committee (Ma, 2007). Media owners’ newsroom interventions are subject to individual news media, but they are rare in terms of daily operations. Instead, media owners exercise indirect control through the assignment of managerial positions and the allocation of resources. Self-censorship has become a widespread practice (Lee, 2015).

Unlike mainland China, Hong Kong does not have a government censorship system for news content before publication. Continual negotiation between news media and state power is inevitable (Au, 2017; Lee, 2000). The literature on journalism has addressed the influence of political power on Hong Kong news media from the political economy perspective and has outlined the transformation of the Hong Kong media ownership structure. Studies have examined the central government’s response to the digital transformation and journalists’ reactions to political pressure (Lee and Chan, 2008a; Tsui and Lee, 2019).

However, there is a gap in the literature concerning the political influence of social practices and individual-level control on Hong Kong news media. This paper contributes to the discussion by analyzing the

anti-extradition bill movement as a critical turning point. The Chinese state control over Hong Kong news media went from co-opting media owners to taking comprehensive control. Second, this paper is the first to use the hierarchy of influences model to explain the control of the authoritarian state over the newsroom in a partly free society. We argue that the hierarchy of influences model is useful for exposing political control over media at various levels and their interactions. It is time to revisit this model and explore how such comprehensive control over news media developed in Hong Kong.

2. Literature Review

2.1. *The Change of Hong Kong Politics*

According to Siebert *et al.* (1963), social systems have significant influence over press systems. In *Four theories of the press*, Siebert *et al.* (1963) suggested that the news media are required to be a “servant of the state” (p. 3) under authoritarian regimes. The government exerts direct control over the press. The Soviet Communist theory extended these concepts, and the press media has been used as a propaganda tool in several countries, including China and the former Yugoslavia. In contrast, the libertarian theory asserts that the news media system is independent of government. It works as a watchdog, monitoring the government’s policies and administration and promoting democracy. The main task of journalists is to uncover the truth and inform the public.

After its return to China, Hong Kong fell under the rule of “one country, two systems.” Hong Kong has autonomy from the central government, and its citizens are guaranteed the freedom of press and speech, under constitutional protection. China has recently been called an example of networked authoritarianism (Chan, 2018). The

authoritarian state uses news media as an instrument to achieve the political aims of the Party-state in a digital era. Although China has undergone marketization and has become the world’s second-largest economy, there is no private ownership of news media. China lacks press freedom and has strict control over political information (Xu and Jin, 2017).

It has always been challenging for Hong Kong to exercise its autonomy and retain its press freedom. The Chief Executive of the Hong Kong Special Administrative Region (HKSAR) and half of the Legislative Council members are not elected through universal suffrage. The election process favors pro-establishment parties and candidates. In recent years, Beijing has taken a more proactive role in controlling the politics of Hong Kong. It has gradually increased its role in governing Hong Kong and its emphasis on the rule of “one country” (Hong Kong Journalist Association, 2017). In 2014, Beijing refused to fulfill the promise of universal suffrage in Hong Kong, and its control has expanded since the Umbrella Movement of 2014. In mid-2019, Hong Kong experienced the largest, most prolonged demonstrations in its history. The protests were initiated by the Hong Kong government’s effort to pass a controversial extradition amendment bill (Kaeding, 2017). The Hong Kong government finally deferred the bill; however, the late response did not ease the anger of Hong Kong people. Nearly 2 million people in Hong Kong participated in the demonstrations and requested that arrested citizens be discharged and that police brutality be investigated (Lee *et al.*, 2019). The demands have not been answered, and the demonstrations have remained vigorous.

The relationship between the Hong Kong government and news media worsened after the handover of Hong Kong, and press freedom has continued to decline ever since. The central government exerts indirect control over news media by co-opting news media owners, who

have business interests in China (Lee, 2014). At the same time, the Hong Kong government has adopted a more hostile attitude toward some of the press. For example, the Hong Kong government holds off-the-record briefings and release information only to the “trusted” media (Hong Kong Journalist Association, 2013). The continued focus on the political economy perspective in the literature has resulted in a lack of thorough analysis of other forms of political control over the media. Hong Kong is considered a partly free society, and, indeed, the relationship between its press and its government differs from that of an authoritarian state or a democracy.

This paper uses the hierarchy of influences model to illustrate press control in the anti-extradition movement, which is the most prolonged demonstration in Hong Kong history. The hierarchy of influences framework portrays the impact of different components on news content and organizes them on a continuum from smaller-scale individual factors to full-scale social system-level factors (Franklin, Hamer, Hanna, Kinsey and Richardson, 2005). The hierarchy of influences model can help us understand the current situation in the Hong Kong media landscape as it comprises five levels of influence: individuals, routine practices, media organizations, social institutions, and social systems. From this perspective, we analyze how factors at the higher system level relate to the factors operating at other levels.

2.2. Individual-Level Influences

At the center of the hierarchy of influences is the individual level. It involves the attributes of individual communicators (Reese and Shoemaker, 2016), which are considerable. In the United States, there is an assumption that individuals hold a portion of attributes (e.g., partisanship) that suppress an independent lack of bias. Sociologists and journalism experts continue to presume that individual qualities make a

difference in the sustainability of the larger profession. Several studies have suggested that gender, age, education, and personal background contribute to distinctions in news content; however, few studies have examined political power as the source of individual-level influence (Weaver *et al.*, 2007).

Scholars have found that in terms of suppressing the independence of reporters at the individual level, economic constraints and low salaries predict relatively low professionalism among reporters in newly democratic societies. Newsroom workers experience harsh social inequalities and job insecurities in democracies (Hughes *et al.*, 2016; Mellado and Humanes, 2012), as they generally have lower salary packages and work as temporary labor. Job satisfaction and job security affect a journalist’s autonomy (Milivojević, 2012). Is the reporter’s experience similar in the partly free society of Hong Kong?

Violence, threats, and harassment also constrain journalistic autonomy and impede reporters from serving democracy (Waisbord, 2013). Reich and Hanitzsch (2013) suggested that physical harassment and attacks on reporters pose a threat to journalistic autonomy. Personal threats, in many cases, aim to silence reporters and news media. Systematic violence and intimidation damages the freedom of expression in general (Waisbord, 2002). Studies on personal harassment and threats against journalists in democratic societies are frightening; however, there is evidence that media professionals are being attacked. Many such cases have been seen in Central and Eastern Europe (Chalaby, 2000; Nerone, 1994).

This paper examines how political power is exercised at the individual level in the journalistic field during the Hong Kong anti-extradition movement. We are interested in how political power operates in terms of working conditions, physical attacks, and threats.

RQ1: How has political power been exercised at the individual-level in the journalistic field during the anti-extradition movement?

2.3. Routine-Level Influences

Reporters are also influenced by routine-level structures of activity based on the promptness required by their jobs. These structures extend from news beliefs, such as that impartiality itself is a “strategic ritual” (Tuchman, 1972). Pack reporting, the reversed pyramid composition style, and story outlines (e.g., “horserace” inclusion) have been merged to encourage crowd interaction and increase the number of clicks. Routines are most easily spotted at the newsroom level. It is important to examine how political power influences newsroom routines. As Entman (2004) mentioned, top government officials always set the news frames and influence the decisions of journalists and news organizations. Newsrooms are semi-autonomous and tend to rely on the narratives provided by official sources. However, exceptional conditions can break this routine; investigative news reports and breaking news events are two examples (Lawrence, 2012).

News routines help to fulfill the needs of the press and address the concerns of the audience. These routines constantly change to maintain acceptability and value in the eyes of the audience. Technology is one factor. The digital environment allows the news media to present information quickly and with greater user participation. In the past, audiences were an imagined community. The reading habits or responses of a target audience can now be verified by online activity. Reporters of both traditional and new media have developed new routines to monitor information, verify stories, interact with each other, and engage with the audience. Coddington (2015) called this dynamic “second-hand

story-telling”. The new routine reconciles the tension between the professional imperative of control and a more open participatory news space online. In the past, news values and occupational norms were seen as routine-level phenomena. This paper investigates how political power is exercised at the routine level in the journalistic field in terms of how governments and organizations alter the routines of journalists.

RQ2: How has political power been exercised at the routine level in the journalistic field during the anti-extradition movement?

2.4. Organizational-Level Influences

The organizational level refers to how news is delivered inside bodies that have their own approaches and financial objectives. Organizations must equate business with the concerns of the target audience. The implementation of policy through the hierarchy of leadership means that jobs inside the organization outline can be recognized through ethnographic observation; however, concerns are frequently aired by media economists, who discuss ownership concentration, cross-possession, and incompatible objectives among the news, amusement, and nonmedia segments of larger firms (e.g., acquisition by Amazon proprietor Jeff Bezos of *The Washington Post*).

Reese and Shoemaker (2016) noted that tensions at the organizational level are revealed when a society faces a crisis and changes. Lee and Chan (2008b) argued that although Hong Kong has a strong tradition of journalistic professionalism, self-censorship increased after the handover to the mainland government, which put more political pressure on local media. News managers try to minimize conflicts by assigning sensitive stories to less experienced journalists and warning them ambiguously to “be smart” or justifying their instructions with a

professional rationale (“be objective”). Since the so-called Umbrella Revolution, news organizations have faced more significant challenges in smoothing over conflicts with owners, many of whom have business ties to the mainland. It is crucial to examine how news media practice self-censorship during times of civil unrest.

RQ3: How has political power been exercised at the organizational level in the journalistic field during the anti-extradition movement?

2.5. Social Institution Influences

Social institutions refer to the “additional media” level, which concerns the impact of non-news media and communication. These institutions included public relations, advertising, and ground-breaking news sources. Researchers have reconsidered this jargon to become more theoretically advanced. They now use the term “social-institutional” level to encapsulate the impact of media associations, which operate in a manner comparable to larger institutions and have organized relationships with various establishments, both political and economic.

We are interested in examining how various media organizations interact with other institutions, such as the state, public relations, and advertising. The news media is affected by its structured connections with other major institutions, and there is a spectrum of connections for investigation. Benson (2004) urged researchers to engage in the sociology of the media system. Such analysis focuses on the journalistic field and investigates the institutional components of the media system. It refers to the meso-level analysis of economic, political, and cultural factors in the journalistic field as a whole.

RQ4: How has political power been exercised at the social-institutional level in the journalistic field during the anti-extradition movement?

2.6. Social System

The macro-level was initially called “ideological” to convey the expansive feeling of “ideas in the service of interests”. It seeks to answer questions over how the various levels cooperate to create an anticipated ideological outcome. Journalism at this level is a major aspect of a natural, sociocultural entity, catching a portion of the vital investigation of news, as done by, for instance, Gitlin (2003) and the Glasgow University Media Group (1976). This level has been renamed the “social system” level, which better apprehends the larger, more perplexing frameworks within which journalism works. It takes into account a worldwide viewpoint rather than the culturally bounded work of ideological examinations.

This level concerns the ideological processes and traditional theories of society and power as they relate to media. The new media landscape has disrupted the very definition of journalism and dismantled its boundaries with other fields (Carlson and Lewis, 2015). This disruption can still be understood from a macro-level perspective. As media fields police their boundaries and defend their professional prerogatives, they seek to repair and maintain the journalistic “paradigm” (see, e.g., Reese, 2001). This ideological process captures the social system level of analysis.

From the political economy perspective, journalism is a reflection of class and power. Herman and Chomsky (1988) asserted that journalists cannot work independently in the propaganda model. Reporters must serve the interests of their sources, advertisers, and class interests. Hegemony theory suggests that reporters enjoy some degree of

autonomy, but the media ultimately serve the interest of elites by obtaining the consent of the masses. Ideology explains how social systems work in the service of broad corporate and government interests.

RQ5: How has political power been exercised at the social system level in the journalistic field during the anti-extradition movement?

3. Methods

We conducted in-depth interviews to make sense of journalists as social actors and study the rhetorical construction of their perspectives. Conducting in-depth interviews is less time-consuming than ethnographic observation; however, interviews also have limitations. The participants in our study come from the media and are very familiar with interview tactics; studies have suggested that journalists do interviews with great caution. All the interviewees in this study chose to remain anonymous to protect their identities. Each interview lasts between half an hour and one hour. All the interviews are recorded and transcribed.

We interviewed 20 reporters, who work as leading journalists or editorial managers in various media houses in Hong Kong. They come from Radio Television Hong Kong (RTHK), *Apple Daily* (蘋果日報), *Oriental Daily News* (東方日報), *Ming Pao* (明報), *South China Morning Post*, TVB, Cable TV, *HK01* (香港01), Now TV and *Stand News* (立場新聞). The selection of news media was based on circulation, popularity, and impact. These organizations are regarded as the most influential news media outlets in Hong Kong (Chan *et al.*, 2019). We included the leading broadcast, print, and online media in Hong Kong, and they represent different political camps. We sought to

reflect the current situation from diverse positions on the media spectrum (Chan *et al.*, 2019; Chan *et al.*, 2017; Luqiu, 2017).

4. Results

4.1. Individual-Level Influences: Low Salaries and Attacks

Regarding RQ1, we found that political power has been exercised in the form of physical and verbal abuse on journalists. Attacking and threatening were considered exceptional in the past. Hong Kong reporters have faced frequent physical and verbal harassment since the beginning of anti-government protests in 2019. Most of our interviewees recalled police violence while they were reporting on the front lines of the protests.

Their testimonies were supported by a study conducted by the Hong Kong Journalists Association that revealed that the police unleashed physical and verbal abuse on journalists during the recent political protests. The police also deliberately obstructed news reporting. More than half of the 222 surveyed journalists interviewed claimed that they had been treated violently by the police on five or more occasions (HKJA, 2020). Many of our interviewees reported that they had been pushed by the police or pepper-sprayed. One of the interviewees had red, itchy skin after being exposed to tear gas.

Our interviewees also revealed that colleagues and acquaintances from other news organizations have been doxed and subjected to online harassment. The “Little Pink”, anonymous online pro-establishment activists, have threatened these journalists over the phone and online by leaking personal information. One journalist said, “My telephone number and personal information were leaked. A strange man called me, abused me using foul language, and threatened me.” He added that his wife was very worried and had asked him to take precautions.

Political power has also been exercised through the worsening of working conditions. The Hong Kong government did not support the development of media or encourage positive competition. Lower wages have been another problem facing media professionals. Frontline reporters in our study said that they work under tremendous pressure with low salary packages. One interviewee said that he is considering leaving the industry once the anti-extradition movement is over. He graduated from one of the best universities in Hong Kong, and his hourly rate is just above minimum wage. The interviewees generally found reporters' wages to be very unsatisfactory. One stated, "Our staff worked very hard to report on the anti-government protests over the past year, but they only received half of a monthly income as a bonus."

One experienced journalists in our interview suggested that low wages have forced good, experienced journalists to leave the industry. This issue is leading to a deterioration in the quality of the news.

4.2. Routine-Level Influences: Frequent Press Conferences and Denial of Information Access

Regarding RQ2, we found that the Hong Kong government uses press conferences as an effective tool to control the news narrative. For instance, during the protests, the Hong Kong police have held routine press conferences almost every day to spin stories to fit their narratives. "I have a bad feeling about the police press conferences," a journalist said. "I had to keep reporting their point of view, which did not hold any news value. We had no choice but to write their versions as they hold the power. I always struggled when I attended their press conferences."

Despite guaranteed freedom of the press under the Basic Law in Hong Kong, journalists find it difficult to access information in the SAR. A survey by the HKJA in May 2020 showed that Hong Kong press freedom had dropped to a record low in the eyes of the general public

and newsroom practitioners (HKJA, 2020). More than half of our interviewees expressed concern over difficulties in accessing government information on a daily basis. Government officials are refusing to disclose important information, including the names and titles of police officers. Even access to data on the marital status, birthdate, and voter registration of officials, which used to be public, has become difficult for journalists to obtain.

4.3. Organizational Level: Self-Censorship and Resource Allocation

Regarding RQ3, several interviewees admitted that they practice self-censorship. They sometimes select or omit sources on political grounds for their stories. This finding is particularly revealing in the case of pro-establishment media organizations. For instance, one interviewee suggested that pro-establishment reporters were banned from quoting blacklisted pro-democracy experts. Instead, they were encouraged to interview pro-establishment experts. The editors justify these practices by stating that they want to include diverse voices in the stories and claiming that it is more objective because the pro-democracy experts' comments are extreme. The interviewees said that the selection of sources tightened after the anti-government protests broke out in 2019.

Reporters from pro-establishment organizations are not allowed to incorporate user-generated comments or videos from pro-democracy media. The editors justify these practices by stating that user-generated and pro-democracy media content is not professional enough to be included. Several interviewees hinted that their senior reporters and editor-in-chief change their news content that touches on sensitive issues and add the viewpoints of pro-establishment parties without consulting them.

In the case of public service broadcasting, the situation is more complicated. RTHK, which was founded in 1928 and is sometimes

compared to the BBC, enjoys a high degree of editorial independence. The editor-in-chief only gives general directions to the staff, and interventions from commercial interests are prevented.

However, RTHK has recently found itself at the center of a political storm due to its critical stance on the government and the police. The government has reportedly cut funding for the broadcaster to cover a shorter period, and the grant could now vary from year to year. Our interviewees revealed that RTHK faces a staff crunch and resource scarcity, and no new recruitment of talent or acquisition of resources has been made. The interviewees from RTHK admitted that they do not have resources to do investigative reporting, although their staff still strives to do it. For instance, the RTHK piece “721 Yuen Long Nightmare” won international recognition and raised public awareness of the relationship between the police and the transnational organized crime syndicate called the “triad”.

4.4. Social Institutions: Economic and Political Influences

Regarding RQ4, political power has been exercised in the form of control over media at the social-institutional level by co-opting advertisers, political actors, and government officials.

Economic Pressure from Advertisers. Our interviewees explained that corporate interests are well aligned with political interests in Hong Kong. It was an open secret that news media routinely face political pressure from corporate giants in the form of advertisement withdrawal. Pro-democracy media organizations have been boycotted by large companies, who have pulled their advertisements from the columns, for at least a decade because of the news organizations’ political stances. Recently, more companies have joined the movement against daily and other media organizations such as *Stand News*.

Political Pressure from Political Actors. Journalists working in pro-democracy media organizations also face other kinds of boycotts. The interviewees revealed that pro-establishment companies and party officials refuse to talk to them for stories or withhold information. The interviewees from pro-democracy media said that boycotts from advertisers and political actors are more illuminating during the anti-government protests.

The political actors always use their positions to develop a relationship with the senior reporters or journalists from the management team. They seek to spin the news stories by purposely leaking information to the journalists. Our interviewees suggested that the police in managerial positions sometimes talk to the senior reporters or ask them to arrange exclusive interviews to express their views. This is consistent with Örnebring's (2013) argument that personal relationships between politicians and journalists may influence journalistic content. It is an example of the normalization of political communication. Pfetsch and Voltmer (2012) warned that such relationships should be treated carefully and tactically. The relationships are ambiguous and under continual negotiation between different players' trust and distrust (Mancini, 1993).

With the decline in press freedom, some news programs have come under direct attack. For instance, RTHK found itself in trouble because of its long-running political satire show called *Headliner*. It was allegedly mocking the Hong Kong police force. The Hong Kong Police Chief Chris Tang wrote a public letter to the director of RTHK slamming the show (*Time*, 20th May 2020). Communications Authority, which regulates the city's broadcast and telecom sectors, published a report criticizing the broadcaster. The Commerce Bureau then announced an unprecedented, government-led review of RTHK's governance and management. The interviewees from RTHK admitted

that they are under tremendous political pressure to handle the complaints.

Economic Awards from the SAR Government. The Hong Kong government often uses public funds to push their political agenda through large-scale media advertisement campaigns and reward the pro-establishment media outlets. For example, the government spent more than HK\$3 million on advertisements in media to promote positive images of the government during the anti-government protests.

4.5. Ideological Forces

Regarding RQ5, we found that political power has been exercised through ideological force. Audiences with pro-establishment stances have lodged complaints against RTHK. The interviewees from RTHK said that they have had to toil over grievances from pro-establishment viewers, who have alleged that the broadcaster ran anti-government coverage during the 2019 protests. Despite winning local and international journalism awards for their news reports, RTHK continues to face heavy criticism from disgruntled viewers. The interviewees said that they have become more cautious and try to maintain their professionalism in an effort to combat the political pressure.

In recent years, China has developed a new version of nationalism, whose activists are called the “Little Pink”. It is different from the masculinist nationalism embodied in the “angry youth” of the past (Dumbaugh, n.d.; Ruan, 2016; Zhang, 2016). “Little Pink” refers to a soft, emotional discourse. In the case of the Hong Kong anti-government protests, RTHK experienced political pressure from this new version of nationalistic discourse in the form of formal complaints and online harassment.

RTHK’s recent fate has spread panic among other journalists. Viewers and listeners can lodge complaints to Hong Kong’s

Communication Authority against television and radio broadcasters regarding aired content. These complaints can affect the broadcasting licenses of media organizations. Our interviewees said that they had received complaints from their audiences, and some offered feedback that can help improve the programs. However, a large portion of these complaints took the form of political pressure.

5. Discussion and Conclusions

This paper has adopted a hierarchy of influences model to show how journalists' autonomy is being dismantled on all levels in the partly free society of Hong Kong during the anti-extradition movement. This paper contributes to the literature by demonstrating the effectiveness of the model in illustrating how political control has been exercised from the macro- to the micro-level. Secondly, it exposes how the media has become a battlefield and how a critical event can expedite change. The anti-extradition movement has proved to be a critical point for press control. Many interviewees felt that comprehensive control over the news media had become more evident since the protests broke out. Future studies should examine which factors in a crisis most contribute to changes in political control over the media.

Thirdly, this study offers another approach to the analysis of political suppression of the media. Previous studies have used the political economy perspective to analyze the autonomy of Hong Kong media and treated self-censorship as an influential practice. By contrast, this paper has shown how the influence of the state, political actors, media owners, advertisers, and the audience have aligned to undercut journalistic professionalism and autonomy. It has shown that co-opting media owners is no longer the most important strategy for controlling media frames or stances. Fourthly, this study demonstrates the most

influential incentives, informal exchanges, pressures, and threats facing the media and clarifies why news content is inevitably affected at every level.

At the individual level, the state exercises its control through police brutality against reporters. Hong Kong has been viewed as a police state since the anti-extradition protests began. Journalists are severely underpaid and overworked. Reporting is not rewarding in terms of working conditions. This situation is forcing young news media workers to leave the profession. At the routine level, the state has tried to control the press by controlling the flow of information by holding frequent press conferences and restricting access to information. At the organizational level, journalistic principles are used to justify the practice of self-censorship. At the social- institutional level, the state maintains corrupt relationships with key players, such as advertisers and political actors, resulting in the abuse of power. Through economic incentives, the key players align with pro-establishment media and against pro-democracy media to support their interests. Ideological influences are growing, and they should be investigated from the audience's perspective and through content analysis.

This paper has several limitations. We focused on the tactics of various players to undercut journalistic autonomy. We did not discuss journalists' strategies to retain their independence. The relationship between professionalism and political control is always under negotiation. It is very interesting and important to review how the journalists interact with different players. Secondly, this paper relied on in-depth interviews to understand the political control over news media at five levels. Participant observation could be added to future studies to make the analysis more comprehensive. Thirdly, this paper used Hong Kong as a backdrop to discuss the application of the hierarchy of influences model on press freedom. It lacks generalizability, and more

research should be done in other countries to see how political control is exercised in other societies that are free, partly free, or without freedom.

To conclude, the anti-extradition movement in Hong Kong provides a special context for scholars to examine press control in a time of political crisis. It exposes the corruption of many different parties, who have aligned with the state to exercise control over the news press. This development is worrying to many media scholars and critics because it reflects a structured change in press control at all levels, and the trend cannot be altered easily. Future research should examine what counterforces may sustain or rebuild journalistic autonomy.

Note

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Legality and Law Enforcement

A Review of Hong Kong's Jurisprudence on the Offences of Unlawful Assembly and Riot in the Context of the Anti-Extradition Bill Movement⁺

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Abstract

The Anti-Extradition Bill Movement presents new challenges to the criminal justice system in Hong Kong. While courts in Hong Kong repeatedly stress that they do not take political considerations into account when making their rulings, it is almost inevitable that their decisions will be closely scrutinized by all sides of the political spectrum. This paper examines the development of case law relating to unlawful assembly and riot under the Public Order Ordinance in the context of the Movement. In particular, this paper will focus on the implication of the updated sentencing guideline on public order offences proposed by the Court of Appeal in *Secretary for Justice v Wong Chi Fung* in 2018 and how the unique features of the Movement shall develop future case law.

Keywords: *Anti-Extradition Bill Movement, Public Order Ordinance, unlawful assembly, riot, rule of law, freedom of assembly, Hong Kong Bill of Rights Ordinance, civil liberties, human rights*

1. Introduction

On 9th October 2019, black-clad protesters gathered outside Hong Kong's High Court Building.¹ While the building is one of the many stops along the city's traditional route for mass demonstration, it is the destination this time. The protesters were there in solidarity with Edward Leung Tin-kei, who is considered by some as the "spiritual leader of the city's months-long unrest"² Leung was attending the Court that morning for his court hearing to appeal against his sentence in relation to the Mongkok Riot in 2016. In some way, the scene at the court building is nothing out of the ordinary since the Anti-Extradition Bill Movement ("Anti-ELAB Movement") began. Young protesters, equipped with surgical masks, were chanting "Liberate Hong Kong, Revolution of Our Times" as they await the Correctional Services Department's vehicle to bring Leung to the building.

The scene above is a clear indication that, inevitably, the Hong Kong courts are and will remain one of the many points of contention in the Anti-ELAB Movement. The courts have already made a wide range of decisions from granting interim injunction to restrict demonstrations in metro stations³ and airport⁴ to ruling that the regulation to ban face masks during public gathering is constitutional⁵. But as the number of arrests goes up, it is only a matter of time before a substantial number of protesters are brought before the courts to face criminal charges. Some of the criminal charge brought are offences under Hong Kong's Public Order Ordinance (Cap.245) (the "POO"). All eyes will be on the Hong Kong Courts as the judges make their determination.

As a result of the Anti-ELAB Movement, the number of cases in relation to unlawful assembly and riot have risen drastically. It is therefore useful to examine the exiting case law of the two offences and pinpoint the issues that will likely arise in cases of Anti-ELAB Movement.

In fact, back in 2018, in the case of *Secretary for Justice v Wong Chi Fung* (2018) 21 HKCFAR 35, the Court of Final Appeal (“CFA”) has indicated its updated stance on the Offence. The CFA’s judgement is worth closer examination as it reveals the Court’s attitude toward offence committed under the context of large-scale social movement.

This essay will be divided into the following sections, Section 2 provides a brief review on the case law on unlawful assembly and riot, Section 3 outlines the characteristics of the Anti-ELAB Movement and Section 4 will evaluate how the said characteristics shape recent case law.

2. The Offences of Unlawful Assembly and Riot: Application and Limitation

2.1. Elements of the Unlawful Assembly

Section 18 (1) of the POO provides that a group consisting of 3 or more persons assembled together shall be deemed to be an unlawful assembly if they “conduct themselves in a **disorderly, intimidating, insulting or provocative manner** intended or likely to cause any person **reasonably to fear** that the persons so assembled will commit a **breach of the peace**, or will by such conduct **provoke other persons** to commit a breach of the peace” (emphasis added). Section 18(2) clarifies that the fact that the original assembly was lawful is immaterial. As soon as the participants in the assembly conduct themselves in the manner as described in S.18(1), they are an unlawful assembly.

Given the wide ambit of the wordings of S.18(1), it is essential to look into how the court interprets the various elements of the offence.

In *Secretary for Justice v Leung Kwok Wah* [2012] 5 HKLRD 556 at [16], the Court of Appeal (“CA”) set “three ingredients” of the offence:

- (a) assembled together;
- (b) conduct themselves in a disorderly or provocative manner; and
- (c) intended or likely to cause any person reasonably to fear the persons so assembled will commit a breach of the peace, or will by such conduct provoke other persons to commit a breach of the peace.

Drawing on the three ingredients in *Leung Kwok Wah, A Wong J in HKSAR v Leung Tin Kei* [2018] HKCFI 27156 ruled that the appropriate directions to be given to the jury in relation to the charge of unlawful assembly were as follows:

- (1) At the time and place specified in the charge, the defendant and 2 or more other persons assembled together; and
- (2) The common purpose of the defendant and those persons assembling together at that time was to obstruct police officers in the execution of their duties; and
- (3) The defendant and those persons assembled together at that time, with that common purpose, wilfully:
 - (a) conducted themselves in a disorderly manner; or
 - (b) conducted themselves in an intimidating, insulting or provocative manner; (the acts in (a) and (b) above, hereinafter referred to as “the prescribed acts”); and
- (4) When the defendant and those persons assembled together did one or more of “the prescribed acts”, they:
 - (a) intended to cause any person present at the scene
 - (i) reasonably to fear that the persons so assembled would commit a breach of the peace; or
 - (ii) reasonably to fear that they would by such conduct provoke other persons to commit a breach of the peace; or

- (b) knew of or were reckless as to such conduct being likely to cause any person present at the scene:
 - (i) reasonably to fear that the persons so assembled would commit a breach of the peace; or
 - (ii) reasonably to fear that they would by such conduct provoke other persons to commit a breach of the peace.

2.1.1. "Assembled together"

For the first ingredient, Lam JA in *Leung Kwok Wah* (2012) at [17] stressed that in there must be a requirement of joint responsibility for the disorderly or provocative conduct under the second ingredient. Drawing on Macdougall VP's ruling in *R v To Kwan Hang* [1995] 1 HKCLR 251⁷, he accepted that only the three or more persons who conducted themselves in a disorderly or provocative manner would become an unlawful assembly. Other members of the same group who did not conduct themselves in such manner would not become an unlawful assembly.

The conduct of the defendants must also be closely connected. In *Leung Kwok Wah* (2012) at [19], Lam JA stated that the court must consider whether or not "there is a sufficient nexus between the conduct of the defendants to justify having them considered together" and that whether or not they could be described as "acting as assembly". In other words, there must be a common purpose among the defendants.

2.1.2. "Conduct themselves in a disorderly, intimidating, insulting or provocative manner"

When taking into consideration the conduct of the defendant, the court shall look into the character of the conduct itself instead of purpose of

the conduct (*ibid.*: 24). The legality of the actions by law enforcement is irrelevant.

The court recognizes that adjectives such as disorderly, intimidating, insulting or provocative can have a wide variety of meanings. Discussion in case law focuses heavily on disorderly conduct. In *HKSAR v Chow Nok Hang* (2013) 16 HKCFAR 837⁸, Chan ACJ affirmed that “disorderly behavior” were to be treated as words in ordinary everyday use. The disorderly conduct does not necessarily involve violence or amount to a breach of peace. It is sufficient to show that “there is a real or imminent risk that others would breach the peace or resort to violence as a result of the accused’s disorderly conduct”.

As such, when or not the defendant’s action amounts to “disorderly conduct” will be a question of fact to be determined at trial. For example, in *HKSAR v Wong Yuk Man* [2015] 1 HKLRD 132, at [110], Derek Pang J held that “the conduct of a group of people chanting numbers, marching arm in arm towards a police cordon, ignoring the sign raised up and verbal warnings given by the police will not fail to meet the definition of disorderly conduct”.

2.1.3. “Intended or likely to cause any person reasonably to fear the persons so assembled will commit a breach of the peace, or will by such conduct provoke other persons to commit a breach of the peace”

The third ingredient of the charge deals with the consequence of the prescribed conduct. In *Leung Kwok Wah*, the court identified two limbs under the third ingredient. The subject limb comes into play when the intention of the conduct of defendant is to “generate the stipulated fear” while the objective limb kicks in when the said conduct “causes any person reasonably to have” the stipulated fear.

The court in *Leung Kwok Wah* further held that the stipulated fear itself had two limbs, namely:

- (a) the persons so assembled would commit a breach of peace; or
- (b) the persons so assembled would by such conduct provoke other persons to commit a breach of peace.

The court clarified that it is not necessary for the person at the scene to be in fear of his or her safety. The only reason needed to give rise to the power of arrest was a fear that the “deterioration of the event into a breach of the peace”⁹.

In *HKSAR v Leung Tin Kei* [2018] HKCFI 2715, A Wong J, upon reviewing the relevant authorities, ruled that the objective limb (i.e. causing the stipulated fear by an objective standard) was not of absolute liability and the requirement of *mens rea* was not displaced. The prosecution had to prove that “the defendant knew of or was reckless as to the “prescribed act or acts” being likely to cause “the stipulated fear¹⁰”. In other words, the defendant, “knowing that his act or acts would be in a disorderly, intimidating, insulting or provocative manner, he nevertheless did “the prescribed act or acts” of his own free will¹¹”.

It is worth noting the law on the objective limb has not been settled. Leave was granted to the Court of Final Appeal to determine whether or not the *mens rea* requirement is displaced¹². Wilson Chan J in *HKSAR v Leung Chun Hang Sixtus* [2020] HKCFI 2152 stated that he disagreed with the ruling by A Wong J in *Leung Tin Kei*. In this regard, he sided with the prosecution’s approach in *Leung Tin Kei* at [13] that even if the “causing the stipulated fear by an objective standard” limb is of absolute liability, it did not undermine the other safeguards provided in the elements of the offence, and the reasons why the defendant committed a certain “prescribed act” and why he and other persons assembled did

cover to a large extent the defence of honest and reasonable belief raised by the defence.

2.2. *Elements of Riot*

The offence of riot builds upon the participation in an unlawful assembly. Section 19(1) of POO provides that “when any person taking part in an assembly which is an unlawful assembly by virtue of section 18(1) commits a breach of the peace, the assembly is a riot and the persons assembled are riotously assembled.”

The trial judge in *HKSAR v Leung Tin Kei* (HCCC 408/2016), when giving written direction to the jury, stated that breach of the peace indicated that “deliberate use of or threat of violence is involved”. Such breach, drawing on the test in *R v Howell* [1982] QB 416¹³, occurred where “harm is actually done or is likely to be done to a person or in his presence to his property, or a person is in fear of being so harmed through an assault, an affray, a riot, unlawful assembly or other disturbance”.

In *Leung Tin Kei* (2018), A Wong J ruled that prosecution, besides proving all elements of unlawful assembly, had to prove that the defendant committed a breach of the peace by showing that he or she:

(1) used deliberate violence or threatened to use violence

and

(2A) intended to cause

- (i) harm to be actually done to a person present at the scene, or
- (ii) harm to be done in his presence to that person’s property, or
- (iii) that person to be in fear of harm being actually done to his body or his property through an assault, an affray, a riot, unlawful assembly or other disturbance.

or

(2B) knew of or was reckless as to

- (i) harm being likely to be done to a person present at the scene,
or
- (ii) harm being likely to be done in his presence to that person's
property, or
- (iii) whether that person is in fear of harm being likely done to his
body or his property through an assault, an affray, a riot,
unlawful assembly or other disturbance.

2.3. The Engagement of Relevant Human Rights in the Context of POO

Concerns regarding POO's restriction on civil liberties have been frequently raised. When the United Nation's Human Rights Committee published their first report on Hong Kong after the transfer of sovereignty, they expressed concern that the POO could be applied to restrict unduly enjoyment of the rights guaranteed in article 21 of the International Covenant on Civil and Political Rights.

Various challenges on the constitutionality of the offence of unlawful assembly were made. The Freedom of Assembly is safeguarded by both domestic and international instruments. Article 27 of the Basic Law protects Hong Kong residents' freedom of assembly while article 17 of the Bill of Rights Ordinance (Cap. 383) provides that "the right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others."

In *Chow Nok Hang* (2013), Riberio PJ recognized at [31-32] that the right to demonstrate lies at the heart of Hong Kong's system and such right "is of cardinal importance for the stability and progress of society — freedoms which promote the resolution of conflicts, tensions and problems through open dialogue and debate." As such, it "must be given a generous interpretation so as to give individuals their full measure, and that restrictions on such rights must be narrowly interpreted."

That being said, the court has repeatedly asserted that the freedom of assembly is not absolute. In *Leung Kowk Hung & Ors v HKSAR* (2005) 8 HKCFAR 229 at [17], the majority, while recognizing freedom of assembly as one of the fundamental civil liberties, stressed that the restriction on such right could be justified if it was "prescribed by law" and "necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others". Earlier, in *To Kwan Hang* (1995), the Court of Appeal held that the offence of unlawful assembly was consistent with article 17 of BORO. And in *Leung Kowk Hung* (2005), the majority held that the Commissioner of Police's discretion to restrict the right of peaceful assembly in the name of the above-mentioned requirements was constitutional after the severance of public order (in the law and order sense, that is, the maintenance of public order and prevention of public disorder) from "public order (ordre public)" contained in s.14(1), s.14(5) and s.15(2) of POO.

The court in *Leung Kwok Wah* (2012), at [57 -58] stressed that the purposes of the offense of unlawful assembly were to "address situations which, unless preventive actions are taken, are likely to develop into a breach of the peace" and "to stop a deterioration of an often highly emotionally charged assembly into a serious disruption of law and order".

It is also worth noting that both BL and BORO only protects Hong Kong residents' right to exercise the freedom of assembly peacefully. In *Leung Kowk Hung* (2005), Bokhary PJ at [132] affirmed that "where public gatherings are not peaceable, there is room for arrest and prosecution for unlawful assembly or riot under ss.18 and 19 [of POO] respectively". His lordship went one step further to state that "the advent of an emergency might even lead to the imposition of a curfew by the Chief Executive in the exercise of his powers under s.31 [of POO]".

2.4. Sentencing of the Offences

It is accepted that there is no universal sentencing guideline for the offences. In this regard, the Court of Final Appeal's ruling in *Secretary for Justice v Wong Chi Fung* [2018] 21 HKCFAR 35 is significant in sentencing of the offences.

In *Wong Chi Fung* (2018), the 1st to 3rd appellants faced the following charges:

Charge(s)

Appellants

Inciting others to take part in an unlawful assembly, contrary to s.18 of the POO and s.101I of the Criminal Procedure Ordinance ("CPO") ("the Inciting Charge")

1st and 2nd appellants

Taking part in an unlawful assembly contrary to s.18 of the POO

1st and 3rd appellants

The appellants pleaded not guilty to all charges and were tried before Ms. June Cheung Tin Ngan in the Eastern Magistracy (“the Magistrate”) on various dates in 2016. Eventually, the 1st appellant was acquitted of the Inciting Charge, but was convicted for taking part in an unlawful assembly. The 2nd and 3rd appellants were convicted of their respected charges. As such, the Magistrate sentenced the 1st appellant to an 80-hour community service order, 2nd appellant a 120-hour community service order and the 3rd appellant to a term of imprisonment of 3 weeks, suspended for 1 year.

2.5. The Court of Appeal’s Ruling

The Secretary for Justice (“SJ”) made application to the Magistrate under s.104 of the Magistrates Ordinance to review the sentences and was refused by her. The SJ then apply for a review of sentence s.81A of the Criminal Procedure Ordinance and was heard by the Court of Appeal (“CA”)

The CA allowed SJ’s application and set aside the Magistrate’s sentences in *Secretary for Justice v Wong Chi Fung & Ors* [2018] 2 HKLRD 699. Immediate custodial sentences were imposed on all the appellants. CA’s judgement is worth closer examination.

In essence, CA ruled that a large-scale unlawful assembly involving violence had occurred. Poon JA, in making such determination, formed the view that the appellants’ acts were premeditated, and, being the planners of the assembly, it was within their reasonable contemplation that their act was illegal and there was a risk that participants would clash with the security guards and police officers outside the Civic Square. Further, the number of participants, the duration in which they were able to enter Civic Square and the relatively minor injuries suffered by the security guards at the scene were also taken into account.

When discussing the interplay between the relevant rights engaged and the offence of unlawful assembly, CA stressed that “acts done in the name of the free exercise of rights, but which are in substance acts which undermine public order and breach the peace, will throw society into chaos, impact seriously and adversely on its progress and development, and prevent others from exercising and enjoying the rights and freedoms to which they are entitled.” The goal of the Court is to stop such acts effectively so that “all discussion about freedom and the rule of law” will not become empty talk.”

With reference to the boarder social context that led to the Assembly, Yeung JA remarked in a widely publicized passage at [6]:

“In recent years, an unhealthy wind has been blowing in Hong Kong. Some people, on the pretext of pursuing their ideals or freely exercising their rights conferred by law, have acted wantonly in an unlawful manner. Certain people, including individuals of learning, advocate “achieving justice by violating the law” and, under this slogan, they encourage others to break the law. These people openly flout the law. Not only do they refuse to admit their lawbreaking activities are wrong, but they even go as far as regarding such activities as a source of honour and pride. It is unfortunate that such arrogant and conceited ways of thinking have influenced some young people and have caused them to engage as they please in activities that are damaging public order and disruptive of the peace at assemblies, processions or demonstrations.”

In light of above, the CA laid down new sentencing principles in cases of unlawful assembly involving violence:

- (a) The starting point of the court is that “public order must be maintained”. To achieve such aim, the “factor of deterrence” must be taken into consideration. The weighting given will depend on the circumstances of each case;
- (b) in cases of a relatively minor nature (i.e. when the unlawful assembly was unpremeditated, small in scale, involving very little violence, and not causing any bodily harm or damage to property), more weight may be given to “personal circumstances of the offender, his motives or reasons for committing the offence and the sentencing factor of rehabilitation”; and
- (c) in cases of a serious nature (i.e. when large-scale and/or serious violence is involved), punishment and deterrence will be the two paramount sentencing factors while other factors will be given little and no weight.

2.6. *The CFA’s Decision*

The appellants obtained leave to appeal to the CFA on, *inter alia*, the following issue:

To what extent should a sentencing court take into account the motives of a defendant in committing the crime of which he or she has been convicted, particularly in cases where it is asserted that the crime was committed as an act of civil disobedience or in the exercise of a constitutional right?

2.6.1. *Acceptance of CA’s sentencing principles*

The most significant impact of CFA’s decision in *Wong Chi Fung* is its acceptance of the new sentencing principles regarding unlawful assembly laid down by CA. Their Lordships started by stating that CA was fully entitled to “take much stricter view where disorder and any

degree of violence” were involved in unlawful assembly and that note should be taken accordingly. Hong Kong, according to their Lordships, is a “peaceful society” and elements such as disorder and violent behaviour should be deterred.

The Court stressed that, at [144], “it was right for the Court of Appeal to send the message that unlawful assemblies involving violence, even the relatively low degree of violence that occurred in this case, will not be condoned and may justifiably attract sentences of immediate imprisonment in the future, given the gravamen of the offence involving the instigation of a risk and fear of a breach of the peace by virtue of the number of protesters involved.”

2.6.2. Civil disobedience as mitigating factor

Wong Chi Fung also deals with whether or not civil disobedience is a relevant mitigating factor. At the onset, the CFA recognized motive is a relevant consideration. The Court affirmed (at [67]) that “an offence arises out of an occasion when constitutional rights to assemble and protest are being exercised is relevant to the background and context of the offending, particularly when those rights have been exercised peacefully and in accordance within the law up to the point when the offence was committed”.

Their Lordship, however, stated the contention that the exercise of constitutional rights could be used as a mitigating factor had little merit. Drawing on *Chow Nok Hang* (2013), the Court ruled that once violence or the threat of violence came into play, such “unlawful activity” will be subject to “legal sanctions and constraints”. As such, “there is no constitutional justification for violent unlawful behavior”.

In determining whether or not civil disobedience could be a mitigating factor, the CFA started by proclaiming that “the concept of civil disobedience is one which is recognisable in any jurisdiction

respecting individual rights, including Hong Kong”. The court is entitled to take into account that the offender is taking part in civil disobedience when deciding the appropriate sentence. However, there are many more factors that are also relevant such as “the facts of the offending and its consequences and the need for deterrence and punishment.”

In line with its stance to differentiate peaceful protest and violent behaviour, the CFA remarked at [74]:

“Where, therefore, in furtherance of an ostensibly peaceful demonstration, a protester commits an act infringing the criminal law which involves violence and is therefore not peaceful and non-violent, a plea for leniency at the stage of sentencing on the ground of civil disobedience will carry little (if any) weight since by definition that act is not one of civil disobedience.”

2.6.3. *Different degree of culpability?*

While the CFA’s judgement stressed the line separating lawful protest and unlawful assembly, it also seemed to separate the degree of culpability among the participants of unlawful assembly. The Court, at [125], ruled that “culpability of the offender may vary depending on his degree of participation in the unlawful assembly and the violence in question”. As such, “a distinction must be drawn between a participant in an unlawful assembly who remains peaceful and one who himself engages in or encourages violence.”

The CFA’s conclusion was based on its earlier ruling in *Chow Nok Hang* (2013) where Tang PJ cited, with approval, passages from the “Guidelines on Freedom of Peaceful Assembly” (2010) (“the Guide”) published by Organization for Security and Co-operation in Europe/Office for Democratic Institution and Human Rights.

It is worth noting that the Guide's definition of peaceful assembly is wide and includes "conduct that temporarily hinders, impedes or obstructs the activities of third parties". It also stressed that "an individual does not cease to enjoy the right to peaceful assembly as a result of sporadic violence or other punishable acts committed by others in the course of the demonstration, if the individual in question remains peaceful in his or her own intentions or behaviour".

On the issue of differentiating peaceful and non-peaceful demonstrations, the Guide stressed that "the use of violence by a small number of participants should not automatically lead to the categorization as non-peaceful of an otherwise peaceful assembly".

While the CFA in *Wong Chi Fung* (2018) did not specifically touch upon the issues contained in the cited passages of the Guide, it accepted that the considerations in the cited passages are relevant.

2.9.4. Application of the new sentencing guideline

One obvious implication of *Wong Chi Fung* (2018) above is that stricter sentence will be applied to defendants convicted of unlawful assembly in connection with the Anti-ELAB Movement. It has been recognized by the courts that a tariff approach towards sentencing is not appropriate for the offence given the diverse circumstances involved.¹⁴

CFA recognized that, in the past, "a wide range of types and severity of sentence have been imposed for the offence". Their Lordships proceeded to discuss seven cases each with difference severity of sentence imposed. It is worth nothing that among the cases discussed, immediate custodial sentence was only imposed in two cases. The 18 months' custodial sentence was imposed in *Cham Sam v R* [1968] HKLR 401 as the defendant used a chair to attack a police officer in a 200-person protest relating to the 1967 riots. And in *HKSAR v Tai Chi Shing* [2016] 2 HKC 436, the CA accepts that "custodial sentences based

on a starting point of six months' imprisonment" can be imposed on a first-time offender if the defendant committed acts with "riotous" nature.

An early indication of how *Wong Chi Fung* (2018) was applied in cases relating to the Anti-ELAB Movement can be seen from the case of *HKSAR v Sin Ka Ho* [2020] HKDC 337. The defendant pleaded guilty to taking part in a riot on 12th June 2019, the date that the second reading of the Bill was scheduled to resume, outside the Legislative Council Complex.

Woodcock J, at [44], giving her reason to impose an custodial sentence with a starting point of 6 years, stressed that "deterrence overrides the sentencing principle of rehabilitation in the prevailing circumstances including the increasing incidents of unrest and a rising number of large-scale public protests involving violence". Her Honour's position is in line with *Wong Chi Fung* (2018) and *HKSAR v Leung Tin Kei* that the sentence should be punitive and sufficiently deterrent.

3. Characteristics of the Anti-ELAB Movement

To understand the likely legal issues that will arise in public order cases regarding the Anti-ELAB Movement, it is essential to identify some of the key characteristics of the protests. While the movement itself has many faces, this section will offer a brief overview on 3 aspects that are relevant to the public order offences.

3.1. Fluidity of the Protest Movement

Ku (2020: 114) observed that the participants adopted a wide variety of protest actions and that such activities "often assumed a spontaneous character and transformed a variety of everyday micro-spaces into sites of civic resistance ranging from streets to shopping malls and from metro stations to the airport."

Unlike the Umbrella Movement in 2014 which focused on several occupied areas, the Anti-ELAB Movement features diverse protest activities in a wide variety of locations. As such the alleged unlawful assembly and/or riot will also take place in diverse areas. From the public entrance of the Legislative Council Building to university campus, the locations of the protest activities present unique legal issues as demonstrated below.

3.2. Integration of Peaceful Protest and Violent Confrontation

Another key feature of the Anti-ELAB Movement is the strong solidarity amongst the moderate and radical flanks. Empirical research conducted by Lee (2020) confirmed that the significant number of younger protesters with relatively little knowledge about the previous conflicts between the two flanks “made the body of protesters as a whole even more predisposed to a more positive relationship among various movement factions.” Further, “direct, indirect, and mediated shared experiences of indiscriminate police actions during the protests has produced among many Hong Kong citizens an experiential basis for solidarity.” And in the words of Ku (2020): “Through participating in the movement, protesters established a sense of solidarity and a political subjectivity that binds them together, in what has been called ‘a community of common destiny’ (命運共同體 *mingyun gongtongti*).”

Besides its ideological implication, the solidarity among protesters also means that violent confrontation can occur during peaceful protest activities.

3.3. Anonymity of Protest Movement

The Anti-ELAB Movement has been described as a largely leaderless movement (Ku, 2020). While prominent activists and pressure groups

may organize rallies or marches, none identifies itself as the leader of the movement.

Participants of the movement also prefer to be faceless. To avoid identifying themselves, the protesters equipped themselves “with simple surgical masks to safety goggles and construction helmets, to full-body protective gear, sometimes including full-face gas masks” (Holbig, 2020). The protesters often form a black bloc with umbrellas put upon the front during confrontation with the police.

4. Public Order Offences in the Context of the Anti-ELAB Movement

The law on unlawful assembly and riot is quickly developing as a result of the Anti-ELAB Movement. A number of recent judgements from the Court of Appeal and the District Court shed light on how case law evolves as a result of the movement.

4.1. The Importance of Inference

As one would have expected, the prominent use of the above techniques to conceal the protesters’ identity lead to issues in relation to identification at trial. Direct evidence indicating the accused has committed the prescribed act(s) may be hard to come by in unlawful assembly and/or riot cases relating to the Anti-ELAB Movement. This is the result of the combination of the technique adopted by the protesters to conceal their identities and the fluidity of the protest activities.

The lack of direct evidence itself, however, does not mean that the defendant will not be convicted. In this regard, Direction 21 of the Specimen Directions in Jury Trials issued by the Hong Kong Judiciary provides that “circumstantial evidence can be powerful evidence, indeed, it can be as powerful as, or even more powerful than, direct evidence”.

The fact-finder of the trial (i.e. the jury or the trial judge) are also entitled to draw inferences “to infer the existence of other facts” but can only do so if the “inference is the only reasonable inference to draw from the proved facts”.

The importance of inference can be illustrated in the case of *HKSAR v Tong Wai Hung & Others* [2020] HKDC 588. The prosecution accepted that they did not have any direct evidence at all to prove that the 1st and 2nd defendants were present at the scene of the riot (i.e. Des Voeux Road West) [102-103]. Instead, the prosecution argued that there was strong circumstantial evidence that indicated the 1st and 2nd defendants directly participated in the riot in Des Voeux Road West and later escaped to an alleyway nearby. The following circumstantial evidence was relied on by the prosecution:

- (1) CCTV footage indicating the defendants’ presence in an alleyway near Tung Chi Commercial Centre (“the Alleyway”);
- (2) the equipment and clothing of the defendants;
- (3) the defendants’ demeanor and behavior in the said CCTV footage;
- (4) the defendants were fleeing in Sai Yuen Lane.

As such, it became the trial judge’s task to determine whether or not the only reasonable inference of circumstantial evidence relied on by prosecutions was that the 1st and 2nd defendants participated in the riot on Des Voeux Road West.

The trial judge’s ruling on the aforementioned circumstantial evidence is a good illustration on the court’s approach towards inference.

The prosecution sought to argue that as the CCTV footage indicated that the 1st and 2nd defendants first appeared in the Alleyway just when a large number of protesters entered Ki Ling Lane, a nearby road

connecting the Alleyway, from Des Voeux Road West. As no other footage showed that the 1st and 2nd defendants entered the Alleyway from other directions, the prosecution submitted that it was reasonable to infer that they had participated in the riot on Des Voeux Road West.

Such submission was rejected by the trial judge. He accepted the defence's submission that relevant CCTV footage did not show that the 1st and 2nd defendants were among the protesters who rushed from Des Voeux Road West to Ki Ling Lane. Given that the 1st and 2nd defendants could have entered the Alleyway from many other locations, the trial judge ruled that prosecution's above assertion was mere speculation instead of the only reasonable inference.

The prosecution also argued that given that the clothing of and equipment carried by the 1st and 2nd defendants matched those of the protesters, the court should rule out the possibility that they were merely bystanders. The court in *Tong Wai Hung* recognized that the protesters of the Anti-ELAB Movement did not belong to a particular group or organization and that they did not have standardized uniform or equipment. The trial judge recognized that "the court should exercise caution and avoid making adverse inference to the 1st and 2nd Defendants who wore black clothing or held equipment in black" simply because some portion of society label protest activities and protesters as "black violence" or "rioters in black". The trial judge further stressed in [119] that the court would disregard the labelling effect of clothing and focus on the acts of the defendants.

First-aid supplies were also found on the 1st and 2nd defendants. The trial judge, rejecting the prosecution's contention that such supplies reinforced the conclusion that they participated in the riot, ruled that there was a reasonable possibility that the 1st and 2nd defendants were present at the scene at first-aiders. The trial judge further raised another possibility that the 1st and 2nd defendants could be assisting any person

at the scene. At such, it could not be shown that the only irresistible inference was that the 1st and 2nd defendants had intention in common with the protesters.

As there are other reasonable inferences regarding the 1st and 2nd defendants' appearance near the scene, the court held that defendants' demeanor and behavior were of less evidential value. As for the fleeing of the 1st and 2nd defendants, the fleeing point failed due to similar logic as the judge concluded that there were other reasonable inferences to explain why the 1st and 2nd defendants were rushing away from the arresting police officers.

The court's approach indicates a large degree of uncertainty as to whether or not the defendants will be convicted of the public order offences. While there is no dispute that the decision of each case will depend on its circumstances, the sole reliance on inference could create different result subject to the determination of different judges. While the judge in *Tong Wai Hung* ruled that black clothing was insufficient to draw adverse inference, Magistrate Cheng Lim Chi Andy in *HKSAR v Siu Ho Yin & Ors* [2020] HKMagC 11 invoked the clothing (e.g. white hamlet and plastic wraps around the legs) and equipment, including a respirator, of the 4th defendant to infer that she must have participated in an unlawful assembly on Nathan Road. And in the case of the 10th defendant, even the act of wearing a black scarf was taken into account by the Magistrate to infer her guilt.

It is entirely possible that the Court of Appeal or the Court of Final Appeal will laid down guidelines on how inference should be drawn in cases without direct evidence of the defendant's participation in the unlawful assembly and/or riot. As of now, however, how such inference will be drawn will largely depend on the facts of the case and, to a certain extent, the determination of the trial judge.

4.2. *Different Degree of Participation*

As a result of the strong solidarity amongst the moderate and radical flanks, the protesters will have different levels of participation even during the same protest. The courts have been repeatedly affirmed that the conduct of the defendant should not be looked at in isolation. In this regard, the Hong Kong courts frequently cited the ruling of LJ Sachs in *R v Caird and others* [1970] Cr App R 499:

“Any participation whatever, irrespective of its precise form, in an unlawful or riotous assembly of this type derives its gravity from becoming one of those who, by weight of numbers, pursued a common and unlawful purpose. ... In the view of this court, it is a wholly wrong approach to take the acts of any individual participator in isolation. They were not committed in isolation and, as already indicated, it is that very fact that constitutes the gravity of the offence.”

Caird has been applied in *HKSAR v Leung Tin Kei* (HCCC 408/2016) and recently in *HKSAR v Sin Ka Ho* [2020] HKDC 337. In *Sin Ka Ho*, the defendant pleaded guilty to taking part in a riot outside the public entrance of the Legislative Council Complex on 12th June 2020, a landmark date of the Anti-ELAB movement. A J Woodcock J, when deciding the culpability of the defendant, also took account of scene leading up to the riot. As such, she concluded that “the violence was large in scale and very serious” and that “it can be seen to escalate”. Following the approach of the Court of Appeal in *Wong Chi Fung*, the trial judge stressed, at [44], that deterrence was the supreme sentencing principle and that “a deterrent sentence will reflect the fact that the defendant joined in an attempt to overpower police performing protective duties”. As such while “it is not an inconsiderable task to

impose a punitive and deterrent sentence on a young man with a previous good character”, the judge stressed that “mitigation and personal circumstances are not mitigating factors of any significant weight”.

In essence, once all elements of the offences have been proven against an accused, his or her individual act(s) during the unlawful assembly or riot is not that significant when it comes to sentencing. In *HKSAR v Tang Ho Yin* [2019] 3 HKLRD 502, a case relating to the Mongkok Riot in 2016, the Court of Appeal affirmed: “firstly, the gravity of the offence of riot is not to be judged merely by what the individual did (or did not do), but by what the group to whose number he lent his support did; secondly, the offence may be aggravated by the commission of other crimes during the course of the riot; thirdly, those who resort to the company and association of others in order to inflict widespread violence and destruction must be strongly deterred”. The court’s view is that once the accused has been ruled to be in support of the disorderly event, his degree of participation will not be relevant at all. The relevant considerations as stated in *HKSAR v Yeung Ka Lun* [2019] 1 HKC 296 would be:

- (1) the number of offenders;
- (2) the nature and level of violence;
- (3) the duration of the offence;
- (4) the nature and extent of the nuisance caused to the public; and
- (5) the damage done to society.

The sentencing principles above have been applied in cases relating to the Anti-ELAB Movement. Besides *Sin Ka Ho* above, H.H. Judge AJ Woodcock also gave similar judicial reasonings in *HKSAR v Leung Pak Tim & Ors* [2020] HKDC 838. *Leung Pak Tim* concerns the incidents

outside the Sha Tin Town Plaza on 14th July 2019. Police officers were injured when attempting to clear the protesters inside the shopping centre. The court similarly held at [72] that it was a “wholly wrong approach to take the acts of any individual participator in isolation”. The court’s view was that the number of protesters “gave them support and encouragement from being together with so many to riot”. As such, all protesters were “equally culpable”. The Court, at [62] echoing *Caird*, proclaimed that it was “the sheer number with the defendants that gave them support and encouragement from being together with so many to riot”

It is worth nothing that the court in *Sin Ka Ho* at [48] considered the event outside the Legislative Council Complex more serious than the Mongkok Riot in 2016. The court held that the appropriate starting point for taking part in the riot was 6 years. And in *Leung Pal Tim*, the Court stressed that a deterrent sentence was imposed to reflect that the riotous conducts took place in a public place and that there were “direct attacks on police officers holding a shield”.

While the lower courts closely followed the CA’s updated sentencing principle in *Wong Chi Fung* and frequently imposed deterrent sentences in unlawful assembly and riot cases, one aspect of the CFA’s judgement in *Wong Chi Fung* is seldom discussed. The CFA, while endorsing the updated sentencing principles be the Court of Appeal, also stressed at [125] that “culpability of the offender may vary depending on his degree of participation in the unlawful assembly and the violence in question”. Their Lordships, drawing on Tang PJ’s dictum in *Chow Nok Hang*, further remarked that a “distinction must be drawn between a participant in an unlawful assembly who remains peaceful and one who himself engages in or encourages violence”.

As such, contrary to the lower court rulings, it appears that there will be situation in which the individual act of the defendant will be

relevant in determining his or her culpability. Besides considering the relevant factors as stated in *Yeung Ka Lun* regarding the nature of the unlawful assembly or riot, the CFA left open a possibility where a peaceful participant's culpability will be differently considered.

As for the reason why the CFA's dictum above is seldom applied to any of the unlawful assembly or riot cases in connection with the Anti-ELAB Movement, it can be argued that the defendants in *Sin Ka Ho* and *Leung Pak Tim* all admitted to having participated in some forms of disorderly conduct. As such, they cannot be considered as participants who remained peaceful.

However, case law has indicated that the prescribed acts under sections 17 and 18 of POO can be widely constructed. In *HKSAR v Mok Ka To* [2018] HKDC 225, H.H. Judge K.H Kwok held that moving in an intimidating manner could be counted as the individual activity in furtherance of the riot. More importantly, by being in the scene of riot, the defendant would be considered as taking part in a riot by supporting and/or encouraging others to participate in the riot. In other words, as long as the court considers that the conduct of the defendant can embody, encourage and reinforce the acts of other protesters, they will have the same degree of culpability as the so-called "violent protester".

In *Secretary for Justice v CMT & Anor* [2020] HKCA 939, a case concerning two defendants who were both 14-year-olds, the CA allowed the SJ's review of sentence and imposed sentences that would leave criminal records on the defendants. It is worth nothing that the Magistrate at the lower court did rule that the two defendants were relatively passive during the protest and were never seen doing violent acts. As such, applying Tang PJ's dictum in *Chow Nok Hang*, the Magistrate considers that the level of participation of the two defendants were "more akin" to protesters who remained peaceful in an unlawful assembly.

The CA disagreed with the Magistrate's finding. Poon CJHC stated that such finding was "flatly contradicted by evidence" as both defendants were seen in the front, one of them "used an umbrella to shield other protesters" and another "gave hand signals to the protesters behind him, gesturing to them to halt or back off". As such, CA held that the Magistrate's reliance on *Chow Nok Hang* dictum, and to a certain extent, the CFA's dictum, was misplaced as his finding on the defendants' level of participation was plainly wrong.

While the CFA's approach in differentiating the level of participation of protesters has not been rejected, the case of *CMT* indicates that such principle will only be applied in narrow circumstances. Given the courts' readiness to identify conduct that will embody, encourage and reinforce the acts of other protesters, it is extremely difficult for a protester to be considered as peaceful during an unlawful assembly.

5. Conclusion

The Hong Kong Court in the past has stressed that it had no interest in taking a political stance. The CFA in *Wong Chi Fung* (2018) stressed that its role was to "administer the law of the HKSAR, including the Basic Law, and to adjudicate on the legal issues raised in any case according to the law" instead of engaging in a political debate. The Court proclaimed: "In reaching a decision in any given case, a court exclusively applies the applicable legal principles to the relevant facts and thereby reaches a decision on the appropriate disposition of the case, explaining its reasons in its judgment. That is the sole task of this Court in these appeals."

That being said, the Court is well aware of the implication of its judgements on Hong Kong society. As demonstrated by the discussion

above, once the court ruled that the defendant is guilty of the public order offences, there is little room for mitigation. The political implication is that the Court considers that imposing deterrent sentence on young defendants with previous good character is essential to uphold public interest.

In *HKSAR v Yeung Ka Lun* [2018] HKCA 146, a case in which a university student was convicted of riot and arson during the Mongkok Riot in 2016, the Court of Appeal remarked:

“Impose a long custodial sentence on a young person is a tragedy on himself, his family and even society [as a whole], but this court must curb the criminal activities, as shown in this case, that disregard the law, public order and law enforcement officers.”

H.H. Judge AJ Woodcock in *Leung Pak Tim* shares the same degree of compassion towards the young defendants by stating: “It is not an inconsiderable task to impose a punitive and deterrent sentence on young men and those with previous good characters but this present case requires me to give proper weight to public interest.”

In making the determination above, the court has consistently made it clear that once the protesters become involved in violence or the threat of violence, the court will be perfectly entitled to impose legal sanctions on them. Poon JA remarked in CA’s decision in *Wong Chi Fung*:

“For the general public, preserving public order helps create a safe and stable social environment to enable individuals to exercise their rights (including human rights of which the freedom of assembly and expression is one), express their views and pursue their goals. In fact, the above-mentioned rights themselves will be lost in a situation of anarchy if public order is not preserved. That is exactly the rationale

underlying Article 17 of the Hong Kong Bill of Rights in only safeguarding peaceful assembly: the legal protection of the right of assembly is effective only in a society where public order is preserved. Because preserving public order is so important to the society and the general public, the law must always remain vigilant to ensure that public order in Hong Kong is not under threat.”

It is worth noting that the Court did not address the underlying causes behind the Anti-ELAB Movement. Hong Kong courts has repeatedly avoid taking a political stance as indicated by the discussion above. In an unprecedented statement, Chief Justice Ma warned judges and judicial officers against “unnecessarily expressing in public, including in their judgments, any views on matters that are controversial in society or may come before the courts for adjudication”.

That being said, it can be argued that the Court is operating under the presumption that Hong Kong citizens still fully enjoy the constitutional rights and freedoms. The protesters of the Anti-ELAB Movement do not echo such views. The two parties are operating under different sets of presumptions.

Observers such as Yap (2007) pointed out that the CFA will defer to the Central People’s Government when deciding cases that concern the validity of National People’s Congress Standing Committee. Further, Yap (2019) argued that by genuflecting to Beijing’s core interest, the Hong Kong Court “gained political space to rule decisively against the HKSAR government on constitutional issues of vital significance in Hong Kong” which does not affect Beijing’s interest.

And yet, there is evidence that such political space maybe diminishing. Pro-Beijing legislators criticized the decisions to acquit the defendants in public order cases and there have been calls for judicial reform. It is anticipated that the Hong Kong courts will be in a

difficult position. As cases relating to the Anti-ELAB Movement reach the higher courts, the way the Hong Kong courts develop the case law on unlawful assembly and riot will definitely be viewed as their response to the Movement itself and, to a larger extent, the increasingly polarized political climate.

Notes

- ⁺ The law discussed in this paper is rapidly developing. The contents of this paper cannot be relied on as legal advice.
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1. 「光復香港，時代革命」三年後響遍香港 梁天琦在囚車裡聽得見 [“Liberate Hong Kong, Revolution of the Times” resounded throughout Hong Kong three years later, Leung Tin-kei could hear it in the prison car]. (Reported by 莊曉彤。) *CitizenNews* (眾新聞), 9th October 2019 (updated 10th October 2019). <<https://www.hkcnews.com/article/24070/梁天琦-旺角衝突-光復香港,時代革命-24078/>「光復香港，時代革命」三年後響遍香港-梁天琦在囚車裡聽得見>

2. Hillary Leung (2019). Edward Leung. *Time* (TIME 100 next 2019). <<https://time.com/collection/time-100-next-2019/5718822/edward-leung/>>
3. *MTR Corporation Ltd v. Persons Unlawfully and Willfully Obstructing or Interfering with the Proper use and operation of the Railway as defined in the Mass Transit Railway Ordinance (Cap 556) & Ors.* [2019] 4 HKLRD 446.
4. *Airport Authority v. Persons Unlawfully and Willfully Obstructing or Interfering with the Proper use of the Hong Kong International Airport* [2020] 5 HKLRD 483.
5. *Kwok Wing Hang and 23 Ors. v. Chief Executive in Council & Anor.* [2020] HKCFA 42.
6. *HKSAR v Leung Tin Kei* [2018] HKCFI 2715 at [78].
7. *R v To Kwan Hang* [1995] 1 HKCLR 251 at p. 254.
8. *HKSAR v Chow Nok Hang* (2013) 16 HKCFAR 837 at p. 849.
9. *Secretary for Justice v Leung Kwok Wah* [2012] 5 HKLRD 556, p. 573.
10. Note 3 at [73].
11. *Ibid.* at [73].
12. See *HKSAR v Leung Chung Hang Sixtus* [2020] HKCFI 2401.
13. *R v Howell* [1982] QB 416, p. 427.
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Emerging Issues in Policing in Asia: Civil Unrest in Hong Kong in 2019

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Abstract

The prolonged protests in Hong Kong since June 2019 have drawn the attention of international media to China's Hong Kong Special Administrative Region. Reports and commentaries on policing episodes in Hong Kong have appeared in the headlines of most well-circulated newspapers. This article examines news databases and identifies three major policing issues to which scholars of Asia have turned their attention. First, the issue of police legitimacy and accountability has emerged following the dramatic drop in public trust towards the Hong Kong police. What legitimises a law enforcement unit in the eyes of the public, and what delegitimises it? How does it lose public confidence? Second, the issue of protest management has gained urgency due to the increasing frequency of territory-wide police–protester confrontations. How do we assess protest/riot policing strategies? What insights can we gather from the dynamics in Hong Kong? Third, the issue of the criminal justice system is becoming increasingly complicated. How should we understand arrests and prosecution in light of the debates over the possible “way outs” of this saga? Are they characteristic of the criminal

justice system in Hong Kong? This article provides preliminary answers to these frequently asked inquiries and suggests avenues of further research on Asian policing.

Keywords: *policing, Hong Kong, civil unrest 2019, Asian policing*

1. Introduction: Hong Kong Civil Unrest and Studies of Policing in Asia

Historically, policing in Asia has not attracted much attention from scholars in the Eurocentric discipline of policing studies. This limitation is due to language barriers and information inaccessibility (Wong, 2010; 2011). The civil unrest in Hong Kong in 2019 has generated public and scholarly interest. Comparative studies of policing can help us understand the regimes and socio-cultural characteristics of Asian countries that inherited the legacies of colonialism in the 20th century.

The saga in Hong Kong in 2019 was triggered by a proposed bill that was tabled by the government that had sought to amend the arrangement for the extradition of “fugitive offenders” in Hong Kong. Under the “One Country Two Systems” principle, the Hong Kong Special Administrative Region (HKSAR) has an independent immigration policy and a high degree of autonomy. Hong Kong is a single legal jurisdiction that practices the common law system it inherited as a British colony. Taiwan’s jurisdiction adopted continental legal system, and Macau, another SAR, inherited the Portuguese continental law system. In mainland China, the PRC legal system and the code of laws do not align with the abovementioned legal entities, though all are composed of ethnic Chinese populations. The situation is complicated by the factually asymmetrical power relation between the governments of Beijing, Hong Kong and Macau. In accordance with the

Constitution of the People's Republic of China (PRC) and the Basic Law of the HKSAR, "One Country Two Systems" guarantees that Hong Kong can enjoy a high degree of autonomy, as Hong Kong people have administered Hong Kong since the handover in 1997. The 2019 unrest in Hong Kong has brought attention to several topics on policing research of intellectual and practical value. The topic of police management includes personnel alignment and training, psychological well-being, stipends and incentives, and disciplining officers. Police–community interaction touches on the oversight mechanism, community policing initiatives, propaganda, and media relations.

Policing in Asia should be considered academically significant, but it remains under-researched for several reasons. Both academics and practitioners tend to make assumptions about policing in Asia, but most of their notions are inaccurate. While they believe that an informed, in-depth analysis of policing in different jurisdictions is essential and would facilitate intellectual debates over governance, their discussions of democracy and liberty over-generalise in the context of Asia. Researchers and observers suggest the importance of historical legacy on the transformation of the policing system in Asia; however, they tend to view policing in Asia according to the rubrics of "authoritarian" or "democratic" systems developed in Western democracies. This kind of dichotomised analysis over-simplifies the reality. Some democratic policing features, indeed, reflect the aims of traditional "authoritarian regimes" as defined in the policing literature. However, overt state coercion and the infringement of civil liberties also appear in democratic policing in Asia.

Several aspects of the literature have kept scholars from comprehensively understanding the organisational features of policing systems in Asia. Some studies have been too "thematic", concentrating on the discussion of very specific dimensions of policing or criminal

justice systems. Others have been too descriptive at the expense of in-depth comparisons of policing systems across the continent. In the last decade, more scholarship on Asian policing has been published, particularly in the context of two offshore Chinese societies, Taiwan and Hong Kong. Martin (2019) and Cao *et al.* (2014) researched the transformation from authoritarian to democratic policing in Taiwan. Ng and Wong (eds.) (2017) and Wong (2019) analysed policing protests in the era of China's Hong Kong SAR. However, the discourse on policing in other Asian jurisdictions has been confined to government and politics, only touching on policing issues.

Treating the 2019 Hong Kong saga as an entry point, this article highlights policing issues that have attracted international attention. In the context of Hong Kong, we investigate three issues commonly addressed in policing studies: police legitimacy and accountability, protest policing, and policing and the criminal justice system. We discuss the dynamics in Hong Kong since mid-2019 and use the specifics of the case to better understand the study of Asian policing. Language barriers, the inaccessibility of data, and a lack of urgency have resulted in a dearth of comprehensive academic accounts of research on policing systems and issues in Asian nations. The integration of socio-economic relations and growing human mobility have gradually increased international concern, and scholars are reaching the limits of the Eurocentric discourse when seeking to understand Asian policing issues. In the conclusion, we propose dimensions that need further research.

2. Research Methods

This study moves away from the issue-based approach with the aim of conducting a “helicopter” review of the policing agenda that drew the

attention of researchers and practitioners to Hong Kong in 2019. Two rounds of content analysis were conducted. First, we examined the featured articles and analyses of Hong Kong 2019 in several well-circulated English-language newspapers. Two key databases, ProQuest and Wisenews, were examined. The former covers Western newspapers, and the latter covers local Hong Kong newspapers. All the articles were retrieved and categorised according to themes.

Our search then moved into an analysis of the prevailing academic research. We searched scholarly databases and indexed journals to retrieve published papers on policing topics in the context of Asia. Our keyword searches included “policing”, “legitimacy”, “policing system”, and “Asia”. The majority of articles came from two journals: *Policing and Society: An International Journal of Research and Policy and Policing: An International Journal of Police Strategies & Management*. Both are listed in the Social Science Citation Index (SSCI) and are specialty policing journals. Thus, they had the most police research output. We also searched the recommended journals and reference list of each eligible study to ensure relevant studies not retrieved in the original search were ultimately included. We focused on a study by Kim, Lin and Lambert (2014), which adopted an extensive content analysis of policing issues in East Asia, to gather data for the present study. After manually screening the article titles and abstracts, we arrived at a total of 18 relevant articles. The selected articles concerned the systems, structures and blueprints of policing rather than other aspects of criminology. Six of the articles were about police legitimacy, none related to protest management, and twelve concerned policing systems in Asia.

Articles and reports from either database were only included in the analysis if they used the keywords “Hong Kong police” from early June to late December 2019. The newspaper articles had to explicitly cover issues relating to the legitimacy, policing systems, or protest

management strategies of the Hong Kong police. The search identified more than 200 reports about the Hong Kong police, the majority of which focused on the mobilisation of the protests: distrust towards the police and the counterinsurgencies of the HKSAR government. Fourteen articles were retained after the exclusion of items discussing unrelated themes. Of these, seven reported on police legitimacy, covering the injustice process of testimony recording without a lawyer present, and seven examined protest management, such as allegations of the improper use of teargas. Our hope was that the findings would show the “universality” of policing while also highlighting the “uniqueness” of Asian policing. This topic should not be taken for granted, and scholars should not assume that policing in Asia merely replicates or continues the systems of their former colonial sovereign masters.

Currently, most comparative studies of policing are issue-oriented, and the investigators commonly adopt behavioural approaches to generalise their findings. The discussion tends to disregard the impact of geopolitics on policing behaviour. This study aims to report the main arguments in the current discourse on the three areas of policing that emerged from the summer uprisings in Hong Kong 2019: police legitimacy, protest policing strategies, and policing systems.

One limitation of performing a content analysis of the two selected journals is that some research might be missing. Nevertheless, in this exploratory study we aim to provide a systematic assessment of trends in the popular and scholarly literature on policing in Asia. We do not intend to evaluate or explain policing empirically.

3. Findings

3.1. Prevailing Commentaries and Reports on Policing Issues

We found that the primary concern of international media coverage concentrated on the question of the legitimacy and accountability of the Hong Kong police. Articles and commentaries asked, “Who were the police working for?” The coverage included much discussion on “police brutality” and suspicions of mainland police personnel involvement in the policing operations. There were in-depth debates on police accountability both internally among the hierarchy and commandship of the Hong Kong police and externally among Hong Kong citizens. Another important reporting topic concerned protest management strategies. Reporters questioned how and why the police responded to the protesting, or “rioting” scenarios. They wanted to know whether the police reacted with proportionate and necessary levels of force. The final domain did not receive any scholarly attention, but it is academically and practically significant. Policing and the criminal justice system in Hong Kong are deployed for internal security control, and the public should ask how the units are managed and operate on a daily basis. Likewise, how are the arrestees treated, and can the police (government) and citizens find reconciliation under the current criminal justice system of Hong Kong?

To compare the commentaries on police legitimacy and accountability and protest management strategies, we selected three editorial news articles on the policing system. Table 1 presents the information covered in the commentaries. The commentaries are organised according to dimensions of policing issues. In ProQuest, we found that US-based newspapers published most of the commentaries on police legitimacy and protest management, while the dimension of the policing system received less attention.

Table 1 Commentaries on Policing According to the Three Topic Areas*Police Legitimacy*

	Source	Author	Title	Argument Relating to the Key Concern
1	<i>The New York Times</i>	Karen Cheung	Living in dark mode	The prolonged use of tear gas has affected not only protestors but ordinary citizens.
2	<i>The New York Times</i>	Audrey Eu	Can Hong Kong's court save the city	Hong Kong authorities' use of force cannot be justified regardless of the protesters' escalating violence.
3	<i>The New York Times</i>	Joshua Wong and Alex Chow	The people of Hong Kong will not be cowed by China	Although the Hong Kong police force has repeatedly abused its power and used excessive force, protesters will keep participating in this ongoing mass movement.
4	<i>The New York Times</i>	Roger Cohen	The 'infinity war' in streets of Hong Kong	The protests in Hong Kong are ongoing. Mainland paramilitary police may try to infiltrate.
5	<i>Financial Times</i>	Jamil Anderlini	Beijing will have its revenge on Hong Kong	The government and police struggled to control the protests. However, neither the protesters nor China can back down.
6	<i>The London Free Press</i>	Gwynne Dyer	Hong Kong protesters pushing for reforms China will never allow	China will never compromise on protesters' demands, and the Hong Kong police will ultimately serve the interests of the Chinese government.

Table 1 (Continued)***Protest Management Strategies***

	Source	Author	Title	Argument Relating to the Key Concern
1	<i>The New York Times</i>	Louisa Lim	The battle for Hong Kong is being fought in Sydney and Vancouver	Chinese government treats social media as a weapon, and the police are targeting those who try to livestream the protests and foreign media.
2	<i>The New York Times</i>	Stéphanie Giry	The extraordinary power of Hong Kongers' solidarity	The police did not stop the protesters from breaking into the LegCo, implying the government wanted it to happen.
3	<i>The Wall Street Journal</i>	The Editorial Board	China's Hong Kong crisis	Police deny granting permits for protests or marches routinely, leaving few legal ways for people to express their resentment.
4	<i>The Guardian</i>	Avery Ng	Hong Kong has declared war against its young people	The police stormed into university campuses and employed lethal tactics, such as using live ammunition, on protesters.
5	<i>The Wall Street Journal</i>	The Editorial Board	Beijing moves on Hong Kong – Police arrest democracy advocates and deny permits to march	Police arrested many pro-democracy activists and lawmakers, under the order of the chief executive.
6	<i>The Times</i>	Leading Article	Beijing should rule out the use of force in quelling the demonstrations	The police adopted a range of tactics to arrest protesters, such as storming into the railway carriages, firing teargas into closed spaces, and using facial recognition technology to track suspects.

Table 1 (Continued)***Policing System***

	Source	Author	Title	Argument Relating to the Key Concern
1	<i>The Guardian</i>	Editorial	The Guardian view on Hong Kong: policing the crisis	Instead of the frontline officers, police commanders should bear the responsibility for the brutal treatment of protesters due to their failure to impose discipline on police who are out of control.
2	<i>The Guardian</i>	Editorial	The Guardian view on violence in Hong Kong: an attack on the idea of democracy	The police failed to address the Yuen Long incident despite their large numbers.
3	<i>The Wall Street Journal</i>	Jillian Melchior	Meet the Hong Kong lawyers working to keep protesters free	Arrested suspects are being pressured by the police to make statements without the presence of a lawyer.

3.2. Prevailing Academic Discourses on Policing Issues

Another focus of this study is the coverage of policing in Asia by academics. We adopted content analysis to examine the topic areas. The 18 selected articles on policing in Asia were published from 2001 to 2012. In general, the studies were few compared with the number focusing on European or American contexts. Table 2 presents the numbers of articles on the three major themes by continent.

Table 2 The Number of Studies Conducted in Each Continent

Continent*	Topic 1: Police Legitimacy	Topic 2: Protest Management	Topic 3: Policing System	Total
Asia	6	0	12	18 (6.2%)
Europe	55	19	64	138 (47.2%)
America	41	10	54	105 (36.0%)
Africa	14	2	15	31 (10.6%)

Note: N = 292.

* To locate articles on policing issues in Europe, North America, and Africa, we searched *Policing and Society: An International Journal of Research*. Search terms included police legitimacy, protest management, policing system, Asia, Europe, America, or Africa.

Most articles focused on Europe (138 out of 292, 47.2%), especially the United Kingdom, Ireland and the Netherlands. Many considered North America (105 out of 292, 36.0%), especially the United States, Canada and Mexico. The studies conducted in Asia comprised only 6.2% of the findings.

3.3. Police Legitimacy and Accountability

We reviewed six articles directly related to the theme of police legitimacy in Asia. Their contexts included Thailand, Cambodia, Japan and Hong Kong. Half of the articles examined how police legitimacy is affected by macro- and micro-factors in Asian countries (Boateng and Buckner, 2019; Jackson *et al.*, 2014), factors in protest policing (Hui and Au, 2014), and police responses to anti-government protests

(Sombatpoonsiri, 2017). Table 3 demonstrates the categorisation of the articles.

Table 3 Articles on Police Legitimacy in Asia

Article	Author	Year	Country/ Region	Article Type	Journal
1	Boateng and Buckner	2019	Asia	Factors	<i>Policing and Society: An International Journal of Research and Policy</i>
2	Broadhurst and Bouhours	2009	Cambodia	Public perception	<i>Policing and Society: An International Journal of Research and Policy</i>
3	Sombatpoonsiri	2017	Thailand	Factors	<i>Journal of Asian Security and International Affairs</i>
4	Hui and Au	2014	Hong Kong	Factors	<i>Asian Education and Development Studies</i>
5	Jackson <i>et al.</i>	2014	Pakistan	Public perception	<i>The British Journal of Criminology</i>
6	Tsushima and Hamai	2015	Japan	Public perception	<i>Journal of Contemporary Criminal Justice</i>

A quantitative study conducted by Boateng and Buckner (2019) in 28 Asian countries confirmed the influences of macro- and micro-factors on police legitimacy. At a country level, democracy and peacefulness showed a significant positive link with legitimacy. In contrast, institutional corruption and terrorism demonstrated a negative relationship. It was also found that micro-level indicators such as media exposure, coverage of the police and police portrayals in the movies impacted police legitimacy. Studies focusing on specific countries or

cities examined the interplay between many features of the locations and police legitimacy. For example, polarisation of society could hinder the sustainability of police legitimacy in Hong Kong (Hui and Au, 2014) and police reactions and responses to anti-government protests influence police legitimacy in Thailand (Sombatpoonsiri, 2017).

Half of the articles focused on public perceptions of policing practices and legitimacy, examining how people view the police in a post-conflict era (Broadhurst and Bouhours, 2009) and people's confidence and belief in police legitimacy (Jackson *et al.*, 2014). Broadhurst and Bouhours (2009) found that despite a decline in the crime rate in Cambodia, confidence in the police did not improve. Cambodians expected more professional community-oriented policing practices. They also found that people in rural areas had less trust in the police than did people living in urban areas.

The findings of this content analysis indicate that the area of police legitimacy remains understudied in Asian countries. Few studies directly discussed police legitimacy. The remaining studies focused on the accountability and effectiveness of police. The antecedents of police legitimacy are unknown in the Asian context. The content analysis results also demonstrate that most extant scholarship considered one of two areas of police legitimacy, reflecting a need for more substantial contributions. Studies on police legitimacy in Western societies have investigated a variety of issues, such as the enhancement of police legitimacy, the role of community policing, and the importance of legitimacy to the police. There is a need to advance the area of police legitimacy in Asia and pay more attention to different dimensions of police legitimacy. There is a need for more empirical evaluations of whether the practices and perceptions of police legitimacy differ among countries.

3.4. Policing and the Criminal Justice System

Among the 12 articles on the policing system, 4 distinctive topics emerged. First, the topic of characteristics or context discussed the role or ideology of the policing system. The second topic included policing strategies (community policing and arrest strategies) and the third concerned the impact of officers' perceptions of the system and their implications. The fourth topic involved the evaluation of a specific system or mechanism. Table 4 shows the data from the articles covering the area of policing systems. The most common topics concerned characteristics (33.3%) and policing strategies (33.3%).

The most frequent topic among the 12 articles on policing systems in Asia was policing strategies (33%). It included factors on the functions of the criminal justice system and the philosophy behind the community policing strategy. Three studies discussed community policing in China or Hong Kong, and one investigated police arrest strategies. Wong (2001) and Chen (2002) investigated the philosophy, principles and practices of the systems of social regulation and crime control in China. They argued that the uniqueness of the Chinese policing style was due to mass participation and cooperation in crime control, which differs from typical Western practices. Lo and Cheuk (2004) discussed the contexts, arrangement and performances of community policing strategies in Hong Kong. Another article discussed the influences of political and economic structures on the functioning of the criminal justice system and arrest strategies in China (Zhang and Liu, 2004); in particular, the authors found that social positions significantly impacted the swiftness of police action because of China's official-centred culture.

Table 4 Articles on Policing System in Asia

Article	Authors	Year	Country/ Region	Article Type	Journal
1	Prateepornnarong and Young	2019	Thailand	Evaluation	<i>Policing and Society: An International Journal of Research and Policy</i>
2	Cao, Huang and Sun	2016	Taiwan	Characteristics	<i>Policing and Society: An International Journal of Research and Policy</i>
3	Lo	2012	China and Hong Kong	Characteristics	<i>Policing and Society: An International Journal of Research and Policy</i>
4	Wong	2010	Hong Kong	Evaluation	<i>International Journal of Comparative and Applied Criminal Justice</i>
5	Martin	2014	Taiwan	Characteristics	<i>Crime, Law and Social Change</i>
6	Nalla and Mamayek	2013	Asia	Characteristics	<i>Police Practice and Research: An International Journal</i>
7	Wong	2001	China	Policing strategies	<i>Police Quarterly</i>
8	Zhang and Liu	2004	China	Policing strategies	<i>Policing: An International Journal of Police Strategies & Management</i>
9	Chen	2002	China	Policing strategies	<i>Policing and Society: An International Journal of Research and Policy</i>
10	Lo and Cheuk	2004	Hong Kong	Policing strategies	<i>Policing: An International Journal</i>
11	Chiu	2012	Hong Kong	Evaluation	<i>Policing: An International Journal</i>
12	Lee, Kim and Kim	2010	South Korea	Perception and impact	<i>Policing: An International Journal</i>

Four articles focused on the context and characteristics of policing systems. Martin (2014) compared the police ideology and cultural qualities of policing in Taiwan with those of the United States, Britain and France. Martin found that in Taiwan, police emphasise “policing through virtue”. Another study on Taiwan policing examined its role and characteristics before and after the lifting of martial law in 1987. The authors contrasted the role of the Taiwan police in three dimensions: political neutrality, democratic control and social impartiality (Cao, Huang and Sun, 2016). The third article focused on the changing policing context of China and Hong Kong. The authors examined how mainland China police officers absorbed Hong Kong policing experiences and the implications (Lo, 2012). The last article examined whether democracy guarantees police accountability in Asia (Nalla and Mamayek, 2013).

Articles that evaluated police systems discussed their development, contexts and effectiveness. Critiques of the police complaint system in Thailand were presented (Prateepornnarong and Young, 2019), as well as the prevalence and distribution of police power checking in Hong Kong (Wong, 2011). Chiu (2012) analysed the development, implementation and effects of the performance management system among Hong Kong police officers.

The last article investigated police officers’ perceptions of organisational structures, such as the philosophy, reward system and decentralisation of authority, and the effects of staff opinions on policing practices in South Korea (Lee, Kim and Kim, 2010). The authors found that the decentralisation of authority, system flexibility and reward system did not have an impact on the day-to-day community-oriented policing activity, whereas open-system feedback did appear to have an effect.

The majority of the articles had their studies conducted according to a specific approach and from a micro-perspective. They focused on a specific task, such as community policing strategies, or police arrests rather than examining law enforcement agencies or organisations as a whole. There is little research from a macro-perspective on the characteristics and organisational structures of policing systems in Asia. Further comparative research is needed on the practices and systems.

4. Discussion: How Should We Understand the 2019 Hong Kong Saga?

4.1. Police Legitimacy and Accountability

The curiosity of international readers towards the 2019 Hong Kong saga appears to have resulted in a “rapid delegitimization” of the Hong Kong police. It has also aroused researchers’ interest in two aspects of police legitimacy. First, how did the Hong Kong police originally gain public support, given Hong Kong’s colonial past? How did it reform in terms of professionalisation and institutionalisation amid internal resistance? Second, why did it lose its popularity at the beginning of the 21st century? The force’s emphasis on “serving the community” does not appear to have changed in terms of police organisation, operation, or outlook.

The “decay” of the Hong Kong police has been rapid. The drop in police popularity is apparent in public opinion polls, and there are several explanations in Hong Kong society, including the politicisation of the police and the emergence of institutional corruption due to the involvement of mainland Chinese officials. The decline of public trust in the police comes from multiple sources, especially the difference in citizens’ expectations of the police (Ho, 2020a). Citizens’ impressions of

the police are determined by their views on institutional and procedural justice in Western democracies (Tyler, 2004). However, the policing context in Hong Kong is different; citizens stress the importance of the police's ability to maintain law and order. The outcomes of police efforts seem more significant than the process (or procedures). In Hong Kong, the colonial style of policing continues to prioritise internal security, and the colonial Hong Kong police force was not close to the community before the 1970s (Lau, 2004; Jones and Vagg, 2007; Ho, 2020a).

The police rapidly modernised and professionalised after the 1970s, when colonial leaders from Britain introduced structural reforms as part of their social re-engineering exercise following the 1967 riots (Lau, 2004; Ho and Chu, 2012; Ho, 2020b). The Hong Kong police have been marketed as “professional, neutral and accountable” since then. They became fully institutionalised and equipped to manage policing more broadly in the 1980s and 1990s. Better qualified personnel were recruited. Syndicated corruption was substantially reduced after the establishment of the Independent Commission Against Corruption (ICAC). Partial amnesty was granted to corrupted officers, remuneration packages were improved, and operations were restructured. Outlooks improved along with better police communication with citizens and enhanced community policing practices (Junior Police Call, Police News at RTHK). These changes corresponded with the public's demands for a relatively stable society shaped by “law and order”. Citizens pragmatically respected the competence of the force to maintain law and order in the turbulent times before the sovereignty retrocession. “Stability and minimal change” were the key appeals of the public, and in exchange, the people trusted the police.

The leaders in Beijing and London agreed to keep “minimal change” in the sovereignty retrocession of 1997. Beijing highly appreciated the institutionalisation (efficiency and effectiveness) of the

civil service system in Hong Kong in the 1990s. The Hong Kong police did not undergo significant structural changes after the great reforms in the early 1980s. The changes in 1997 concerned the localisation of chief officers, halting the recruitment of expatriate inspectors, the formal dissolution of the “political bureau” within the force, and the introduction of service accountability to the public (which began in 1992; see Ho and Chu, 2012). Doubts about police legitimacy and accountability were relatively infrequent, even during the economic downturn from 1998 to 2003 when the Asian Financial Crisis and SARS affected Hong Kong. In December 2005, when the Hong Kong police dealt with transnational protests for the first time, over 80% of people in Hong Kong supported the Hong Kong police, which is the highest rate on record. Since the 2010s, this relationship has been changing due to the outbreak of the conflict between HKSAR and Central over the autonomous power arrangement (democratisation plan on the introduction of universal suffrage); the integration blueprint, which includes high-speed railways, co-location inspections, land use in new territories, the right of abode controversies over babies of non-local parents; and the smuggling activities of individual travellers from the mainland. Accusations have been directed at government leaders for their failure to place Hong Kong people ahead of Beijing interests. When the legitimacy of the SAR government is doubted by the public, it affects the Hong Kong police. The police are regarded as the frontline agent of the SAR government, and structurally, they are positioned to align with the government. The dynamics of police–community relations have emerged in protesting waves since early 2010. In 2014, 2016 and 2019, the tensions between the police and citizens significantly increased, and the legitimacy crisis of the HKSAR government has accompanied the escalation in confrontation.

4.2. Protest Management Strategies

The second topical point of discussion emerging from the 2019 Hong Kong saga concerns the policing of protests. Several analyses articulated the strategies of protest management, including “escalated force”, “negotiated management” and “selective incapacitation”. They explored the tactical characteristics, rationales, relative strengths and limitations in different districts. They also discussed the evolution and adoption of different jurisdictions over the past few decades. Many questions were asked about how to understand and assess the policing strategies responding to protests and rioting in different neighbourhoods.

We identified no clear-cut strategy for examining the strategies adopted by the Hong Kong police to deal with the street protests arising from the extradition bill since June 2019. The police stuck to the “Negotiated Management” strategy discussed in the scholarly literature on protest management in the early phase of the encounters. “Negotiated Management” refers to an emphasis on pre-protest communication with protest organisers; that is, seeking consensus with organisers on routing, picketing arrangements, gathering, dismissal times, and venues. The main aim is to facilitate the public’s right to “peaceful and orderly” freedom of expression. Many districts, types of confrontations, clashes, and degrees of violence, from verbal assault to arson, have been shown.

The police claimed that they work “professionally, in line with laws, and with greatest restraints in dealing with violent protesters”. They were significantly empowered by the government’s announcement to activate the “Emergency Regulations Ordinance”, which was drafted and passed in the British colonial era and was considered “draconian legislation”. However, some policing episodes have proved highly controversial in the Hong Kong community and have caused public suspicion of the “professionalism” of the police. Suspicious scenarios include raiding shopping malls, arresting protestors in Shatin, retreating

the anti-riot squad from the Legislative Council chamber, delaying actions to the MTR station, and firing tear gas and rubber bullets at protesters from a high position. These events led to a quick drop in the public trust of the police (Lee *et al.*, 2019).

4.3. Policing and the Criminal Justice System

The third dimension that emerged from the 2019 Hong Kong saga was the policing and criminal justice system in Hong Kong. A spotlight fell on the management of arrestees, the prosecution and the proceedings afterwards. Some Asian counterparts were surprised by the low prosecution rate and lengthy litigation process for all cases. Even more were concerned about the possible “way out”. How would the HKSAR constitutional and administrative frameworks resolve the saga that had fundamentally destroyed the trust between the government/police and the community?

Of the 9,216 people arrested in connection with the Anti-Extradition Law Amendment Bill (Anti-ELAB) protests, 1,972 were prosecuted. Six hundred and fifty-three of them were charged with rioting, which can result in 10 years of imprisonment (Hong Kong Police Force, 29th July 2020). Up to June 2020, about 40% were students. A lengthy period of litigation for all cases might stir up more rounds of street confrontation in the coming years. Eventually, some arrestees were not charged, and some were found “not guilty”. Some may interpret the phenomenon as the benevolence of the government in granting “a chance to the minor and juvenile offenders”. Others may consider it an example of the inefficiency of the judicial system, emphasising due diligence and the presumption of innocence in Hong Kong. Others may find it to be evidence of indiscriminate and ungrounded arrests, exemplifying the abuse of power by the police.

The criminal justice system in Hong Kong inherited the concept of the separation of powers. The police force engages in law enforcement, investigation and evidence gathering, which is the “entry stage into the criminal justice system” before forwarding cases to prosecutors to make decisions. Unlike other Asian jurisdictions, where the continental law system is practiced, prosecutors are also responsible for the investigation. Under the common law system in Hong Kong, police have to gather evidence and seek advice from the Department of Justice for prosecution. Before being convicted guilty by the court, suspects have the right to legal representation (Chui and Lo (eds.), 2016).

The disputes have continued, and society remains polarised. Appeals from the community asked that the government consider offering amnesty to juvenile arrestees. However, the authorities immediately rejected them, because doing otherwise would send the wrong message to the public that illegal behaviour does not incur legal responsibilities. However, in late November, the media reported that the government was considering pardoning convicted protesters after the whole judicial process had been followed. However, pro-establishment elites disagreed with the idea, arguing that it would demoralise the police, and contravened Basic Law Article 63, which states that the Chief Executive should not intervene in the criminal prosecution decided by the Secretary of Justice.

4.4. The Way Out: Independent Investigation?

A more pressing concern regards the way out. Both local and international communities have been keen to see how the Hong Kong saga will be settled. Several commentaries have suggested following the experiences of other decolonised or demilitarised regions that have experienced police–community confrontations.

Since the 1980s, the Independent Police Complaint Council (IPCC) has reviewed investigation reports submitted by the Complaints Against Police Office (CAPO), which is part of the Hong Kong police. The mechanism is similar to the civilian oversight model practiced in some Western democracies. It allows non-police practitioners to supervise the investigative work of the CAPO to increase “police accountability” to the public. However, the IPCC is a “toothless tiger”, as it only has limited statutory power and no direct interaction with the complainants or accused. All members are appointed rather than elected from the community. Its capacity to perform a “check and balance” function is highly dependent on the individual motivation of members. If cases are about technical and syndicated offences rather than individual misbehaviour, the “semi oversight” mechanism usually cannot handle them.

There are three more means in addition to the CAPO and IPCC. The Legislative Council has the statutory power to establish an inquiry panel through the Power and Privilege Ordinance. Police have to comply with their requests by providing documentation and presenting as witnesses in the hearing. This has happened in some territory-wide issues, but NOT in policing. It has proved difficult to arrange hearings as pre-establishment lawmakers can reject the resolution to do so.

Another means is the establishment of a Special Commission of Inquiry (COI) following Hong Kong law to investigate the saga. Hong Kong law gives power to the Chief Executive to exercise his or her prerogative to form a panel of appointed members. The Commission has full power to investigate a specific issue. A similar case was the 1966 Kowloon Disturbances Inquiry. Many elites called for the mechanism to investigate the 12th June police operations (and those of 21st July). As this mechanism falls within Hong Kong law, more objective members

(most likely retired judges and well-known professional elites) would gain public confidence and acceptance.

5. Conclusion and Implications for Policing Studies in Asia

This study examined the international news coverage of the 2019 Hong Kong saga. We identified three major dimensions relating to policing that have drawn international concern. We also reviewed the relevant literature in the context of Asia. The organisational features of the policing model in Hong Kong and its evolution from the colonial form into the current form have been questioned in the literature. Another concern is how to understand the “hybridity of the civil and paramilitary model of policing” that operates in the Hong Kong SAR under China’s sovereignty. A key debate concerns the paths toward the legitimisation of the Hong Kong police and that of its delegitimization in 2019. How can police–community relations be “rebuilt”?

The curiosity of the international media has extended to debates over protest management strategies. What are the best tactics for different neighbourhoods? What is the appropriate use of force? Which guidelines should the police follow? Some have wondered whether the 2019 saga in Hong Kong has revealed the “radicalisation” of protesters despite the advocacy of “peace, rationality, and non-violence”. How should the police respond when encountering this type of protest? The Hong Kong SAR government empowered the police and legal authorities by activating the colonial emergency regulations ordinance in September 2019. However, street confrontations and violence have continued. Which reconciliation strategy will restore society to normalcy? What lessons can Asian counterparts learn from Hong Kong?

This article describes patterns in the research and news coverage of policing in Asia. Rather than providing empirical findings, we aimed to

identify the significant issues and trends that have aroused scholarly attention. We began by reviewing reports and commentaries in news databases and the relevant literature on policing in Asia. Three major dimensions were identified: police legitimacy and accountability, protest management, and policing systems. We have presented the arguments within these three streams of research and highlighted their focuses and research objectives. We found that most studies consider European or American contexts. Those focusing on Asia are fragmented and varied, reflecting the scarcity of research on this geographical context. Further, the range of policing issues covered is too narrow. Therefore, we have suggested various future research directions throughout the article to advance the study of policing.

Notes

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Social Strain and Political Dynamics

The 2019 Social Unrest: Revisiting the Pathway of Radicalization in Hong Kong from 2008 to 2012 – An Explorative Approach with General Strain Theory

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Abstract

Hong Kong has experienced an unprecedented social unrest since June 2019, triggered by the introduction of the Fugitive Offenders Amendment Bill by the government of Hong Kong Special Administrative Region. Social unrest involves a tangle of interrelated questions, hence the article's purpose is to provide pioneer criminological perspective to explore and explain the causes and the evolution of right-wing radicalization in Hong Kong context from the year of 2008 to 2012 through the scope of Agnew's general strain theory. Previous researches mainly focused on the relationship between political factors and radicalization; therefore this study aims to revisit the birth and rise of right-wing radicalization in Hong Kong through the lens of socio-economic aspects. It has made a critical step to provide direction and consolidation for future analysis relating to the actual root causes of right-wing radicalization and social unrest in Hong Kong, as it

suggests that the element of high magnitude of stress caused by economic inequality, harsher living environment, degrading quality of life and the increasing socio-cultural tensions and radical right ideological infiltration had created a perfect atmosphere for radicalization and the spread of extremism. Therefore, the theory could be a useful theoretical framework to help researchers to conduct future studies relating to radicalization and social unrest in Hong Kong and to help policy-makers to formulate public policies that focus on addressing strain issues against local citizens.

Keywords: *criminology, general strain theory, strains, radicalization, social unrests, conflict studies*

1. Introduction and Background

Hong Kong has just experienced an unprecedented a year of internal conflict, which was first triggered by the Fugitive Offenders Amendment Bill proposed by the Government of Hong Kong Special Administrative Region (HKSAR). The Bill was about the amendment of the Fugitive Offenders Ordinance, so that it could apply to special surrender arrangements to particular circumstances not covered by current surrender arrangements of general nature. The introduction of the Bill resulted in widespread political-oriented criticisms from domestic and international community. The anti-Bill public sentiment reached the first climax on 9th June 2019, where the Civil Human Rights Front launched a demonstration marching en masse to the Government House and Legislative Council of HKSAR, which was finally estimated to have an attendance of 270,000 persons by the Hong Kong Police Force and 1.03 million persons claimed by the organizer. The nature of protest changed from “anti-Bill” to “anti-Hong Kong and Chinese Government” after 1st July 2019, where many political-motivated radical protesters

stormed into the Legislative Council Complex, defaced the Hong Kong emblem and presented the *Manifesto of Hong Kong Protesters* (香港人抗爭宣言), symbolically directly challenging the authority of the HKSAR Government and the sovereignty of the People's Republic of China (PRC).

The scale of protests and the use of violence escalated quickly as time passed due to continual aggressive and violent clashes between two sides – the Yellow (pro-protest camp) and the Blue (pro-HKSAR government, police and PRC). The Yellow adopted a so-called leaderless resistance and guerilla strategy to “blossom everywhere” (*The Guardian*, 13th October 2019), where protests and riots were randomly held in different areas in Hong Kong. In early March 2020, according to the police press conference held by the Police Chief, it was reported that the total number of arrestees relating to political protests reached around 7,500 with around 40 per cent of those being students (of which 60 per cent were from universities and 40 per cent from secondary schools); and more importantly, police discovered 11 cases of explosives from July 2019 to March 2020 with some cases being directly related to political agenda (*U.S. News & World Report*, 2nd March 2020).

Based on the observations, there is a large number of public commentaries by journalists, scholars, policy researchers, legislative councilors and government agencies raising concerns relating to the rise of political-oriented radicalization, radical right ideology among youth population, and the emerging right-wing violent radicalized secret groups (such as the black bloc, Raptor slayer team, Pink-Team etc.) and possibly early sign of domestic terrorism (*South China Morning Post*, 5th February 2020; Anadolu Agency, 30th October 2019; Lo, 2019; McLaughlin, 2019). After months of social unrests, the Chief Executive of HKSAR Government planned to set up a joint-hand ad hoc independent review committee consisted of both civil and official members to study

the cultural, socio-political causes and factors that motivated people taking part in the unrests, and provide solution and method of prevention. In fact, the Chief Executive would take reference from the Riots, Communities and Victims Panel and the Riot Roundtables established by the U.K. government after the 2011 London Riots.

2. Purpose and Methods

Social unrest and radicalization involves a tangle of interrelated questions, including the psychological, cultural, historical, political and socio-economic aspects, especially that the 2019 anti-Bill social unrest was imaged with a massive wave of radical right activities. Consequently, the society and government need references and directions to effectively study the hidden and profound internal and external causes, catalysts and relevant factors that significantly fueled tensions and stresses, so that they can formulate effective policies for conflict resolutions and future preventions.

Referencing prior studies and observations, the rapid rise of radical right movement started from 2009 to 2012, which was a period when public confidences and trusts in domestic government performances (in improving people's livelihood and maintaining economic performance) and political constitutional system ("One Country, Two Systems") deteriorated significantly (Centre for Communication and Public Opinion Survey, CUHK, 2016; HKUPOP, 2018). Small group of local citizens and social groups started turning to "radical right" with a strong sense of local self-protective mentality (which is also known as "localism"), particularly the younger generation (Chan, 2016; Kaeding, 2017; Kwong, 2016; Lee, 2016; Ma, 2015). Several identical localist protests emerged from social media mainly from *Facebook* in 2010.

The sharp deterioration of governance legitimacy and the rise of radical right groups (localist group) had triggered scholars' attentions. Previous radical right studies of Hong Kong provided very comprehensive and detailed explanations through the scope of political studies. They mainly studied how political changes led to civil disobedience and political instability, for instance: Dapiran (2017) explained how the city's long history of civil disobediences and political insecurities led to domestic radical right movements; Veg (2017) studied how the civic identity and Chinese politics in post-handover Hong Kong triggered a strong defensive political and cultural sense for localism; Kaeding (2017) explained how the hardcore governing style of HKSAR Government and Chinese authorities fueled anti-government sentiments and helped localists gain support from the public; Kwong (2016) studied the characteristics of key localist organizations in Hong Kong and explained how the political factors from Chinese authorities had significant impacts on localism; Ma (2015) explained the causes of localism in a border perspective, by covering the aspect of socio-political and cultural factors that had contributed to the birth of localism in Hong Kong.

Those studies had made clear explanations about the rise of localism; yet they had limitations. The first critical problem is that they had made a relatively causal connection between the rise of radical right movement and the political atmosphere, especially those studies that were conducted after the Occupy Central Movement in 2014. Other limitations are mainly that (1) the scope of their studies was too limited on political aspect and there was a lack of theoretical supports; (2) they were not able to provide a comprehensive explanation about how different aspects were interconnected with each other and (3) they were not able to explain why individuals would choose that particular radical

coping manners (radicalization) that might sometimes involve serious deviant behaviors like crimes and violence.

Studying radicalization and social unrest involves a mix of sophisticated questions. In this article, I suggest that General Strain Theory (GST) could serve as a key groundwork to start reviewing and identifying causes of social unrests and radicalization in Hong Kong from a criminological strain perspective. In this case, the purpose is to capture macro-level societal changes, and to serve as a qualitative pioneer study to try to develop a set of exploratory hypotheses about the determinants of socio-economic strains and grievances with the scope of criminology theoretical framework of GST. The article firstly explains the concept and general principle of GST, then secondly explains how it could apply to explain extremism and radicalization, and thirdly reviews when, what and how a variety of factors contribute to the rise and evolution of right wing radicalized groups from 2008 to 2019. For the sake of effectively capturing the full picture, I apply a qualitative research that includes (1) historical research – employing the technique of discourse and content data analysis that are mainly collected from past documents and researches, and (2) naturalistic observation – where researcher only observes and records the evolution of society's ecology.

3. Literature Reviews

3.1. Strain Theory

The classic Strain Theory introduced by Robert K. Merton argues that deviances and crimes could be a result of strains created by anomie and blockage of goal-seeking behaviors (Merton, 1938). He believed that the lower class was more likely to face anomie when there was a disconnect between the culturally identified goals (mainly focusing on the monetary success or middle-class status) and the legitimate means to achieve

them. Deviances would occur if there are not enough legitimate cultural means and opportunities for people to achieve the socio-culturally identified goals. This theory in 1930s gained popularity in its early beginning and middle stage, as it provided a pioneer socio-criminological theoretical framework for social scientists to study the social phenomena of deviances and crimes in the United States through a society's class structure, economic activities and cultural background on a macroscopic level (Agnew, 1985). However, after years of testing and examinations, it suffered from a large number of criticisms and skepticisms in late 20th century because of its weak empirical supports between social class and criminality, weak and failed explanation on juvenile delinquency, and faced competition with newer theories mainly the control and social learning (Agnew, 1992; Cole, 1975; Tittle and Smith, 1978; Hirschi, 1969; Rosenfeld, 1989; Johnson, 1979).

Strain theory enjoyed a new development after Robert Agnew revised the Merton's Strain Theory in 1985 via building a relationship between negative emotions of stress and delinquency based on a national survey of adolescent boys conducted by the Institute for Social Research, University of Michigan. Subsequently, he developed the GST in 1992. It adheres to the groundwork of Merton's Strain Theory, but proposed a different explanation for crime causation. It argues that the major crime causation is not so much relating to the "inability to achieve positively valued goals", but the "inability to escape from painful or aversive conditions" (Agnew, 1985). Strains could be *objective* (events and conditions disliked by most people in a given group) and *subjective* (events and conditions disliked by a particular person experiencing them) in which people are more likely to engage in delinquency because they experience certain strains or grievances that produce negative emotions like anger, frustration and hate (Agnew, 1992; 2012).

He identified a total of three types of strain: (1) *strain as the actual or anticipated failure to achieve positively valued goals*, (2) *strain as the actual or anticipated removal of positively valued stimuli*, and (3) *strain as the actual or anticipated presentation of negatively valued stimuli*. For individuals facing stresses criminal behavior could be one of the possible reactive and corrective actions, as it could be used to (1) reduce or escape from strains, (2) seek revenge against the source of strains and related targets, and (3) to alleviate negative emotions (Agnew, 2002; 2015).

Agnew's work helps strain theory to regain a credible position and a significant amount of academic attention, hence to become a more accurate and applicable version for crime study by overcoming criticisms of previous strain theories (e.g., Agnew, 2012; Brody, 2001; Froggio, 2007). In fact, nowadays, it is still being applied by scholars from different cultural backgrounds and countries for studying how stressors contribute to crime and deviant behaviors (e.g., Agnew, 2015; Bishopp, Piquero, Worrall and Piquero, 2017; Orak and Solakoglu, 2017; Barrera, Gaga-a and Pabayos, 2016; Paez, 2018).

3.2 Strains, Radicalization and Terrorism

As mentioned in the first section, the 2019 social unrests in Hong Kong have brought the attention about the radicalization. Before heading to later section, it is necessary to understand the basic principle of "radicalization", and why criminological perspective GST could be a good tool to study the social unrests and the rise of radicalization and political-oriented radical groups.

Radicalization is a sophisticated topic mixed with multi-disciplinary subjects including sociology, criminology, psychology, political and security studies. During the early stage of radicalization study, it, in most cases, was part of the field of terrorism, extremism and political violence

that were originated in political science, psychology and economic field (Agnew, 2010; Freilich and LaFree, 2015). Although it has been widely used by media, officials and academic studies after the 9-11 attacks, there is still no universal acceptable definition and it is still suffering from criticisms on definitional, conceptual and empirical ground (Schuurman and Taylor, 2018). It is not the article's intention to study its definition in depth, but I decide to adopt its current most common interpretation, which is a *changing process of psychological, physical or ideological conditions which might lead to involvement in terrorism* (Pauwels *et al.*, 2014; Borum, 2011; Kundnani, 2012; Klausen *et al.*, 2015; Schuurman and Taylor, 2018).

Terrorism is a form of crime with a strong ideological and political agenda in all essential aspects (Clarke and Newman, 2006; Borum, 2004). Scholars had been trying to solve questions about how criminological perspective could apply in terrorism study. Some neoclassical criminological theories are being cited to study radicalization and terrorism, such as routine activity theory, rational choice theory and situational crime prevention theory (e.g. Freilich and LaFree, 2015; Rosenfeld, 2002; Rausch and LaFree, 2007). Yet, the number and the scope of criminological terrorism study were still limited, especially given that some scholars had argued that there was a major difference about the *intention* between criminals and radicalized violent extremists.

Criminals commit crimes for personal gains and benefits; in contrast, politically motivated perpetrators commit crimes for greater political, social and ideological good of some wider constituency (LaFree, Dugan and Miller, 2015; Jasko, LaFree and Kruglanski, 2017; Jenkins, 2007; Nassar, 2005). They would develop an internal moral justification for violence by disengaging and replacing the existing moral, legal and religious standards. Criminals in contrast will rarely

advance to this psychological stage (Aly, Taylor and Karnovsky, 2014; LaFree and Ackerman, 2009). But they both *de facto* have a fundamental similarity: ordinary crime and political violence are both *social constructions* that derive meanings from interactions that produce *rules and norms* through undermining social trust; hence meaning that criminological perspective and theoretical framework is particularly potentially useful for studying the characteristics and motivations of these radicals.

Back to strain theory, Merton's classic strain theory to certain extent had touched on the terrorism field. The model of five mode of adaptation suggested that the mode of rebellion would occur if large number of individuals ignored the socio-cultural goals and legitimate means and meanwhile intends to create a "new order", which could lead to anti-government social unrest or revolution. Winfree and Abadinsky (2003) stated that rebellion is the greatest challenge to an established and normative society since it is the most threatening reaction from the individuals. Featherstone and Deflem (2003) also explains that "rebellion" often involves acts of resistance to or open outright rejection of established system, and is actively substituted with a new ideology, replacing the current societal norms. The factor of substituting with a new ideology is not the main threat to social stability. What makes them so dangerous is its inherently violent nature against conformity, such as destruction of property, disrupting public order and safety, unlawful acts that are employed for the sake of achieving their objectives. Therefore, radicalized groups are, in most cases, categorized as a type of rebellion (Brown, Esbensen and Geis, 2015).

The GST serves another function. It enjoys strong empirical supports about the correlation between strains and crimes. However, scholars had not yet fully explored how GST could apply in radicalization studies during 2000s until Robert Agnew published a

work named *A general strain theory of terrorism* in 2010 that became an essential work presenting a cross-subject integrated theoretical framework of general strain theory of terrorism by studying similarities of criminal behaviors and terrorism, reviewing the defects of strain-based terrorism explanations and exploring the feasibility of integrating GST and terrorism study (Agnew, 2010).

Agnew found out that previous strain-based terrorism studies were not able to (1) effectively identify the essential characteristic of strain most likely to result in terrorism, (2) fully explain the rationale of resulting in terrorism, and (3) explain the critical factors causing small percentage of strain victims turn to terrorism. The strains concept advocated by the GST could well fit into these defects, because it could explain how these strains (1) reduce social control, (2) provide models for and foster beliefs favorable to extremism and terrorism, and (3) foster a collective orientation and *problem-solving* response. The experience of prolonged exposure and suffering from a deemed injustice and high magnitude *collective* strains and grievances against individuals or social groups is a *sine qua non* for individuals to endorse, embrace and adopt violence on behalf of a group or ideology. *Collective* strains could be political conflicts, wars, or socio-economic pressures that lead to deprivation in living standards and environment (Agnew, 2010; Freis-Beattie, 2013; LaFree and Ackerman, 2009; Post, 2007).

Agnew had successfully brought a way forward about the intersection of negative emotions and the etiology of terrorism, and conceptualized the influences of strain on support for violent radicalization. Later on, some studies showed that GST to certain extent is able to explain the relationship among strains, radicalization and terrorism. For instance, Al-Badayneh, Alshawhi and Alhasan (2017) studied the relationship between strains and youth radicalization among Syrian refugees in Jordan, and the result showed that societal causes like

lack of feeling equity, low life satisfaction and life stress events do have a positive relationship with youth radicalization. Notably, Campelo *et al.* (2018) had conducted a systematic review with a total of 22 pieces of qualitative and quantitative papers, for the purpose of deciphering the major causes of aged-12 to -25 European youth radicalization. The result reflected that individual risk factors (low social control, perceived injustice and uncertainty), micro-environment risk factors (family dysfunction and engagement with radicalized individuals and social groups) and societal risk factors (anomie caused by political events and societal changes) could be causes of youth radicalization.

In the nutshell, Agnew suggests that GST's theoretical framework and concept is not limited to studying crime issue, but also able to apply to radicalization and terrorism studies. His argument currently has earned support from recent studies, where there are a large number of researches suggesting that strains could be one of the major reasons of resulting radicalization.

4. Hong Kong Context

4.1 Collective Objective Strains from Socio-economic Aspect

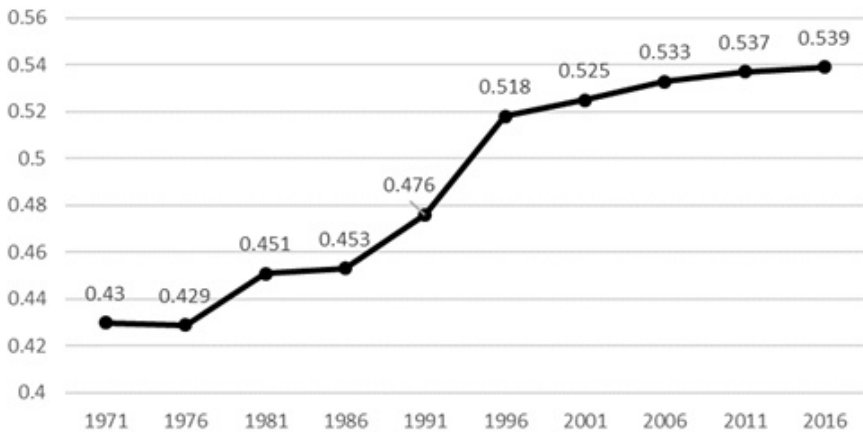
Economic strain refers to a situation measured by how difficult those individuals feel to live on their current income (Whelan *et al.*, 2001). Previous studies suggested that economically stressed people are more likely to have a weaker social cohesion and stronger sense of social fragmentation (Merton, 1938; Hagerty, 1999; Hedström, 2005; Andrews, Jilke and Walle, 2014). In fact, prior researches argued that there is a positive relationship between deviances and economic inequality (Kayaoglu, 2010; Post, 2007). It could bring a serious damage against the legitimacy of the ruling regime and the authority of existing governors that led to civil wars and insurgencies in a serious sense or

led to sudden uprising of racial groups (Post, 2007; United Nations Development Programme, 2004).

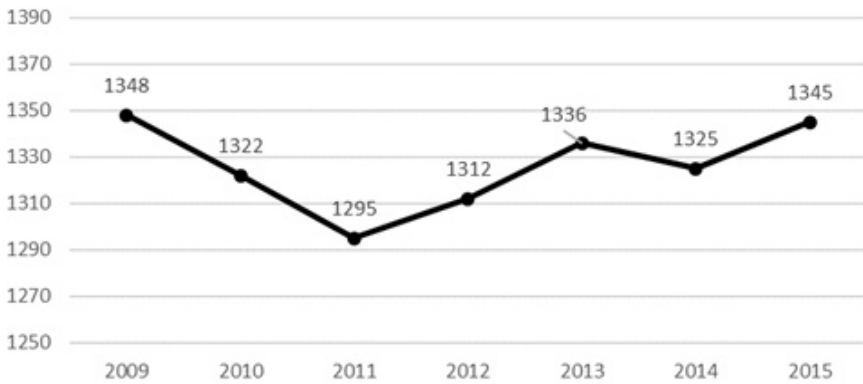
Regarding the Hong Kong case study, it in general was a more economically developed region, where the economy was highly developed as a laissez-faire economy with highest degree of economic freedom due to the constitutional principle of low taxation, free-trade and international financial market (Gittings, 2016; The Heritage Foundation, 2019). However, the poverty rate, Gini coefficient, salary income level and living quality in contrast all reflected an opposite story. Lee, Wong and Law (2007) witnessed Hong Kong as facing increasing inequalities of income, job opportunities and job securities, and turning into a “divided” or “dual” city.

The economic inequality was an emerging serious problem for Hong Kong, as a great variety of factors ranged from household conditions, government policies and even the economic model all had significant contribution to it (Wong, 2017). In fact, wealth inequality in Hong Kong was greater than any more economically developed regions or countries, like U.K., Singapore, U.S. etc. (Henrard, 2011; Oxfam, 2018). Even though Hong Kong had experienced a 50 per cent GDP growth from 2000 to 2010 with an extraordinarily high level of government’s reserves by world standards, the issue was never eased or addressed properly.

Citing as a reference the Gini index, which is a simple measure of the distribution of income that condenses the entire income distribution for a place, Hong Kong was under 0.45 before 1990s, broke through in 1991 reaching 0.476 and later on jumped to 0.518 in 1996. After the Handover in 1997, the index kept rising steadily to 0.525 (2001), 0.533 (2006), 0.537 (2011) and finally 0.539 in 2016 (Census and Statistic Department, Government of the HKSAR, 2019), meaning that the inequality hit the historically highest.

Figure 1 Gini Coefficients of Household Income Inequality, 1976–2011

The statistic of poverty population reflected an uncomfortable phenomenon as well. The Census and Statistics Department of HKSAR government started carrying out poverty research in 2009. It defined poverty population with the concept of “relative poverty”, with household income before policy intervention (i.e. removing the impact of taxation and cash transfer) as the basis for measurement, and setting the main poverty line at 50 per cent of median household income by household size (Census and Statistic Department, Government of the HKSAR, 2013). The poverty population started from 1,348,000 persons in 2009 that was nearly 20 per cent of the total population; then experienced a small decline down to 1,322,000 in 2010 and 1,295,000 in 2011. The number hit the highest during that period because of the economic recession in 2008 that had hit the economy badly. The following two years of decreased number could be the result of economy recovery, but the poverty percentage of the total population was still staying nearly at 20 per cent with no significant improvement. It started rising again in 2012 and finally reached 1,345,000 in 2015 (Figure 2).

Figure 2 The Total Number of Poor Population ('000), 2009–2018

Furthermore, the average income of younger generation with higher education did suffer from salary deduction and worsening working experience. According to the “Comparative Research Report on the Salary Income among Generations of University Graduate in Hong Kong” by New Youth Forum in 2015, it had made a comprehensive study of salary level of university graduate level workers by reviewing all official reports relating to the income level of university graduate in Hong Kong from 1993 to 2013. It found out that the quality of employment, job opportunities and upward mobility had worsened during the 20-year period from 1993 to 2013. For instance, the average starting income level of a fresh university graduate had dropped from HK\$13,158 in 1993 to HK\$10,860 in 2013 (17 per cent of reduction), and the total number of graduates engaging in low-skill and labor-intensive jobs had increased 7.3 times from 18,100 persons (who account for 9 per cent of the total percentage of all workers with university education) to 131,600 in 2013 (14.6 per cent).

The aforementioned objective figures displayed a negative side of the Hong Kong economy. The question of how individuals *perceived*

those objective economic strains was also essential to determine whether they brought negative impact on their feelings. The Hong Kong Federation of Youth Groups had studied how a socio-economic situation brought impacts against them in 2009 – a year after the financial tsunami hit in 2008, it found out that 19.7 per cent of survey respondents suffered from lost confidence, 15.9 per cent expressed increased mental pressure because of the direct result of economic hardship.

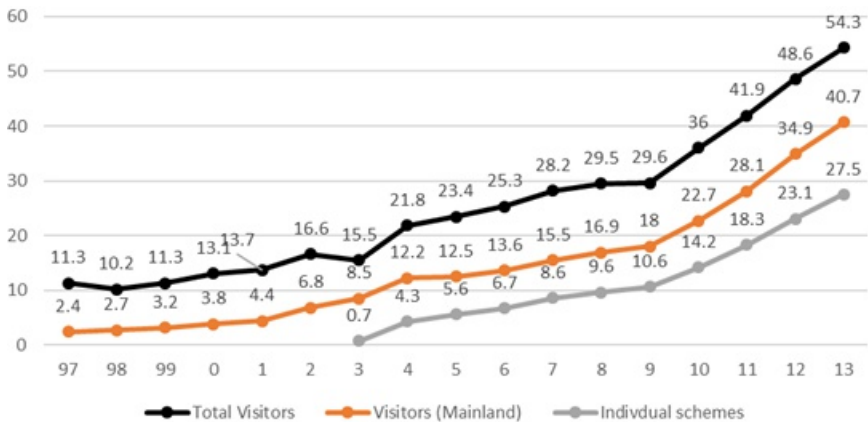
These phenomena reflected that those situations had increased the financial pressure against the younger generation and working class, hence affected their financial safety and security. Under such pressures, they cried out for government's social welfare intervention to help them to reduce stresses. Yet, prior social and policy studies pointed out that the HKSAR government did too little on social policy to offset the growing inequalities because of its capitalist and *lassie-faire* mindset. It had relatively low public spending on enhancing social welfare policies, weak labor and welfare protections and late policy responses to help people to improve employment quality, meaning that the government had failed to meet the public requirements (Henrard, 2011).

Apart from the economic aspect, collective social strains could also be deemed as an essential factor of positive stimuli removals and negative stimuli inputs (Agnew, 2010; Freis-Beattie, 2013; LaFree and Ackerman, 2009; Post, 2007). After the 2008 economic recession, the Chinese Central Government enacted a travel policy named Multiple-entry Permits, in which it allowed Shenzhen (深圳) *hukou* (户口) residents to visit Hong Kong without travel limitation by eliminating travel barriers. The HKSAR government also free up more quota for the Individual Scheme for the purpose of recovering the economy through tourist industry.

Those policies led to a significant increase of the total number of visitors, especially from the mainland China. It increased from 29.5

million in 2008 to 36 million in 2010, and subsequently hit 60.8 million in 2014. According to Euromonitor International's Top City Destination Ranking, Hong Kong's position was ranked no. 9 in 2008 before the effects from Multiple Visit Scheme, jumped up to no. 1 in 2010, and became the most visited city destination afterwards for 9 years (Euromonitor, 2019). However, the tourist-based policies that led to robust tourist growth had received wide-spread criticisms and were being known as a "double-edge sword". Despite the fact that it did bring economic benefits (Jang, 2011), it generated huge pressure against domestic social and physical carrying capacity (*South China Morning Post*, 8th September 2012; So, 2015).

Figure 3 Total Number of Visitors to Hong Kong, Visitors from the Mainland China and Individual schemes



The controversy over the balance between social and tourism development can be readily understood under the umbrella of tourism studies. The crucial problems caused by over-tourism could be well reflected by some notable examples like London (U.K.), Rome and Venice (Italy), Hawaii (U.S.), etc. They all share similarities of over-capacity issues, which raised debate about the balance between economic benefits and social costs. The overcapacity would also lead to confrontation between the local citizens and incoming visitors. Same as other cities, the influx of visitors from the mainland China to Hong Kong had brought tremendous change on the landscape of domestic tourism, community and economic activities (Rowen, 2016; Shen, Li, Luo and Chau, 2017; Siu, Lee and Leung, 2013), especially while there was a complicated socio-political and cultural fabric between Hong Kong and the mainland China about the political and ideological constitutional system relating to the identity of Hong Kongers vs mainland Chinese (Shen, Li, Luo and Chau, 2017; Zhang, Heung and Yan, 2009).

The increasing social integration had brought cultural shock against local residents. In fact, the mainland visitors were frequently depicted with negative perceptions and sentiments, which resulted in increasing tensions between local citizens in Hong Kong and the mainland visitors (Rowen, 2016). There were three noteworthy social incidents that had fueled the turmoil, which are respectively the “anchor babies” (or “maternity tourism”), “D&G photo shooting controversy” and “parallel trading”.

“Anchor babies” or “maternity tourism” (雙非嬰兒) – it was a phenomenon where mainland pregnant women gave birth in Hong Kong in order to gain the citizenship of Hong Kong. Its origin could be trace back to the Individual Visit Scheme implemented in 2003. The scheme provides a legitimate means to mainland pregnant visitors to give birth

to their infants in Hong Kong. It became an organized commercial business centered on getting them into Hong Kong to give birth, so that they could enjoy the right of abode and other social welfare benefits like education, medical service protections and HKSAR passports' traveling privilege; hence those infants are being known as the "anchor babies" (meaning that the infants' father and mother are not permanent Hong Kong residents).

In 2012, there are approximately 30,000 anchor and half-anchor babies born in Hong Kong, whose mothers being almost 30 per cent of the total fertility population in Hong Kong (*Ta Kung Pao*, 17th December 2013). In the following year 2013, the primary school places, especially the North District Hong Kong (北區) that shared geographic border with the mainland China, were insufficient for local parents due to the sharp increased in applications from anchor children.

"D&G photo shooting controversy" – a well-known local and international news - Dolce & Gabbana photo shooting controversy that occurred on 5th January 2012 was another trigger point. A Dolce and Gabbana security guard had stopped a Hong Kong photographer taking pictures of its shopfront from the pavement outside by telling him to "get lost" and only mainland visitors were allowed to take picture of Hong Kong D&G storefront. *Apple Daily* reported with a provoking message in a news headline: *only Hong Kong citizens were not allowed to take pictures of Dolce & Gabbana window displays in Hong Kong fashion outlets, but the mainland tourists were free to take pictures.*

Following the media reports, there was a demonstration by a hundred citizens and photographers who rallied right outside the store, protesting against the D&G's discrimination and more importantly, expressing their anger against the disruptions caused by mainland tourists. It subsequently resulted in direct physical and verbal conflicts between Hong Kong citizens and mainland visitors. This incident

became a notable case, accelerating confrontation from a daily interaction level to a cultural identity level. The controversy had gained international news coverage such as News Limited (Australia), *The Sunday Times* (UK), *The Daily Telegraph*, *The Wall street Journal* etc.

“*Border Parallel-Trading*” (水貨客) – it was a phenomenon of mainland traders exploiting advantage of multiple entry visa policy to import goods from Hong Kong to the mainland China. It led to problems of household daily necessities shortages and rapid inflation, public area over-congestions, local infrastructure capacity being overloaded and social disruption and disturbances against local residents in North District (Laidler and Lee, 2015). It subsequently expanded to other residential areas in the New Territories (新界), mainly Tuen Mun (屯門), Yeun Long (元朗), Taipo (大埔) and Shatin (沙田).

All these social phenomena and incidents intensified social hostilities between Hong Kong and the mainland China. They marked the penetration of the conflicts from the cultural aspect to that of social living quality. While local citizens were suffering from the economic hardship caused by the global macroscopic environment, the over-tourism problem became *the straw that broke the camel's back*. The high magnitude of stresses and emotions like anger and frustration could be clearly reflected in Hong Kong's public outcry, complaining about the negative impacts from the mainland tourists by portraying them as resource marauders or “locusts” (蝗蟲) and the HKSAR government's failed governance (Ma, 2015; Ong and Lin, 2017; Sautman and Yan, 2015).

The residential area of the North District of Hong Kong's New Territories (a district populated with ageing and grass-root population) was a remarkable example for showing how locals suffered from the hardest hit from the influx of Chinese visitors, maternity tourism and parallel trading since 2009. A research named “A Study on the Influence

of Mainland Individual Visitor and Parallel Trading on North District and the Future Development Direction in North District” conducted by North District Council in 2013 interviewed 700 local residents and 100 local commercial shops and compared commodity prices with other districts, studying the *de facto* effects of the above-mentioned situation.

Local residents experienced strong negative emotion of strains and pressures caused by daily disruptions and price inflation; 82 per cent respondents believed that the influx led to domestic inflation, shortage of commodity goods (80 per cent) and community hygienic issue (76 per cent). In fact, the study found out that the influx objectively brought negative effects on local economic activities, in which average commodity price was inflated significantly by nearly 10 per cent when comparing with other districts.

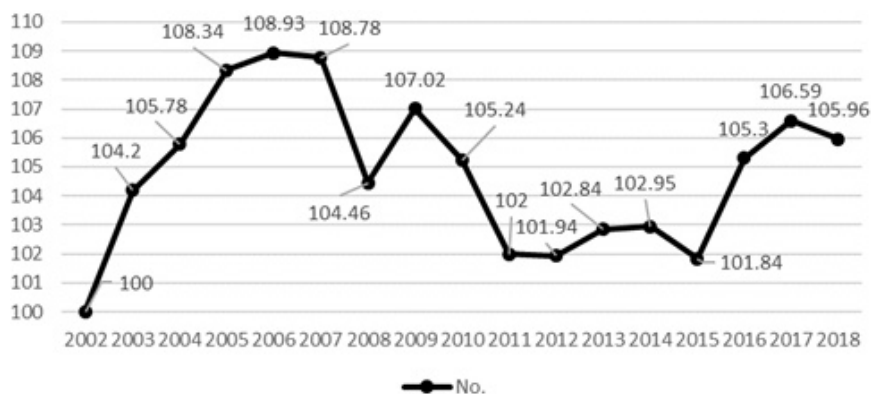
As described above, grievance is one of the major factors that led to right-wing radicalization. This hypothesis might seem applicable to Hong Kong situation as well. A 21-year-old local resident formed a networked-based local social groups named North District Parallel Imports Concern Group (北區水貨客關注組) in October 2012, called for social demonstration against parallel traders on social network, and received over 350 persons’ support and engagement. It emerged directly in relation to issues caused by mainland visitors with the spirit of “liberating” North District. It organized a series of localist “liberate” (光復) protests from October 2012 to July 2013, physically confronting mainland visitors and parallel traders. It represented the first semi-radical localist demonstration with a strong and iconic ideological symbol of “liberation” that was in touch with confrontation between “locals” and “mainlanders”.

Moreover, the index of living quality could be a useful reference to reflect the general satisfaction of a society’s condition. The Hong Kong Institute of Asia-Pacific Studies’ Centre for Quality of Life at the

Chinese University of Hong Kong has been managing the CUHK Hong Kong Quality of Life Index since 2008. The index consists of 23 indicators that are grouped into 5 categories (health, social, culture and leisure, economic and environmental). The higher the indicator scores, the better it performs. The value of this survey study is that the score was calculated based on telephone surveys. In that sense, the data could effectively reflect public perception on the changes of quality of life.

It shows that the overall score of quality of life index hit the climax in 2007, but suffered a sharp drop to 104.46 in 2008 because of the recession hit. Although it climbed up back to 107.02 in 2009, the index suffered a sharp drop in 2010 and 2011 afterwards and stayed at an extreme low level from 2010 to 2016. In other words, it is in line with the abovementioned analysis.

Figure 4 CUHK Hong Kong Quality of Life Index, 2008–2018



4.2. Socio-economic Objective Strains Mixed with Radical Right Ideological that Echoed with Grievances

Studies suggested that ideological narratives played a critical part in the radicalization process, as it would bring profound impacts on individuals' physical and psychological behaviors (Pauwels *et al.*, 2014; Borum, 2011; Campelo *et al.*, 2018; Kundnani, 2012; Klausen *et al.*, 2015; Schuurman and Taylor, 2018). While highly stressed persons may not have associated themselves with an ideology, they would likely choose path of delinquency; notably, if this conviction came into contact with any kind of appealing strong ideology, they could easily take the path of radicalization (Campelo *et al.*, 2018). Ideological narratives and themes are almost always present in the production of radicalized individuals. They could be interpreted as political beliefs about the world, affecting how individuals view and perceive the surrounding objective environment with a particular set of philosophies.

The National Security Criminal Investigations of the Royal Canadian Mounted Police provides a clearer definition, which is “the process by which individuals — usually young people — are introduced to an overtly ideological message and belief system that encourages movement from moderate, mainstream beliefs towards extreme views” (National Security Criminal Investigations, RCMP, 2009). Radical thinking is not necessarily a problem *per se*, as it encourages the individuals to physically engage in some actions to achieve the objectives advocated by the ideological message. On the contrary, it only becomes problematic or dangerous when the person promotes his radicalized thoughts (including political, social, or religious ideals etc.) via the illegal, violence or other unlawful direct aggressive action (Bartlett, Birdwell and King, 2010). In other words, it played several critical functions in radicalization: encouraging individuals to question the legitimacy of the prevailing order, helping individuals to diminish

fatalism by forging a new rebellious identity that gives meaning to acts of personal risk and to legitimize his own radical action by labelling the status quo as problematic, unjust and oppressive (Hafez and Mullins, 2015; Sedgwick, 2007).

While Hong Kong was suffering from socio-economic strains, the abovementioned statistics and situation reflected that the general public was filled with negative sentiments. A Hong Kong scholar named Dr. Chin Wan-kan (陳云根), who is currently referred to as the godfather (國師) of localism in Hong Kong, had published a book *On the Hong Kong City-State* (香港城邦論) in 2011 (and others on the same theme in a series from 2014 to 2016), which is best known as the first ideological advocacy about the contemporary theory of radical localism of Hong Kong. It has provided a very argumentative framework of the Hong Kong City-State model, which was being adopted by a majority of radical right groups and activities in Hong Kong; thus it is necessary to review its concepts.

Cheung (2015) had done a comprehensive academic review on Chin's City-State theory through an analysis basing on nationalism theories with specifically focus on Benedict Anderson's *Imagined Communities* and theories on American nativism. He found out that Chin, in general, had an extremely skeptical view and perspectives on the political future of Hong Kong, Chinese political system, Chinese democratization process, the current impacts on Hong Kong caused by the public and economic policies and the conflicts between people of Hong Kong and the mainland people. He believes that what makes Chin's City-State theory so distinctive was because it was the first detailed structural political ideological work on promoting Hong Kong nationalism with the elements of anti-mainland xenophobia.

Chin's theory promoted the idea of self-rule and autonomy with the formation of a superior "Hong Konger" cultural identity and ethnic

consciousness by combining ideas of nativism and anti-immigrant nationalism that involves a total rejection of connection with the mainland and intense opposition and limited tolerance against mainlanders (Veg, 2017). To certain extent, it could be seen as a means of political and ideological propaganda and manifesto, a new strong localist nativism against the traditional pan-Chinese (大中華) cultural nationalism, and in effect an inspirational context for the current and potential followers disseminating his main theories to a large audience.

Those incidents during the eventful years of 2009 to 2012 – the economic hardship, the rapid increase in conflicts between the mainland visitors and Hong Kong citizens, the issues of anchor babies, parallel trading, D&G controversy, the theory of “locusts” – became push factors of enhancing the popularity of localism and intensifying the anti-mainlander sentiments. Those incidents did not only damage the relationship between the Hong Kong public and mainlanders, but it in effect had also reinforced Chin’s radical theory and enhanced public support for radical right parties.

Chin’s ideology had attracted a wide range of people as they gained an echo from his theory due to the frustration stemming from the rising economic stresses and inequalities, increasing cost of living and the degradation of living quality that were perceived to be linked to the influx of Chinese capital and hot money (Veg, 2017; Wong, 2015). A number of radical right literatures, publications and localist political leaders developed a more radical political ideological version – Hong Kong independence – based on the theoretical foundation of Chin’s City-State theory. These kinds of radical right ideologies were particularly and hugely popular among the younger generation (Cheung, 2015; Hung, 2014; Veg, 2017).

As stated in the previous section, radicalization is a changing process that in most cases involves an overtly ideological message and

belief system that encourages movement from moderate, mainstream beliefs towards extreme views. Chin's theory had a similar effect as well. The socio-economic situation provided a suitable background; hence it successfully became an overtly ideological and belief system that could turn people from conformity to a more rebellious manner, and brought about a shift in public focus from socio-economic hardship to confrontation between cultural and political identity of Hong Kongers and that of the mainland Chinese.

The most typical example is the Hong Kong City State Autonomous Movement (香港城邦自治運動). It was a pioneer of contemporary localist movement that emerged in 2011, and was run on the basis of the City-state theory. Another typical example is a radical right group Hongkongers Priority (香港人優先) formed in 2013 that promoted Hong Kong independence (which is also deep-rooted in Chin's theory) and challenged the principle of "One Country, Two Systems" and the Chinese authority. In December 2013 its members stormed into the Chinese People's Liberation Army Forces Hong Kong Building's area carrying the British-ruled Hong Kong flag to express their political agenda.

5. Discussion

A destructive social unrest is a cumulative effect for a long time period. After nearly a year of social unrests, community stakeholders and the government are trying to study and investigate the cultural, socio-political causes and factors that motivate people to take part in the unrests and radical right movements. When reviewing the causes of radicalization in Hong Kong, the majority of prior studies had focused on the political aspect, such as explaining how the hardcore approaches executed by the Chinese Central Government had fueled grievances in

the local society against it, the ideological gaps between younger generation and pro-establishment camps and government etc. They had made huge efforts and contribution on political explanations, but did not sufficiently cover the spectrum of socio-economic aspect and explain how and why people have chosen to become radical. Therefore, the purpose of this article is to put aside the political aspect and to fill up the missing puzzle of the entire picture by capturing macro-level societal change. It serves as a qualitative study to try to develop a set of exploratory hypotheses about the determinants of political violence via providing a comprehensive analysis on the socio-economic situation and radicalization phenomenon in Hong Kong during the period of 2008 to 2012.

The article suggests that the GST concept of strains is suitable to apply on the case study of radical right movement in Hong Kong. Collective strains caused by economic inequality played a major part in creating negative stimuli for members of society. Despite the gross domestic product (GDP) having increased significantly, the Gini coefficient hit the most serious level during that period; hence the number of poverty population was kept in a high percentage, where 20 per cent of the total population was living in poverty. The less privileged people, especially the younger generation, experienced a profound subjective feeling of degradation of living quality and drop of salary income. These phenomena reflected that those situations had increased financial pressures against the younger generation and the working class, hence affected their financial safety and security.

These negative feelings encouraged the underprivileged individuals to view the current condition as being unjust and unfair, inflaming them with the feeling of grievances. The abovementioned socio-economic situations worked like a nutrient to fuel the public sentiment of dissatisfaction and anger and to create societal collective strains. Indeed,

citizens in countries with higher levels of economic inequality expressed more negative attitudes and distrusts toward the authority and legitimacy of public institutions (Anderson and Singer, 2008). On the other hand, the implementation of the Multiple-entry Permits travel policy brought further negative impacts on local citizen's daily life; the sharp increase of mainland visitors caused the issue of over-capacity and tremendously changed the landscape of domestic tourism, community and economic activities. The direct disruption of citizen's daily life, inflation of commodity prices and increasing confrontations created a lot of tensions and strains.

Chin's theory of City-State, published in the eventful year of 2011, worked as a prognostic of radical right ideology and political propaganda, providing radical narratives against the mainland Chinese. It helped people to connect socio-economic stresses with regional politics through *pan-politicization* (泛政治化), and became an ideological framework for radical right movements. The confrontation between the locals and mainland visitors became the catalyst of spreading the radical right ideology among the public. The way it influenced stressed crowds represents a link with subsequent political turmoil in Hong Kong, surrounding itself with debates of Hong Kong independence and distrust against the HKSAR government and even the constitutional political system of "One Country, Two Systems". As mentioned by Campelo *et al.* (2018), highly stressed persons would likely choose radicalization as a possible reactive and corrective action when linked with ideology; it thus could explain why radical right activities and groups were able to effectively attract support from a significant group of people and to rise up quickly during that period.

Indeed, socio-economic conditions are highlighted by many researches as a main background contributing to mass radicalization (Campelo *et al.*, 2018). As argued by Agnew (2010), a person or a group

of people suffering from high magnitude of stress and grievance have a higher chance to alleviate subjective and objective strains by adopting and engaging in deviant activities and rebellion against conformity. In that case, the tale of rising radical right-wing rebellion movements in Hong Kong was in line with GST, hence could be deemed as amongst the social phenomena reflecting the consequence of high level of societal stress and grievances.

My research had also shown a slightly different story about the early development of contemporary right-wing radicalization in Hong Kong. Previous studies suggested that the early footprint of contemporary radical right movements and groups could be traced back to the period of 2009 to 2012, thus they had drawn a direct relationship between the political factors and the rise of radicalization; nevertheless, my article's analysis suggested that the sources of radicalization, which was the effects of high magnitude of collective stress and citizens' feeling of grievances in early stage were not so much relating to political factors but more likely rooted in socio-economic determinants since 2009, an important year marked with the beginning of deterioration of living quality and socio-economic hardship for local people and three years before profound Chinese political influences and the degradation of local government legitimacy.

In addition, historical realities have already proved that socio-economic strains could function like a "greenhouse" of providing a suitable climate for rebellion and the spread of extremism, dragging a nation state and a country into a long-term and destructive socio-political saga. One of the typical examples was the so-called "Years of Lead" (*Anni di piombo*) in Italy, started at the end of the 1960s until the end of the 1980s. During that period, Italian society was suffering from serious issue of economic inequalities and difficulties where underprivileged groups were being alienated and marginalized. Some notable far-left

violent Marxist extreme groups like Worker Force, Red Brigade etc. appeared with a strong political manifesto but emerged at a time while grass-roots workers and university students were highly stressed and angry due to the societal structural inequalities and when the government had failed to address the issues through social and economic reform (Lowry, 2008; Post, 2007; Sundquist, 2010).

6. Limitation and Future Research

This study had limitations. Even though the article's purpose is to revisit the socio-economic causes of right-wing radicalization in Hong Kong during the period of 2008 to 2012, hence is not intended to focus on the political realm, there is no doubt that socio-economic determinants alone – of course – are not sufficient to explain the continued further mass radicalization after 2012. Particularly political agenda became the spotlight of subsequent similar events like the Occupy Central Movement in 2014, a series of the radical right “liberate” protests from 2015 to 2016 and even the recent anti-bill social unrests started in 2019.

Indeed, GST had specifically provided explanatory framework for grievances caused by political factors. Negative political change is one of the crucial elements that could lead to a high magnitude of societal grievances and strains (Agnew, 2010; Campelo *et al.*, 2018). Hence the mutation of highly politicalized and stressed society could favor the development of radicalization. Previous researches (e.g. Kaeding, 2017; Kwong, 2016; Ma, 2015; Veg, 2017) all shared a common explanation that the increasing *ex cathedra* Chinese influences after 2012 had triggered strains within a certain group of local citizens. The highly tensed political atmosphere and confrontations among the pro-establishment, pan-democratic and localist camps became an essential push factor and dynamic of *pan-politicization* in Hong Kong. The

increasing Chinese top-down political influences had brought uncomfortable sentiments and perceptions within the local society, as it had, to certain extent, shaken the local developed social and civic values and norms about the constitutional affairs in relation to the power structure between Hong Kong and the PRC Central Government, the principle of “One Country, Two Systems” and the interpretation of the HKSAR Basic Law. It might indirectly further break down social cohesion by mixing political factors with socio-economic strains.

In addition, socio-economic stress is a complicated realm that covers a wide variety of topics. The article had only concentrated on the situation and effects at the institutional level, including, e.g., job employment security and quality, the quality of living standard, population structure, wealth distribution, socio-cultural conflicts, which only accounted for a small part of the whole picture. For example, a recent study of GST and extremism conducted by Nivette, Eisner and Ribeaud (2017) found out that factors like moral and legal neutralization and personal coping skills and abilities could amplify the impacts of collective strains on violent extremist attitudes when testing the correlation between influence of strains and violent extremism. It means that study of radicalization and extremism could also include the perspective of domestic societal moral and legal culture and even the role and function of local education system in a border sense. Furthermore, recent radicalization researches have started moving beyond the scope of institutional-level perspective, in order to explore the causes from a down-to-top and ground-rooted level. For illustration, the human security approach pays attention to non-traditional security threats which are respectively economic, food, health, environmental, personal, community and political, and how these security threats have created feeling of grievances and strains to push and to pull a person into the trail of radicalization that is echoing with strain-based radicalization

studies (e.g., Botha, 2016; Callaway and Harrelson-Stephens, 2006; Tadjbakhsh, 2005; Titko and Kurtynets, 2019). I thus strongly suggest that it is necessary to develop a human-centric analytic approach to study radicalization in future for the sake of effectively reviewing the full picture of radical right development in Hong Kong.

All in all, this article makes a critical step to provide direction and consolidation for future analysis relating to the actual root causes of right-wing radicalization and social unrest in Hong Kong. Criminological strain theory *prima facie* is applicable to study the social problem of right-wing radicalization. More importantly, it also suggests that collective strains and grievances might have noteworthy influences on local people, creating a perfect climate for rebellion and resulting in their adopting the path of radicalization and support for extremism. Despite the fact that political aspect is beyond the objective and scope of this research, this article shall be able to be the groundwork and framework to explore questions about what, why and how political grievances and strains could lead to mass radicalization. In other words, it shall be a useful theoretical and analytical tool to help researchers to conduct studies relating to the connection between social unrests and politics, and more importantly to provide a clearer direction for policymakers to formulate public policies that focus on addressing strain issues facing local citizens.

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Another Dynamics of Contention in Hong Kong: Dimensionality in Roll Call Voting in the 6th Term Legislative Council, 2016-2020

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Abstract

To understand the current political landscape in Hong Kong, this paper investigates the dynamics of contention in the Legislative Council. A dimensional analysis of roll call voting presents that this formal representative body is heavily dominated by the main dimension of politics. Unlike the previous terms, its unidimensionality is generally applied both for the directly elected politicians and the representatives of functional constituencies. The marginal variation beyond the primary cleavage is mainly driven by the Liberal Party members, while other major parties, such as the Democratic Party and the DAB, are stick with the issues of democracy and Hong Kong-Beijing issue. Toward a better working collective decision-making body to address the problems and issues in Hong Kong, its elite politics is needed to be equipped with more room for collaboration and deliberation.

Keywords: *political cleavage, legislative representation, dimensionality, roll call voting, the Legislative Council, Hong Kong*

1. Introduction

Contemporary Hong Kong is at risk with conflicting values. A society definitely has different ideas and interests that may lead to strife and struggle, and it should be solved or relieved by politics. If we want to find a formal place for people to gather, deliberate, and make a series of decisions on the issues and problems in Hong Kong, the Legislative Council (LegCo) should be the one, or at least one of them. The LegCo may have not served for this congressional ideal of problem-solving sufficiently. Nevertheless, there remain the roles and functions as the representative body that the LegCo has played in these days of political unrest.

To understand the current political landscape in the LegCo, this paper takes a quantitative analysis of roll call voting. There are multiple forms of political behavior that can be made in legislature (Gallagher and Holiday, 2003; Gu, 2015; Jang, 2018a, 2018b), but this collective decision-making in which each of the representatives reveals his/her preference on the given agenda has been considered as fundamental in legislative politics (e.g., Carey, 2008; Clausen, 1973; Cox and McCubbins, 1991, 2005; Key, 1961; MacRae, 1958; Mayhew, 1966; Poole and Rosenthal, 2011).

Specifically, this paper focuses on the question of dimensionality in the 6th LegCo. To what extent, in what ways, the political cleavage of localism, democracy, and Beijing issues dominate elite politics in Hong Kong? To answer this question, I collected the roll call voting data of the 6th LegCo members and employed the Optimal Classification to estimate the degree of saliency of the primary dimension in roll call voting (Poole, 2005). This dimensional analysis provides an empirical evidence that the formal representative body is heavily dominated by the main dimension of politics. In comparison with the earlier LegCos, this unidimensionality is generally applied both for the directly elected

politicians and the representatives of functional constituencies. The marginal variation beyond the main dimension is mainly driven by the Liberal Party (自由黨) members, while other major parties, such as the Democratic Party (民主黨) and the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB, 民主建港協進聯盟 / 民建聯) are stuck with the main political cleavage.

This paper continues with a description of the current status of representative politics in Hong Kong with a focus on the LegCo. The subsequent section then introduces the roll call voting data of the 6th LegCo. After that, a detailed analysis of 6th LegCo politics is conducted. The final section reflects on some inconclusive, but hopefully useful implications toward a better future of Hong Kong from this paper's empirical analysis.

2. Representative Politics in Hong Kong

The LegCo is made of individual politicians who have different routes to get a seat. The Basic Law, Hong Kong's mini-constitution enacted under the Sino-British Joint Declaration, provides a general principal and guideline of its recruiting method toward universal suffrage. Its Annex II and Amendment to Annex II Instrument 4 further define the formation method of the 6th LegCo composed of 70 political elites.

Half of the LegCo members are elected in the five geographical constituencies, including Kowloon East (九龍東), Kowloon West (九龍西), New Territories East (新界東), New Territories West (新界西), and Hong Kong Island (香港島). It takes list proportional representation using the Hare Quota and Largest Remainders formula, leaning toward political fragmentation by penalizing a party list with a large size of vote on seat allocation (Carey, 2016). The electoral observers have reported consistently that the campaign process has been

conducted in a free and fair way (e.g., Baum, 2000; Cheng, 2010; Ho, 1999; Kuan *et al.* (eds.), 1999; Ma, 2002, 2005, 2015; Ma and Choy, 2003; Wong, 2015; Yip and Yeung, 2014).

The other half of the seats are assigned to the representatives who are selected in functional constituencies (FCs). This FC system is an indirect method of recruiting the LegCo members representing narrowly defined professional or special interest groups. Currently, there are 29 FCs to fill the 35 seats in the LegCo. Most of the FCs select one to serve for the LegCo, while the Labour FC and the District Council (Second) recruit three and five FC members, respectively. An individual or a group related to each FC can register to vote for his/her/its preferred representative(s) and the selection methods vary across different FCs (Kwok, 2006; Loh and Civic Exchange (eds.), 2006; Zhang, 2011).

In Hong Kong's history after the handover, the major political actors in the LegCo have been the Democratic Party and the DAB. However, no political party has ever gained the majority of seats to operate the LegCo, which is due to the electoral rules and other constraints serving Beijing's intention to avoid strong party politics (Lau and Kuan, 2000; Ma, 2001, 2007). Other political parties and independents, still mainly characterized by their attitudes toward the democracy vs. Beijing issue, have filled the other seats (Lo, 2010; Sing (ed.), 2009). These major and minor parties have shown strong party unity in the LegCo (Wang and Peng, 2016). Various ideas of localism were also brought into the 6th LegCo (Cheng, 2014; Kaeding, 2017), but due to a series of disqualification of these radical politicians, they were relatively marginalized. Another dimension of politics that has been traditionally considered is an economic left-right one (Smyth *et al.*, 2019; Ma, 2007; Wong, 2020). Tam (2017) discovers that gender politics can be another lens to understand legislative politics in Hong Kong.

3. Roll Call Voting in the 6th Legislative Council

To assess the nature of the 6th LegCo politics, I collected the roll call voting data from the official website of the Legislative Council (last accessed on August 5th, 2020). It spans the four parliamentary years from October 2016 through July 2020. Given the extension of the 6th LegCo, related to the 7th term legislative election postponement, the data cannot fully represent the 6th LegCo politics but can still serve the scopes and aims of this study sufficiently.

The total number of representatives from the data is 75. The original size of the LegCo is 70 and there are several membership changes through the four years for various reasons. This political history returns the total number of the LegCo members from the 6th legislative election to the most recent LegCo meeting to be 75. The other five representatives who assumed office in the middle of the 6th LegCo include Gary FAN Kwok-wai (范國威), AU Nok-hin (區諾軒), Vincent CHENG Wing-shun (鄭泳舜), Tony TSE Wai-chuen (謝偉銓), and CHAN Hoi-yan (陳凱欣).

The total number of roll call voting from the data is 795. On every roll call voting, each attending representative may cast a vote in favor (贊成), opposed (反對), and 15 abstained (棄權) on the agenda. The only exception is the LegCo President (主席) Andrew LEUNG Kwan-yuen (梁君彥), whose role under Hong Kong's mini-constitution is to perform the administrative and procedural functions (Article 72, Hong Kong Basic Law). All of his voting records have been recorded as present (出席).

Figure 1 Participation Rate in Roll Call Voting by the 6th LegCo Members

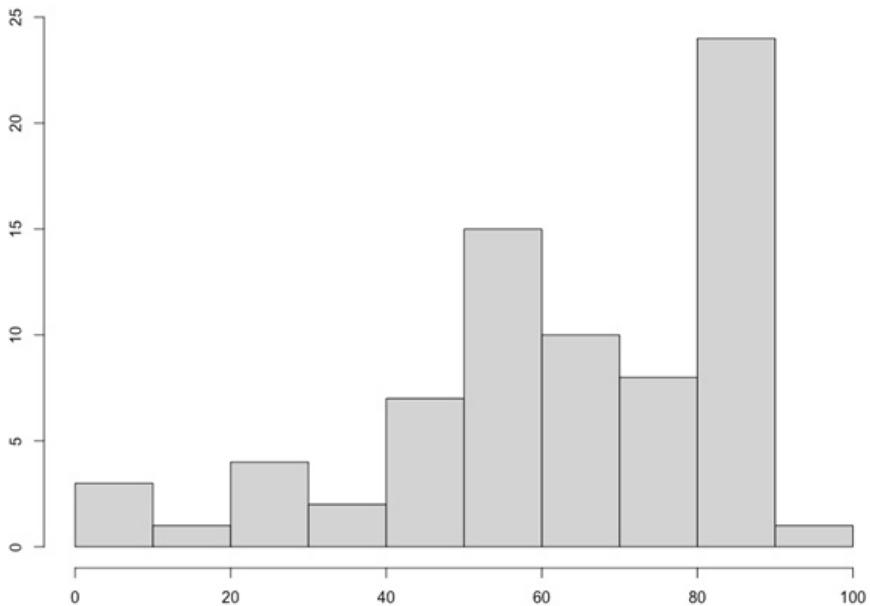


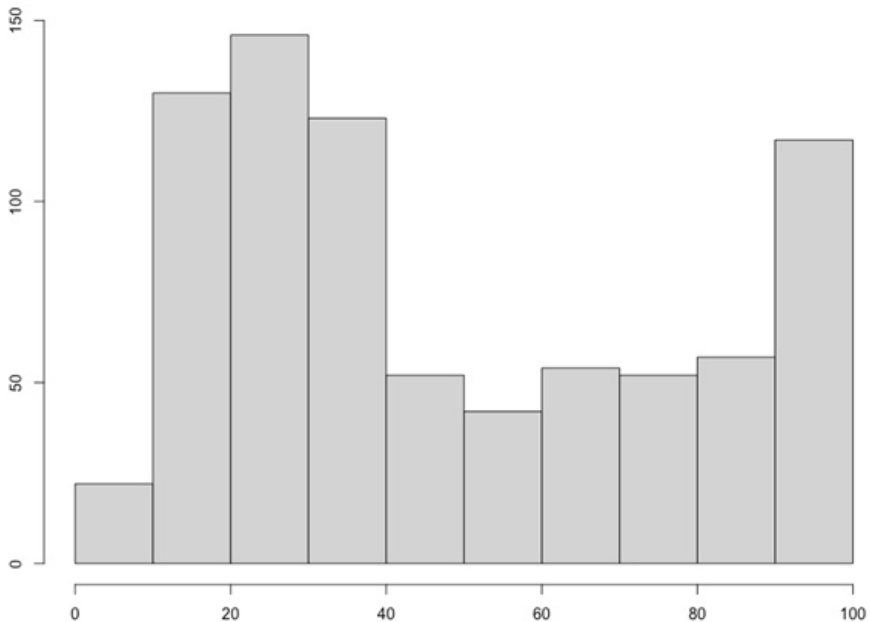
Figure 1 provides a simple description of the 6th LegCo members' involvement in roll call voting. In this case, I just count Yes and No choices and divide it by the total number of the bills. The median and mean participation scores are 66.16 and 62.77, respectively. It also presents a wide variation (standard deviation is 23.18). Most of the LegCo members who are less engaged in roll call voting are either the representatives who left the seats in the middle of the 6th LegCo or the newcomers replacing them.

Annex II of the Basic Law defines the two main ways of determining roll call voting result. If the government introduces a bill, it requires a simple majority of the present LegCo members. For the case of the agenda initiated by individual members, it needs a majority vote among the geographical constituency members as well as one among the functional constituency LegCo representatives.

In the 6th LegCo, 98 bills (12.32%) and 697 bills (87.58%) were introduced by the government and by the LegCo members, respectively. For the executive branch's policy agenda, almost all of them were passed and only two bills were rejected. In contrast, about one fifth of the bills of the LegCo members' motions were passed (129 bills, 18.51%), while 568 bills (81.49%) failed to pass the floor voting. Among these 568 bills that failed to get the two majority voting results, 450 agendas (79.23%) were rejected by both types of representatives. Eighty (14.08%) and 38 (6.69%) bills were only able to be supported by the representatives elected from the Geographical Constituencies and the members of the Functional Constituencies, respectively, but not from the other side.

Figure 2 presents the distribution of roll call voting choice at bill level. For this visualization, I simply calculate every bill's percentage of yes votes out of yes or no votes. The overall voting patterns are widely scattered (standard deviation is 29.73) and its median and mean are 37.78 and 48.42, respectively. Fifty-eight bills were passed unanimously, and among them, 31 and 27 agendas were moved by individual LegCo members and the government, respectively.

Figure 2 Distribution of Bill-level Roll Call Voting Choice (Percentage of Yes)



4. Dimensional Analysis of the 6th Legislative Council

To assess the dimensional structure of the 6th LegCo politics, I utilized roll call voting data described in the previous section. The main point of interest here is to examine whether individual LegCo members have played in a single dimensional roll call voting stage or it can be more than one dimension beyond the pro- and anti-Beijing political cleavage. After this overarching investigation, an individual level of variation in dimensionality of roll call voting can be discovered.

For this purpose, I employed the Optimal Classification (OC), one of the classical applications in spatial model of legislative politics (Poole, 2005). It assumes that all of the individual legislators have symmetric and single-peaked preference structure along a specified number of dimensions and estimates the ideal position of the representatives that maximizes the explanatory power of legislative choices in roll call voting. This technique further provides a series of quantitative scores to gauge the dimensionality in roll call voting at aggregate level as well as individual level.

I applied a unidimensional OC model for the 6th LegCo roll call voting data. I only selected the 72 legislators with a sufficient number of roll call voting history, following the conventional minimum of 20 votes. It is also noted that 727 roll call votes were used and the other 68 were dropped, as they were either unanimous ones or lop-sided. For comparison, I also employed a two-dimensional OC model as well as utilized the roll call voting data of the previous terms, part of which was from Jang (2016).

Table 1 Dimensionality of Roll Call Voting in the 6th Legislative Council

	1D OC	2D OC	2D – 1D
Correct Classification (%)	98.9	99.4	0.5
Correct Classification, Yes (%)	98.8	99.3	0.5
Correct Classification, No (%)	98.9	99.4	0.5
APRE	0.957	0.976	0.019

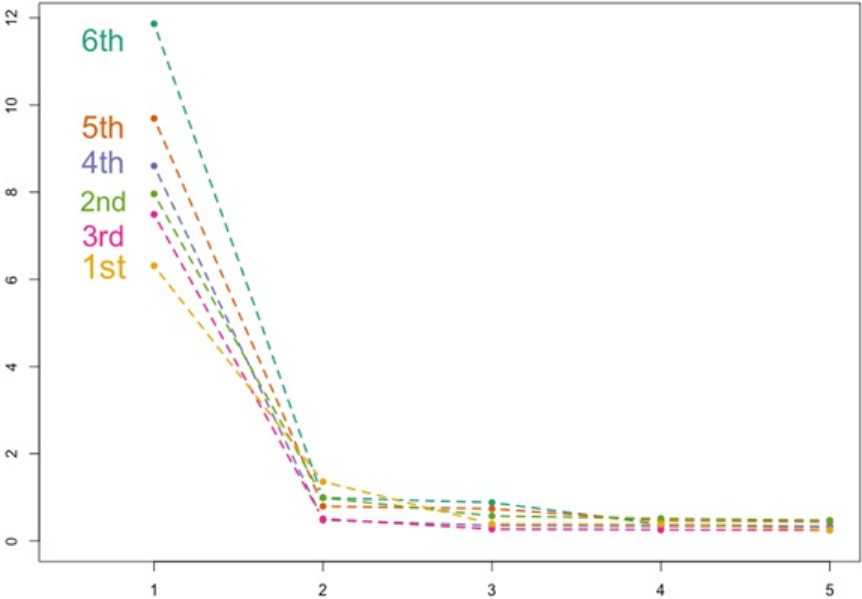
Table 1 provides a set of useful diagnostic statistical information of the basic issue space of the 6th LegCo. It basically demonstrates that a one-dimensional spatial model is enough to explain Hong Kong’s

representative politics in the form of floor voting. One dimensional OC model is able to classify overall LegCo members' voting decision at about 98.9% (98.8% for Yes and 98.9% for No choices). Another useful information: the aggregate proportional reduction in error (APRE), a model-fit statistic that weights the OC's classifier performance by ease of the task, ranging from zero to one, is 0.957.

Adding another dimension, in addition to the main issue space, does not improve the model's explanatory power remarkably. As Table 1 shows, the explanatory power of the second dimension is less than one percent for correct classification. It can additionally classify 76 Yes votes and 98 No votes out of 37,426 roll call voting decisions on the Yes and No options. In other words, the second dimension can be useful for explaining 0.47% of roll call voting decisions in the 6th LegCo. To sum up, 6th LegCo politics is shaped along one powerful dimension, while other potential issue spaces are marginalized.

Figure 3 presents a comparative visualization of dimensionality in the LegCo after the handover. The horizontal axis represents the top five potential dimensions and the vertical axis is about the amount of information in the form of eigenvalues that can be explained by each dimension. As shown, the first-dimension accounts for a significant size of LegCo politics for all the six terms. The other dimensions are relatively marginalized without much explanatory power for capturing a meaningful variation of roll call voting data. This unidimensionality is not a unique phenomenon, as similar patterns of congressional voting can be observed in almost all of the representative bodies around the world (Poole and Rosenthal, 2011). But the remarkable pattern from Figure 3 is that Hong Kong's representative politics has been increasingly shaped by the main political cleavage, with a minor exception of the 3rd term. And the 6th LegCo has been exceptionally oriented toward this dimension of politics.

Figure 3 Comparison of Dimensionality in the Legislative Council since the Handover



Based on this aggregate level of unidimensionality in the 6th LegCo, I further investigate an individual level of dimensionality in Hong Kong’s elite politics. As the unit of analysis is switched to individual LegCo members, I prepared an individual legislator’s Correct Classification Rate, simply calculated as the total number of incorrectly classified votes by one-dimensional OC model divided by the total number of votes that the legislator made in the 6th LegCo.

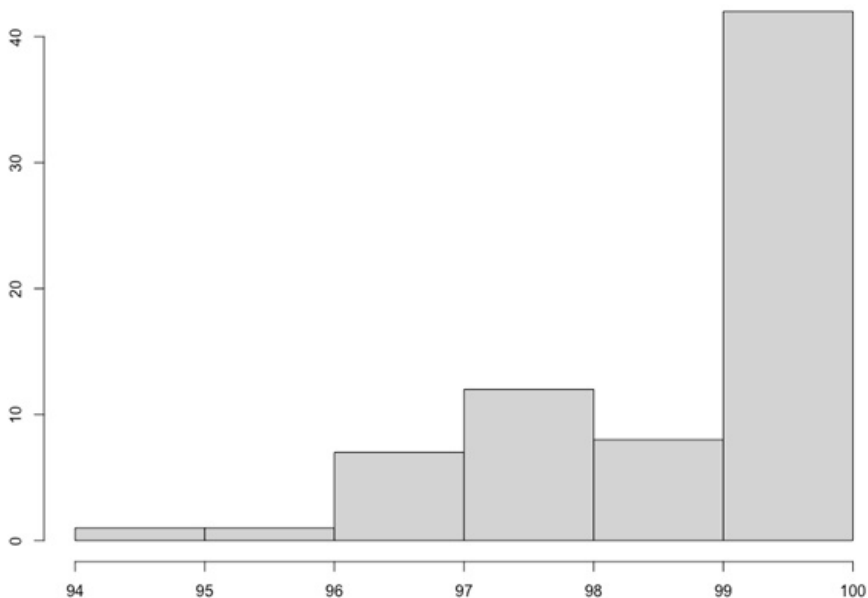
Figure 4 Dimensionality in Roll Call Voting by the 6th LegCo Members

Figure 4 describes its distribution. As the 6th LegCo politics has been dominated by the main cleavage, individual representatives have also played mostly along this dimension, and therefore, it is not surprising that this individualized measure of dimensionality is also highly skewed toward a perfect classification (median: 99.42, and mean: 98.75). At the same time, however, there is still a considerable variation among the politicians. The one-dimensional OC model does not capture some roll call votes of the legislators, which means that these choices were made beyond the main dimension of politics.

To examine if these misspecifications are just random or there are some systematic patterns, I ran a series of regressions. The dependent variable is the Correct Classification Rate of the individual LegCo members. It ranges from 0 to 100, and higher value represents means greater unidimensionality of the legislator. For independent variable, I mainly consider electoral rules and party affiliations. Reflecting Hong Kong's unique electoral system, I first prepare a binary variable, capturing Functional Constituency or Geographical Constituency. The other further breaks down the five geographical electoral districts with the baseline of Functional Constituency. In regard to political parties, I include the six major political parties, including the Civic Party (公民黨), the DAB (民建聯), the Democratic Party (民主黨), the Liberal Party (自由黨), the Hong Kong Federation of Trade Unions (工聯會), and the Business and Professionals Alliance for Hong Kong (經民聯). The baseline for this party affiliation variable is independents and minor party members.

Table 2 summarizes the statistical results from the five OLS models. The two key findings from Table 2 are as follows. First, the type of methods by which the individual politicians are recruited to the LegCo is not related to their dimensionality in roll call voting. The LegCo members who are chosen by electoral competition do not have a significant difference from the Functional Constituency members. The comparison between Functional Constituency with the five geographical constituencies presents similar and consistent results. At best, it is noted that the LegCo members from the Kowloon West and Hong Kong Island districts tend to be based on the main dimension, while the representatives from New Territories are less likely to be associated. However, this trend based on the direction of estimated coefficients from model 2 and 5 is not statistically significant at all.

Table 2 Dimensionality of Roll Call Voting by the 6th LegCo Members

	Dependent variable				
	Correct Classification Rate				
	(1)	(2)	(3)	(4)	(5)
地方選區	0.110 (0.319)			-0.167 (0.290)	
九龍東		0.074 (0.652)			-0.716 (0.559)
九龍西		0.467 (0.564)			0.189 (0.469)
新界東		-0.196 (0.509)			-0.273 (0.431)
新界西		-0.182 (0.509)			-0.225 (0.434)
香港島		0.621 (0.602)			0.047 (0.520)
公民黨			1.217** (0.563)	1.294** (0.581)	1.427** (0.606)
民建聯			1.826*** (0.382)	1.819*** (0.385)	1.801*** (0.400)
民主黨			1.393*** (0.418)	1.427*** (0.424)	1.427*** (0.442)
自由黨			-1.300** (0.563)	-1.390** (0.587)	-1.381** (0.596)
工聯會			1.342** (0.563)	1.334** (0.566)	1.495** (0.592)
經民聯			1.096** (0.471)	1.005** (0.499)	1.015** (0.507)
Constant	98.696*** (0.227)	98.696*** (0.230)	98.174*** (0.180)	98.264*** (0.240)	98.255*** (0.245)
Observations	71	71	71	71	71
R ²	0.002	0.034	0.418	0.421	0.442
Adjusted R ²	-0.013	-0.040	0.363	0.357	0.338
Residual Std. Error	1.345 (df = 69)	1.363 (df = 65)	1.066 (df = 64)	1.072 (df = 63)	1.087 (df = 59)
F Statistic	0.119 (df = 1; 69)	0.462 (df = 5; 65)	7.660*** (df = 6; 64)	6.545*** (df = 7; 63)	4.250*** (df = 11; 59)

Note: *p<0.1; **p<0.05; ***p<0.01

In contrast, party affiliations have a meaningful effect on the outcome variable. All of the binary variables indicating the five major political parties are statistically significant at 0.05 level, meaning that these party members' roll call voting decision is different from that of the LegCo members from minor parties and independents. And these party affiliation variables are accountable for more than 40% of the dimensionality in roll call voting, based on the coefficients of determination (R-squared statistics). Specifically, the politicians from the Civic Party (公民黨), the DAB (民建聯), the Democratic Party (民主黨), the Hong Kong Federation of Trade Unions (工聯會) and the Business and Professionals Alliance for Hong Kong (經民聯) are more likely to stick with the main political cleavage. In contrast, the Liberal Party (自由黨) members take some other considerations on their roll call voting decision, and therefore they are less aligned with the first dimension.

The above results present a change and continuity in Hong Kong's elite politics in terms of dimensionality of roll call voting. In Jang (2016), the electoral rule is one of the important explanatory factors in dimensionality in the first four LegCos. It provides an empirical evidence that those who are elected from Geographical Constituencies are less aligned to the main dimension. However, for the 6th LegCo's case, that diverging pattern no longer exists. In contrast, the effect of party politics on dimensionality has been maintained. It is also noted that the Liberal Party (自由黨) variable in the regression model on the earlier LegCos data does not make a difference from the minor party members and independents. But it becomes a unique one diverging from the main dimension of politics. However, all of the interpretations from the statistical analysis should be carefully made, as most of the roll call voting activities is now swamped by the main dimension and the

regression models can marginally discover minor variation of roll call voting in the 6th LegCo.

5. Discussion

In political science and related disciplines, one of the commonly shared understandings would be the simple statement: institutions matter. However, the current status of Hong Kong may not convincingly support this mantra. As this paper shows, even with a limited representation from the radical side, its politics is heavily dominated by the primary cleavage with a lack of other potential ideas and beliefs to make a series of authoritative decisions on Hong Kong affairs in its formal institution. If we still believe that institutional settings can shape the incentive structure of political players into generally behaving in predictable ways, we may consider some minor institutional engineering that can facilitate a constructive discussion for Hong Kongers within a short period of time.

The LegCo has evolved after the handover with several institutional changes. For example, it removed the Election Committee representation, increased the number of LegCo seats, and modified the functional constituencies. Continuing its institutional reform to address the demands of the people would be adequate for Hong Kong to be Hong Kong and for letting institutions matter. In this regard, recent studies provide remarkable implications for the LegCo reform (e.g., Carey, 2016; Malesky *et al.*, 2012; Scheiner *et al.*, 2008). Particularly, the discovery of Malesky and his colleagues (2012) that institutional openness may not always return to achieve a better governance also demonstrates that reformers and scholars should be exceedingly careful about hidden assumptions within a reform package.

To my best knowledge, this paper is the first attempt, or at least one of the earliest ones, to unfold the 6th LegCo politics with a comprehensive data analysis. However, to reach a fuller understanding of Hong Kong politics, a further point needs to be made with regard to a more comprehensive perspective of Congressional decision-making. Admittedly, I limit this paper to roll call voting and restrict the scope of analysis by focusing on dimensionality. Clearly this narrow point of view is speculative, but at the very least, it is my hope that this work can serve as a stepping stone toward a richer and more inclusive empirical research on the LegCo politics and contemporary Hong Kong.

Note

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Postscript

From the Hong Kong Anti-Extradition Bill Protests to China's Wuhan Novel Coronavirus Pneumonia Outbreak: Implications of Two Crises for the Chinese Communist Party's Governance Model

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Abstract

At the time when Hong Kong's anti-extradition bill protest movement was entering the transition stage from 2019 to 2020, an earth-shattering event erupted in Mainland China that was soon going to have a far-reaching impact not only on Mainland China, but also on Hong Kong and the rest of the world: the outbreak of a novel coronavirus pneumonia at a macabre plague level in the city of Wuhan in China's Hubei province which rapidly turned into a global pandemic that infected close to a hundred million people by the end of 2020 – with the number of cases of human infection expected to reach frightening heights in the vicinity of hundreds of millions soon – and has already killed millions across the globe. This paper aims to investigate how the seven-decade iron-fist rule of the Chinese Communist Party has come under these two consecutive severe tests from 2019 to 2020 that have served to reveal the

nature and global implications of the CCP's mode of governance in general and the current Xi Jinping administration in particular.

Keywords: *Hong Kong, anti-extradition bill protests, national security law, China, Wuhan, novel coronavirus, pneumonia, pandemic, COVID-19, Chinese Communist Party (CCP), saturnic power, totalitarianism, Leninism, Fascism*

1. Overture: The Twin Crises

Still fresh from the euphoria of the celebration of 70th anniversary of the founding of the People's Republic of China (PRC), the 70-year iron-fist rule of the Chinese Communist Party (CCP)¹ soon came under two consecutive severe tests from the later part of 2019 to 2020 – the escalation of the Hong Kong people's anti-extradition bill² turned pro-democracy protests that had already swelled from just over one million to nearly two million participants (i.e. about 30 per cent of Hong Kong's population) in the consecutive two weeks of June 2019, and Wuhan's novel coronavirus pneumonia – originally referred to as China's Wuhan nCoV pneumonia (novel coronavirus (2019-nCoV)–infected pneumonia (NCIP)) or Wuhan pneumonia in short outside China (*Wuhan feiyan* / 武漢肺炎) and also in China itself before the term started soon to turn politically sensitive leading to the later official naming of the disease as “COVID-19” by the World Health Organisation – outbreak that soon spread to the whole of China and the world outside.³ The dictatorial rule of the Communist Party of China, under the disguise of co-ruling *de jure* with another eight minor legal parties as well as some other organizations including the All-China Federation of Industry and Commerce (ACFIC) – all controlled by and subservient to the CCP, making up the United Front (統一戰線 / 統戰) – in practice embraces

a transborder ethnonationalist agenda for the preservation of CCP's *de facto* non-negotiable one-party rule.

This paper aims to investigate how the Hong Kong anti-extradition bill turbulence and China's Wuhan novel coronavirus (nCoV) pneumonia outbreak that has evolved into a world disaster reveal the nature and global implications of the Chinese Communist Party's mode of governance in general and the administration of CCP secretary-general and national chairman Xi Jinping (习近平) in particular.

2. Hong Kong's Anti-Extradition Bill Protests

From 2019 to 2020, in the People's Republic of China under the autocratic rule of the Chinese Communist Party, there have been two incidents that sent tremors through the CCP's mode of governance since Deng Xiaoping (邓小平)'s *coup de grâce* demolishing the Maoist central-command autarchic collectivist economic structure and the 1989 Tiananmen student protest movement.

The first one was the anti-extradition bill⁴ protests and demonstrations (called *fansongzhong* / 反送中) in Chinese, i.e. "against extradition to China", which actually captures the essence of the protest movement more accurately) in Hong Kong that began in mid-2019⁵ and continued to rock Hong Kong until early 2020, unprecedented in CCP's China since the March to June student-led demonstrations in Tiananmen Square of Beijing in 1989 (which later spread to more than 100 cities in China, especially in Chengdu that saw the worst death and injury figures outside Beijing resulted from the June repression).⁶ The 1989 Tiananmen protest movement and the 2014 Hong Kong Occupy Campaign (a.k.a. Umbrella Movement) were both nationwide/city-wide movements that originated from student activism that were then

transformed into a demand for liberalization and democratization from all sectors of society.

3. Change in 2019 Protest Format *vis-à-vis* the 2014 Occupy Campaign

However, different from these precursors, the anti-extradition bill protests soon turned into violence events, and although this has followed an inevitable trajectory of “官逼民反” [government (officials) driving the people to revolt]⁷, it would have inevitably left some stains and provided a long-awaited excuse for the CCP to override the Hong Kong Basic Law with the introduction of a draconian Hong Kong national security law (officially the “Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region”)⁸ in 2020. The introduction of this new national security law for Hong Kong essentially imposes similar manners of persecuting dissent and suppressing civil rights and political freedom on the mainland that have been going on for decades⁹ – in the name of the charges of “inciting subversion of state power” (*shandong dianfu guojia zhengquan zui* / 煽動顛覆國家政權罪; formerly known as *fangeming zui* / 反革命罪, i.e. the crime of “counterrevolution”) and “picking quarrels and provoking troubles” (*xunxin zishi zui* / 尋釁滋事罪) – upon Hong Kong which till now has enjoyed a respectable rule of law inherited from British colonial rule and has been resisting being assimilated by the rule-by-law totalitarian governance of the CCP dictatorship across the city’s northern border inside the “Fatherland”.

4. Governmental Response to the Anti-Extradition Bill Protests

Just like what the world witnessed later in the 1989 Tiananmen student demonstrations, John Gretton, writing in the wake of the 1968 student

protests that rocked France, comments that one of the major aspects of the student revolt that in particular distinguish it from the others is that “its expression has nearly always been political [...] even where the first stirrings of revolt were concerned with purely university problems subsequent agitation has always had an overtly political character” (Gretton, 1969: 17), as he reminds us in his book *Students and workers: An analytical account of dissent in France May-June 1968* that student protests are nothing new or unexpected:

Student agitation is not a new phenomenon, and Latin-American governments have been toppled by it long before the French students posed a serious threat to the Gaullist regime. Even in Europe those countries whose twentieth century history has been turbulent have seen students take sides for or against political movements.

(*ibid.*: 16)

When the Hong Kong people are stubbornly resisting the encroachment of a totalitarian power in their struggle to safeguard freedom of thought and expression and their personal dignity as free human being,¹⁰ we are seeing the extent of incompetence and cowardice of the Hong Kong government, as an organization that could actually serve as a bridge between Hong Kong people and the central government in Beijing to protect Hong Kong people's democratic rights and interests, that is how willingly playing a role of complete subservience to the CCP central government power and betraying Hong Kong people's democratic demands.¹¹

We have also seen how the protest movement to protect Hong Kong people's democratic rights and interests under Hong Kong's autonomy against the CCP dictatorship's attempt to impose its model of governance that is characterized by trampling on the human rights of the

mainland people – with its suppression of freedom of expression, muzzling the media, literary inquisition and extreme censorship¹² – upon the Hong Kong people have been transformed under hopelessness and desperation, against a background of government’s persistent stonewalling all the basic demands, from the peaceful demonstrations of the Occupy Movement in 2014 into a violent format led by *yung-mou* segment (勇武派), from peaceful demand into a “stir fry” (*lam chau / 攞炒*) approach of mutual destruction.

5. The Dilemma Protesters Were Facing in Confronting the Formidable State Machinery with Much Ampler Resources

With the escalation of street violence, the protesters’ stance has increasingly come under attack from most who value stability and economic prosperity and who see the struggle for democracy and human rights just as unworthy abstract and pretentious, “Western” notions. Honestly, both sides are having their dilemmas. The broader protest movement could understand the damage violent tactics did to their cause but still stuck to the original resolution of “never give up, never break up with any faction” (不棄不離, 不割席) for fear that a split may weaken the bargaining power. And there was also at some point in time a belief that the violence has actually weakened Xi Jinping’s hold on the politburo and may cause him to soften his hardline stance.

On the side of the CCP regime, they should be able to see that the protesters’ violence would eventually diminish the support the protest movement so far had been able to maintain from the majority of the Hong Kong public and the liberal democratic West. Hence continuing police crackdown could be useful as it would cause more rage and more violence.¹³ It was a better option than giving in to the protesters’ demand for free elections which could become a boost to Mainland China’s own

pro-democracy movement which had so far been successfully brutally suppressed. Also, allowing real free election of Hong Kong's Legislative Council (LegCo) members and worse, the Chief Executive (CE), would enable the pro-democracy and human rights activists to dominate the Hong Kong government machinery which could influence, encourage and join hand with the Mainland's suppressed dissidents to threaten CCP's dictatorship. The once-softened Carrie Lam had evidently turned more hard-line after her visit to Beijing to talk to Xi Jinping. The central CCP government had obviously instructed her on a more hard-line approach. Seen in this light, the later introduction of the outrageous Hong Kong national security law that caused international uproar would represent the CCP regime's decision to force a PRC-isation of Hong Kong in order to ward off any potential Hongkongisation of the PRC.

6. The State's Upper Hand

In Xi Jinping's speech at the BRICs summit, he said "stop violence and chaos" (止暴制亂) Honestly, having managed to push rage and violence to an out-of-control level, the CCP regime was sensing that the protest movement could be losing moral support from the people, and hence it could be a ripe time for Beijing to act – thus reflecting a true following of Mao Zedong (毛澤東)'s "permanent revolution" theory: generating social chaos as a means to justify a strong State and authoritarian rule.

There is no way for optimism in negotiating with CCP on popular vote, true democratic elections with universal suffrage. Maintaining monopoly on power is always a paramount concern whether in the former Russian (USSR) Soviet structure or for the CCP. It is in its nature; it is in its bones.

7. Violence Escalating

It is true that the Hong Kong protesters in 2019 had strayed far away from the nonviolent action approach of 2014's Umbrella Movement and that trend was worrying. During the siege of the Hong Kong Polytechnic University, according to the police, protesters were storing ammunitions, including ingredients for making petrol bombs, on campus, and were throwing things from dorms down to the streets. Again, the ultimate blame game is: who triggered the deterioration of the situation to such a mob-rule level (including increasing hatred and attack against innocent Mainlanders)? Are the Hong Kong government's and Beijing's stonewalling tactic on demand for genuine popular election of LegCo members and CE, and jailing leaders of the peaceful 2014 Umbrella Movement activists, thus leading to increasing violence, justifiable, ethical and blame-free as government actions? The straying away from the principle of nonviolence plus mindless occupation of the airport (for which the protesters had apologised) could be seen as containing terrible mistakes committed by a leaderless movement lacking the organization and tactical skill of a formidable State machinery. The government's strategy of stonewalling all the demands apparently was effective in generating anger-led missteps on the part of the protest movement – the increasing violence, airport debacle, etc. that might alienate more moderate supporters and create pretext for more drastic crackdown.

Like Robert Owen, the founder of British socialism said, as Marguerite Young informs us in her book on the New Harmony, the Utopian community Owen created in the 1820s: "Man interests himself little in forms of ideal government, being by nature not thoughtful – until he reaches a state of extreme desperation, cold and misery, with a package of dynamite in his hands. And then we see the insecurity of

works of ages, the ghostly top blown off, the edifice dissolving.” (Young, 1945/1966: 127) Facing a government on strings of its marionettists in Beijing that would not, and could not, give an inch, Hong Kong’s new leaderless and “Be Water”-style¹⁴ protest movement was fated to go down the same way as Hans Koning described the Chicago of 1968:

The small shock troops in which SDS (very properly) wanted to organize its demonstrators to avoid mass beatings or mass arrests and to make political points never materialized. The men and women in the street did not want to be organized. They reacted to their impulses, their hopes and indignation, to the political circus at the convention, the aggression of the cops. And they did well, as infantry often does when its officers are not interfering.

(Koning, 1987: 138)

At one point the anti-extradition bill protests had indeed reached a dangerous situation, a critical point, very similar to the last stage of the 1989 Tiananmen protests. The opinion that prevailed, though not often voiced, among pro-democracy movement supporters then was to urge the young people to halt the protests when a certain point was reached,¹⁵ given the grim memory of the risk to the whole movement when a ruthless dictatorship was backed into a corner during the 1989 Tiananmen protests, and also because further prolonging the protests would be falling further into the trap of the regime and turn public opinion against the pro-democracy movement and actually harm the ultimate goal of securing genuine universal suffrage and true free candidate choice for Hong Kong’s Chief Executive election. While it is a democratic right for people to demonstrate peacefully, anyway, there was also fear that there would be agent provocateur from the regime

using that as another opportunity to cause violence to create pretext for crackdown.

It was regrettable to see that the “*yung-mou*” actions were deviating from the nonviolent action principle, but from 2014 to 2019, the protesters’ demand had always been a most basic one: to be allowed to freely elect the leaders of the Hong Kong Special Administrative Region government, without the authority-filtered list tantamount to “selection” instead of “election”. Is it really that difficult for the Hong Kong government and Beijing to agree to this small request?

While condemning the violence of the “*yung-mou*” faction of protesters for doing a disservice to the overall nonviolent pro-democracy movement,¹⁶ by draining away the support the wider movement needed and its moral high ground, critics should not lose sight of the real source of the violence, namely the Hong Kong government and its Beijing overlord that rejected the people’s demand for real democratic election of Hong Kong lawmakers and CE, the Hong Kong government that put all those leaders of the peaceful 2014 Umbrella Movement in jail, and thus cause the rage and violence among the protesters. People were correctly seeing the police as protecting other citizens from the violent protesters, but what they did not see or refused to see was that the police were being used by the authorities to fortify the unyielding, uncompromising position of an irresponsible government.¹⁷ The more the crackdown by the police, the higher the rage of the protestors, the more violent they would become, and that justified more crackdown by the police.¹⁸ And thus more violence. Such is the common strategy by authoritarian regimes to destroy pro-democracy movements by draining its support domestic and overseas through the violence generated. It was easy to say that the protesters should return to peaceful means, even when facing State violence. Resorting to violence themselves, even though could exert some pressure on the State, eventually was going to

derail the protest movement itself. However, for those who were taking personal risks and experiencing outrage in the streets facing police crackdown and government's stonewalling,¹⁹ it would not be fair to simply doubt why this fact was not understood by them.

8. Who Held the Cards?

Sadly, all evidences since 2014 show that these were protests with no way out. The ultimate decision-makers are in Beijing, not Hong Kong. If Beijing insisted on not giving an inch (as has been the CCP's usual approach since 1989), there would be no way for the present setup of the Hong Kong government machinery to dare to disobey. The longer the protests went on, the more angry and feeling desperate the young people were, and the more violent they would become, and the more they would alienate many Hong Kong people in the streets, including those in the lower economic echelons who were already having too hard a life toiling daily to work to feed their families to care about political freedom and democratic ideals. That would create better and better excuse for government crackdown, whether it came, at that time as potentially a military mini-Tiananmen solution, or today, by way of "rule by law": the Beijing-imposed Hong Kong national security law.

9. The Blame Game and the State's Stonewalling Strategy

It is a blame game that everyone has to draw each person's own line. Either one blames the dictatorship that insists on denying the people political freedom and civil liberties and hence causes the riot, or one sides with the dictatorship. It is a personal choice.

When it comes to dealing with student protesters' demand for genuine popular elections, unfortunately Beijing and its subservient

HKSAR government are not willing to stick to the true meaning of the Sino-British agreement and Basic Law but instead repeatedly resorting to the (re-)interpretation by CCP's rubber-stamp Standing Committee of the National People's Congress (NPCSC)²⁰, like how Gretton comments on France's student protests of 1968 in his book *Students and workers: An analytical account of dissent in France May-June 1968*: "The students were thrown an Act of Parliament which, if it were loyally put into practice, would go a long way towards meeting their demands, but [...] the combination of conservative interests in the Government and the teaching profession and among parents of schoolchildren has had the effect of rendering it virtually null and void. Old habits, old methods look like creeping back under new names." And the continuing student agitation, says Gretton, "is to a large extent the result of this bad faith" for there are few fears as powerful "as the fear of losing one's status and authority." (Gretton, 1969: 277) "Everybody will look at what happened, and interpret it, according to his own lights. But those who are tempted to look at 1968 as Burke looked at 1789", thus warns Gretton with a comparison thrown back to Edmund Burke's defining tract of modern conservatism *Reflections on the revolution in France*, "would do well to ponder deeply before damning it in the same way." (*ibid.*: 278)

The strategy employed by the CCP and its docile Hong Kong SAR government is similar to that employed during the Tiananmen Square protests of 1989. Do not respond to protesters' demands at all. Just drag. Wear them off. Waiting for the prolonged protest to cause inconvenience to civilian life and thus lose support from an expanding part of the populace. Rejecting meaningful dialogue at all and refusing to respond to demands will also cause protesters to become desperate and to resort to violence, thus creating an excuse for suppression by force. This is one of the major characteristics distinguishing a totalitarian state from a liberal democratic government. The most important thing is that the

protesters must understand which type of regime they are facing. For example, France's response in recent years to the Yellow Vest demonstrations and the Taiwan government's response to the Sunflower Movement back then were characterised by dialogues and compromises. This is the exact opposite of the CCP regime's and its subservient Hong Kong government's response to the Occupy/Umbrella Movement and anti-extradition bill demonstrations. The latter is an exemplar *par excellence* of how a ruthless autocratic regime drives an originally peaceful protest towards the path of violent conflict.

Just like in 1989 Beijing, time was on the side of the entrenched ruling class who could just keep on stonewalling protesters' demands and sit out the storm. The protests were going to fizzle out somehow, sometime. Society would get tired of it after it had dragged on for too long and caused more and more disruptions to daily life. Even the protesters would get tired. Same as in 1989 Beijing, there would be split within the protest movement – some might want to retreat and re-organize, while some would scoff at the idea of pulling back when demands had not been met and leaving their movement's leaders to alone face the wrath of the State, for even in the case of the relatively “leaderless”²¹ 2019 Hong Kong protests, still there were prominent supporters and mentors of the protest movement from all walks of life, be they the Joshua Wongs and Agnes Chows, or Benny Tais or Jimmy Lais or Denise Hos,²² who would have to face the State's subsequent persecution if just because the SAR government has to show its Beijing overlord that it is not weak, and that there are people to be dragged to court in metal chains to cow the rest of the restless society.

10. The World's Response to PRC's "Domestic" Repression

We have also seen the divergent responses of countries around the world to the CCP's suppression of democracy and freedom – due to their own respective domestic political considerations (as the proverb goes, “Those who live in glass houses should not throw stones”), the profits brought by China's trade and investment, consideration of the international *Realpolitik* in the midst of superpower rivalry reflected in hedging, balancing or bandwagoning behaviour – not only developing countries, but even large Western liberal democracies that consider themselves the proud guardians of the universal value of the North Atlantic liberal democratic traditions are with no exception caught in this contradiction, just as in those days when they were dealing with the nascent ascendance of the Nazis' Third Reich. Unfortunately, history has repeatedly been telling us that the rise and continued strengthening of a dictatorship-controlled country to become a major economic, political and military power is a greatest global human tragedy of immense proportion. Unfortunately as long as the totalitarian regime is still going from strength to strength, atrocities committed and human rights abuse will continue, and so will the international community's silence and complicity.

11. Do Hong Kong People Really Demand “Independence”?

The question here is not Hong Kong's independence – a misunderstanding that the CCP's disinformation machinery²³ would want the whole world to believe.²⁴ That can be ruled out, even if for many that was their aspiration, for without political and military power for support, that remains a pipe dream.²⁵ The question here is the struggle not only of the Hong Kong people but people in the rest of

China too for liberal democracy, universal suffrage, right to elect ruling party, rule of law, independent judiciary, the right to protest, to be free from CCP's brutal infringement of human rights. That is the goal the Hong Kong people must go on fighting for, against repression by the CCP and its minions in Hong Kong. It is the Hong Kong people's basic human rights that the CCP and its subservient Hong Kong SAR government refuse to honour. It is to this end that the protests, in whichever form, must go on.

Since 2014 the protests are about universal suffrage and genuine election of the Chief Executive and the LegCo, the failure of which has led to 2019's anti-extradition bill protests whose violent nature has reflected the level of frustration in facing a ruthless central regime and a SAR government that has no gut to fight for the people's democratic rights and has hence failed the people on every account. The failure of the Occupy/Umbrella Movement has led to the youths' disillusionment that in turn has given birth to the more radical independence movement which is never in the mainstream because most people are matured enough to understand its being just a pipe dream. But this has been used by the CCP as a pretext to crush the democracy movement. That is why the pro-democracy protests must go on, but not those by the more radical independence movement that can derail the wider protest movement. The whole pro-democracy movement needs better planning and organization, cast in a global context.

12. Youthful Disillusionment with a Regime of Absolute Power

The 2019 Hong Kong uprising has indeed deeply shaken the psyche of its Beijing overlord who has been long used to the submissiveness or even nationalistic self-diversion of the cowed Mainland citizens induced by the macabre example their ruthless State shows them of those who

refused the toe the line, like those opposing the European monarchs during the age of Romanticism, as historian J.L. Talmon wrote:

The whole period of 1815-48 was an age of plot, conspiracy, riot and revolt on the one hand, and repression, censorship and police rule on the other, varying in degree from country to country. What was to the régime in power legitimacy and law, was to the opposition coercion and arbitrary oppression. What the opposition regarded as their sacred rights, appeared to the ruling classes as the threat of mob violence and barbarous anarchy.

(Talmon, 1967: 32)

Déjà vu, Hong Kong, 2014, 2019. Similarly, a people who just wish to assert their rights to freely elect their own government. A people in a special corner of PRC who are fighting a battle which their fellow citizens on the vast Mainland are too cowed by fear to fight. These brave, conscientious young people should be thanked by their Mainland counterparts for helping to voice what the latter dare not voice, fight what the latter dare not fight.

As prominent essayist and cultural critic Lung Ying-tai (龍應台), whose poignant writings are among those that had made an indelible contribution to the democratization of Taiwan, says, “The desire for fairness and justice, the pursuit of a reasonable system, and the demand for people’s participation in politics are universal. On the territory of the People’s Republic of China of more than nine million square kilometres, only the Hong Kong people have come forward. Today, Hong Kong people have torn their throats and shouted, and many people are shouting with the determination to sacrifice themselves. You can say that they are shouting out for the vast population of the PRC who are unable to speak out. Looking at it from another angle, the mainlanders absolutely can say

softly to the Hong Kong people today: ‘Thank you, please take care. May the green hills be always there.’”²⁶

But ironically, these young people of Hong Kong are facing a tirade of curses and condemnation over the cyberspace from the young in Mainland China. And Hong Kong students and other young students tending the Lennon Walls on overseas university campuses are virulently, even physically, attacked by Mainland China students on those campuses. What has happened to the young of Mainland China?

13. The Anguish in Hong Kong: The Coming Destruction

And in Hong Kong of 2019, just like Hans Koning ruminates over the Chicago protesters of 1968: “Liberal students *do* become radicals when ... etc., not because they’re hit over the head [a notion Chomsky told Koning he objected to] but because they find that when the chips are down, our rights remain rights only as long as we have the prudence not to test them (Mark Twain). And those kids in Chicago, that generation, assuredly did know what they were doing. What they were doing was the culmination of a decade of thought.” (Koning, 1987: 138) Almost half a decade of desperation down the line from 2014, those Hong Kong kids of 2019 did know exactly what they were doing, callous their actions might sometimes seem, for they were just deciding to waive the prudence of 2014 to further test their rights, a dignified Hong Konger’s rights, a prudence where elsewhere in China most citizens are still too scared to wave, too scared of the prospect of disappearing into the Chinese gulag under the pocket charges of “inciting subversion of state power” and “picking quarrels and provoking troubles”, shackles finally imposed on Hong Kong through Beijing’s introducing the new “Hong Kong national security law” by mid-2020, gleefully welcomed and deployed by a SAR government and its leadership that had not hesitated

in using it to disqualify “unpatriotic” legislators who had been elected by the people²⁷, before proceeding to use it to launch larger and larger waves of arrest of pro-democracy activists and politicians.

Such intensified creeping authoritarianism has meant one thing: Hong Kong citizens will no longer be so different from those in other cities in the vast Mainland in terms of matters of legality.²⁸ As the Mainland China citizens have long been used to, laws and the constitution “no longer meant what they said, for they had to be reinterpreted” in the light of the Party’s will – or in George Victor’s study of the psychohistory of the Third Reich, Adolf Hitler’s, which means that even “with the directives they received, no judge, prosecutor, lawyer, or police official could be sure what a law meant in general or how it should be applied in a specific case, unless advised by the Chancellery.” The uncertainty over the laws and the constitution which can be subjected to reinterpretation further “weakened prevailing moral and ethical rules as well as legal ones”, says Victor. “Right and wrong were less clear than before. Nazi law professors noted that Nazi justice made it harder – in fact, impossible – for people to know whether their acts were illegal or what the consequences might be. One found the uncertainty desirable as it increased the pressure on people to conform!” (Victor, 1998: 117) The same adjustment to new legal reality should be pervading Hong Kong after the introduction of the new national security law for the territory, after seeing how a “lenient” judge in a trial of anti-extradition bill protesters could be condemned by Mainland China’s State media and local pro-Beijing forces and even replaced, and how Jimmy Lai was repeatedly denied bail, thus making him newly one of the prisoners of conscience oldest in age in the vast land under the boot of the CCP, and abhorrently brought to court in metal chains,²⁹ in the twilight of this former British crown colony that was once upon a time rightly proud of its independent judiciary and incorruptible police

force.³⁰ The adjustment to this new reality is much more dreadful than the creeping authoritarianism the Hong Kongers have been feeling over the decades since the Handover, much more than seeing the blatant “interpretations” of the Basic Law (Hong Kong’s mini-Constitution) by the powers that be in Beijing, much more than seeing the extraterritorial crime committed by the Mainland CCP regime in the kidnapping of dissident Hong Kong booksellers and publishers (Yeoh, 2016a: 41-48)³¹ which marks the retrogression of the regime from what some termed “degenerative totalitarianism”³² to a form of quasi-Fascist racketeer governance³³ – like Victor’s observation of how Hitler’s “new system usually protected Nazis who committed acts for which the rest of the nation was punished”, in cases where the Storm Troopers committed what for others would be punishable crimes including homicide, and in the atrocities of *Kristallnacht* (Victor, 1998: 117-118) – and much much more than what is felt on the Mainland where people have learnt through decades what they are expected to do and not to.

As expected, in the recent months came large-scale crackdown on pro-democracy activism, following the advent of the new “Hong Kong national security law”. Jimmy Lai and his son have also been arrested under the new law.³⁴ Many pan-democrats were arrested under different charges, some out on bail. Dissident university academics were fired, including Benny Tai.³⁵ Apparently the whole purpose of the new law is to crack down on pro-democracy activism, instil fear and White Terror among dissidents. It is a standard Chinese Communist Party policy approach, now newly applied to Hong Kong. It was a positive development that the United State has continued to provide strong support for Hong Kong’s persecuted dissidents, as she has always done for Mainland China’s, and sanctioned the chief executive Carrie Lam and the other officials for the imposition of the new law and widespread crackdown on pro-democracy activism in Hong Kong, to a certain extent

hitting them where it hurts, and the United Kingdom has taken positive actions too to provide exit route for the Hongkongers who just suddenly found themselves under the boot, but of course on the ground that will not sway the CCP even a bit.

14. The State's *Saturnic Power* and the Closing of the Chinese Mind

“There is reason to fear that, like Saturn, the Revolution may devour each of its children in turn.” Thus said Pierre Vergniaud, the leading spokesman for the moderate Girondins in Paris of 1793 (cited in Bullock, 1993: 493). He and other Girondins were guillotined later that year after being attacked by the more radical Jacobins. Vergniaud's warning, which was reflected in the most well-known of Francisco Goya's “Black Paintings” over two decades later, *Saturno devorando a su hijo* that depicts Saturn devouring his own child, need not only mean physical annihilation, but also assault on mental capability, on free thought, resulting in the obliteration of reason itself – as Goya depicted in his powerful aquatint *El sueño de la razón produce monstruos* (*The sleep of reason produces monsters*), just a few years after Vergniaud raised the above alarm.

One of the most important strategic instrument for infiltration overseas is the international network of Confucius Institutes (Yeoh, 2017: 934-959)³⁶, which constitute a direct arm of CCP's propaganda department to condition a whole younger generation of other countries covertly and subliminally to be in tune to support CCP's policy, including both domestic and foreign policies, and most importantly its dissent-intolerant governance model.³⁷ Meanwhile, shutting out information from outside³⁸ except being filtered through State mouthpieces, banning all outside channels from *Google* to *Wikipedia*, from *Facebook*³⁹ to *Youtube* to *Twitter*, and replacing them with regime-

approved own “equivalents” in the form of the strictly censored *Baidu* (百度), *Weibo* (微博), *WeChat/Weixin* (微信), etc., strict censorship of news permitting only “positive” domestic news to get published, and prohibition of investigative journalism⁴⁰ and persecution and jailing of non-official citizen-reporters (i.e. those acting independent from official media and media cowed by the regime) and camera-witnesses have created an Orwellian world of “Ignorance is Strength” tacit State-promoted political environment.⁴¹

The power of the strict State control of information flow is not restricted to be over the young in Mainland China, but also reaching all generations vulnerable to such State manipulation. Furthermore, beyond this “closing of the Chinese mind” in Mainland China, this power is having an outreach far into foreign lands through the United Front work’s successful controlling or influencing directly or indirectly almost all Chinese-language media overseas⁴² and propaganda via yearly billions of short messages and video clips on the social media (a tactic that is in line with the ancient Chinese proverb “three guys a tiger make”⁴³) including those by the CCP government-backed Internet warriors often referred to as the “50-cent gang” (*wumao* / 五毛),⁴⁴ as well as CCP-State-owned international propaganda arm like *CGTN* (*China Global Television Network*),⁴⁵ exploiting the liberal democracies’ practice of free mass and social media to tell the world Xi Jinping’s “China story” well (while blocking access to these same media within the borders of PRC), brainwashing audiences and readers all over the world on a daily basis inside and outside Chinatowns. It was reported that most of these online actions of the totalitarian CCP State rely on “spam accounts” to spread false news and conduct public opinion manipulations, and since most of these messages are in Chinese, it can be inferred that their target groups are people in Hong Kong or ethnic Chinese overseas communities. A report released by Harvard University

in 2017 pointed out that the Chinese government fabricated 488 million fake online comments a year.⁴⁶

This represents a State power that goes far beyond, and in a far longer-term process, than what Joseph Nye called “soft power” (Nye, 1990, 2004, 2008) and what Christopher Walker and Jessica Ludwig called “sharp power” (Walker and Ludwig, 2017). It represents more of a slow poisoning of the young mind through a *saturnic power*, and of minds of older generations too, but more importantly a whole generation of young Chinese minds – a terrifying mental corruption of a whole generation that is going to grow up to be the next generation of political leaders in Mainland China and overseas, like that having been done to the hardened, murderous child warriors in today’s terrorist battlefields and civil war zones. As Erich Fromm says of the CCP dictatorship’s counterparts in recent history:

Fascism, Nazism and Stalinism have in common that they offered the atomized individual a new refuge and security. These systems are the culmination of alienation. The individual is made to feel powerless and insignificant, but taught to project all his human powers into the figure of the leader, the state, the “fatherland,” to whom he has to submit and whom he has to worship. He escapes from freedom into a new idolatry. All the achievements of individuality and reason, from the late Middle Ages to the nineteenth century are sacrificed on the altars of the new idols. The new systems were built on the most flagrant lies, both with regard to their programs and to their leaders. In their program they claimed to fulfill some sort of Socialism, when what they were doing was the negation of everything that was meant by this word in the socialist tradition. The figures of their leaders only emphasize the great deception.

(Fromm, 1955: 208)

As has been with Hitler's *Nationalsozialismus* (National Socialism / Nazism), Fromm's critique serves as much to explain CCP's "Socialism with Chinese characteristics" as a blatant lie, a contrived premise, together with the new Xi-brand of nationalist slogan "the Great Rejuvenation of the Chinese Nation" employed to entrench the Party on the altar of power to fulfil its cosmic destiny to lead the Chinese nation, which only the Party is almost divine-ordained to lead to its glorious destiny, as described vividly by Friedrich Hayek in his influential exposition of liberalism, *The road to serfdom* (1944):

The most effective way of making everybody serve the single system of ends towards which the social plan is directed is to make everybody believe in those ends. To make a totalitarian system function efficiently it is not enough that everybody should be forced to work for the same ends. It is essential that the people should come to regard them as their own ends. Although the beliefs must be chosen for the people and imposed upon them, they must become their beliefs, a generally accepted creed which makes the individuals as far as possible act spontaneously in the way the planner wants. If the feeling of oppression in totalitarian countries is in general much less acute than most people in liberal countries imagine, this is because the totalitarian governments succeed to a high degree in making people think as they want them to.

This is, of course, brought about by the various forms of propaganda.

(Hayek, 1944/1986: 114)

The CCP regime's continued relentless assault on political dissent and its absolute resolve to maintain its power monopoly at all cost – and steadfast refusal to let one fifth of humanity in this East Asian land mass

resume their course of democratisation started by Sun Yat-sen (孫中山 / 孫逸仙 / 孫文) and others in the 1911 revolution that overthrew the 5000-year long imperial monarchical order but that was interrupted by the Japanese military invasion and the Communist Party's conquest of Mainland China – could only be postponing the inevitable and in fact accentuating the existing social contradictions, for both the speed and volatility brought about by the country's breakneck economic transformation under increasing morphogenesis are making whatever State-sanctioned system with the bottom line of one-party rule short-lived in viability when all State-guided *modi vivendi* as such could be at best *pro tem* (Yeoh, 2011: 465-474)⁴⁷.

It is in this regard that transnational support, including also financial support and training for the pro-democracy activism is not only fully justified but highly important, despite all the effort of the dictatorship to resort to nationalism to discredit it.⁴⁸ One of the most outstanding episodes that attracted condemnation from both the government and pro-CCP nationalists was the case of demonstrating with the United States of America flag in Hong Kong of 2019 that had looked ridiculous and highly provocative to Mainland nationalists but the protesters were actually pressing the U.S. Congress to pass the proposed Hong Kong Human Rights and Democracy Act of 2019 (HKHRDA) that would serve to provide concrete support for their struggle. The related bill initially introduced in 2014 – following that year's Umbrella Movement and pro-democracy protests in Hong Kong, which was followed by the CCP regime's outrageous cross-country kidnapping of Hong Kong booksellers about a year later – will establish punitive measures against government officials in Hong Kong or China who are responsible for suppressing civil rights in Hong Kong, and will help to put pressure on the Hong Kong government and the CCP regime to let Hong Kong remain sufficiently autonomous from China to justify different treatment

of Hong Kong under U.S. law. Joshua Wong and Alex Chow's opinion piece in *The New York Times* was also having this Act in mind. With heavy link (family, financial) of China's high and mighty to U.S., this Act might have some impact, as it allows freezing their U.S.-based assets and denial of entry into U.S. However, it could be a double-edge sword too. While the Act might cause some inconvenience to the present Hong Kong administration and China, the real impact should be rather limited, not enough to cause Beijing to soften its stance. On the contrary, it might further fan blind nationalism in Mainland China, playing right into the hands of the CCP dictatorship.

15. What's in a Flag: Ideals or Atrocities?

The flag "is the embodiment, not of sentiment, but of history", said Woodrow Wilson, in a 1915 address.⁴⁹ Like the U.S. flag incident in the Hong Kong protests, similarly when some protesters were holding high the flag of the United Kingdom and trampling on the CCP regime's national five-star red flag they were merely contrasting the political freedom-denying, dissent-crushing, repressive totalitarian rule of the CCP – with a dictatorship-manipulated "justice" system which they saw as blatantly creeping into the life of Hong Kong people⁵⁰ who valued so much freedom of expression and right for political dissent – to their former colonial British government whose human-rights-respecting liberal democratic government system with judicial independence which they aspired.⁵¹ Free thought and free speech and related political freedom and civil liberties are international ideals, *sans* borders, and the struggle against political persecution of dissent and human rights infringement is also transborder, and it has to be recognised as such, despite the efforts of autocratic, repressive regimes to discredit this international link by resorting to exclusionist ethnonationalism.

In his introduction to the edited volume *Students in revolt*, Seymour Martin Lipset (1969/1970: xxix) says that more than any other group, “intellectuals tend to have an international reference group” and are clearly more likely to be cosmopolitans, referring to Robert K. Merton’s distinction between “cosmopolitans”, who are oriented to outside groups for standards of comparison, and “locals”, who are concerned with the evaluations of the community within which one resides, in his landmark publication in sociology *Social theory and social structure* (Merton, 1949/1968: 441-475). As cosmopolitans, these intellectuals and academics will thus have awareness of the shortcomings of their nation in comparison with the standards of the leading countries, which “heightens their desire to foster change within their own society and increases their resentment against local or foreign groups that inhibit modernization” and their support for radical political movement, and within this setting, students often turn into rebellious “apprentice intellectuals” under stimulation from their professors (Lipset, 1969/1970: xxix). These students, together with other groups, often turn to confrontation politics in the form of activist demonstrations due to the lack of legitimate channels of communication to authority, being ignored by the adult power structure (Lipset, 1969/1970: xxx). This is amply evident in both the 1989 Tiananmen demonstrations and the 2019 Hong Kong protests, following closely the tradition in earlier times of China when students who were then crucial to the Imperial Court’s effort at modernisation were at the same time spreading republican and radical ideas throughout the society, helping to overthrow the Ch’ing Dynasty in 1911, and “were thereafter one of the elements continually pushing China toward modernization and radical ideologies.” (*ibid.*: xv)

16. The Chinese Overseas: The Exploitation of Transborder Co-ethnic Ethnonationalism

What is CCP regime and Hong Kong government's response to the peaceful Occupy campaign demonstrations in 2014? The government refused to give an inch and violently suppressed it. The Occupy Nine were all sent to prison, including associate professor Benny Tai, the initiator of the Occupy campaign, who later after ending his prison term was fired by the University of Hong Kong in 2020.⁵² The government insisted on not responding to the people's demands for genuine universal suffrage elections and would not give an inch. The peaceful way of appeal had failed altogether. The leaders who advocated peaceful demonstrations were all imprisoned. The 2019 demonstrations turned to violence. Whose fault is this? People not only in China, but also among the ethnic Chinese overseas community, who firmly support the CCP's dictatorship have their own conscience to question, as we have also seen that a large majority among members of the ethnic Chinese overseas communities, whether they be the leaders of the chambers of commerce or common people in the streets, have made the almost one-sided choice to support a dictatorship that despises free thought and brutally suppresses free speech.⁵³ It is also a choice made to willingly, slavishly destroy one's own conscience for the sake of enjoying the halo of a perceived glorious, strong ancestral homeland eulogized by the CCP dictatorship's official media and its fans, and subject oneself to the emotional extortion by an officially exploited never-ending "hundred-year national humiliation" rhetoric – which should help us to recall the national feeling of humiliation and the economic hardship following Germany's defeat in the First World War that served to lead to the rise of Adolf Hitler and the Nazi Party (*Nationalsozialistische Deutsche Arbeiterpartei* / National Socialist German Workers' Party) and

resurrection of national pride under Hitler's Third Reich – thus either turning a blind eye to the cruel suppression of dissent by the ruthless regime, or faithfully dancing to the tune of the official media's theories of foreign “black hand” and “China exceptionalism”.

We have even witnessed violent attacks under the banner of nationalism by China students studying overseas,⁵⁴ in academic institutions of free and democratic countries, upon the overseas student movements' events supporting Hong Kong's anti-extradition bill protests and condemning the CCP dictatorship's eroding Hong Kong's civil rights and political freedom⁵⁵ – reminiscent of those bygone days when German nationalists, who were supporting the Nazi's resurrecting German glory, attacked the Jewish scapegoats and the supporters of the socialist movement and the ideal of liberal democracy. These harrowing episodes dreadfully inform us how a ruthless, autocratic regime can resort to exploiting ethnonationalism to maintain its political power monopoly.

“[...] how did intelligent, well-intentioned, educated, principled people [...] become so caught up in the [Nazi] movement, so captivated by Hitler's magnetism that they could accept everything – the secret police, the concentration camps, the nonsensical rhetoric of Aryan heroism and anti-Semitism [...]?” So asked historian Eugene Davidson (cited in Victor, 1998: 5). The same question can be put to a broad population of admiring intellectuals, including academics, and many in all walks of life, both in PRC and outside, and in the case of the latter including the predominant portion of the Chinese overseas communities, as regards the CCP dictatorship's repression of dissent, the fate of the Chinese dissidents who are harassed, imprisoned, tortured, put under round-the-clock thuggish surveillance, or simply to “*be disappeared*” (*bei-shizong* / 被失踪), and millions more who are constantly put under such threat for any potential transgression as could be perceived by the

CCP State as disobedient or recalcitrant, and PRC citizens abroad including students whose families back home are under such threat for any potential “misbehaviour” of the children including even posting of messages critical of CCP on overseas social media.

Admittedly it is a personal choice whether while fighting for civil liberties and political freedom in, say, a country where one resides, one wants to apply a different standard whenever similar issues that emerge now happen to relate to the Chinese, to China, just because that ethnic pride now seems to be paramount in the case of one being an ethnic Chinese overseas, or simply just as a manifestation of “China exceptionalism” subscribed to by even many of the world’s top thinkers, or due to historically based long-running hatred for “Western” imperialism compromising one’s moral compass causing an inclination to always see culpability of brutal dictatorships in developing countries as never to be in the regimes themselves but to be traced back, and only to be traced back, to the former colonial powers. Thus the double standard.

At the same time, this also leads to the cultivation of a mindset susceptible to the CCP regime’s propaganda strategy of deliberately confounding protest movement, though sometimes chaotic, against a dictatorship’s persecution of dissent, muzzling of freedom of expression, suppression of political freedom and civil liberties (as in Hong Kong) with civil disobedience-turned-riots that happen in a liberal democracy with free press, freedom of expression, opposition parties, civil society watchdogs and an independent judiciary (as in the U.S.), in order to counterattack the liberal democracies’ condemnation of its human rights abuses with a “not holier-than-thou” argument – the shopworn formerly Soviet tactic of rhetorical diversion with purposive deductive fallacy often referred to as “whataboutism” or “whataboutery” in responding to criticisms of the Communist Party regime’s human rights abuses by

questioning “and what about *you*?” with the instancing of an event or situation, historical or contemporary, in the critic’s own country.

Talking about double standard ... When members of an ethnic Chinese overseas community fights against a repressive regime in the country where they reside they do not say that it is that country’s internal affair and therefore the outside world should not intervene. When their co-fighters are arrested, they do not say that these people are agents of some foreign power trying to destabilize the country through the Opposition. Why do many of them need to adopt a double standard whenever matters are related to China? Simply being blinded by a misplaced ethnic pride?

Contrary to the CCP State propaganda highly influential among the blindly nationalistic young Chinese citizens as well as a great many among various generations of ethnic Chinese overseas, condemning “Communist Party of China” dictatorship’s trampling on human rights, suppression of political freedom and civil liberties, and muzzling free speech, free thought and free press is not equivalent to or identical with attacking China or the Chinese people.⁵⁶ “Communist Party of China” is not equivalent to or identical with China or the Chinese people.⁵⁷ A ruling political party is not equivalent to or identical with the country or the country’s citizens. Criticizing a political party’s rule is not equivalent to or identical with criticizing the country or the country’s citizens.⁵⁸ By the same token, to love China is not equivalent to having to love the Chinese Communist Party dictatorship. To love Chinese Communist Party dictatorship is not equivalent to loving China.

Most Han Chinese today, unfortunately, so confused within a mental state of what William Callahan (2010) termed “pessoptimism” effectively exploited by CCP propaganda employing China’s turbulent history, could no longer differentiate between China and the unelected

dictatorship of the CCP, and could not understand that to bring down a ruthless dictatorship is actually to save a country's people.

When contending that only patriots should be eligible to run the Hong Kong government, the Beijing regime and CCP apologists are also purposefully conflating patriotism – loyalty to China – and loyalty to the Chinese Communist Party. On one side are people who blindly support an autocratic Party-State that tramples on human rights and civil liberties, muzzles freedom of expression, denies citizens' freedom of political choice, and persecutes political dissidents. On the other are those who risk their personal freedom and comfort and even their lives struggling to bring about a human rights-respecting governance system for China that honours citizens' rights to political freedom and civil liberties – a resumption of the ideals of the 1911 revolution and Sun Yat-sen's original call for "rights of the people" (民權) in his "Three Principles of the People" (三民主義) political philosophy that were interrupted by the Japanese military invasion and the Communist Party's conquest of Mainland China. Honestly, who are the real patriots?

Many people long conditioned by totalitarian brainwashing would of course argue otherwise. Only a simple logical response is needed here. Let the majority of the Chinese people, one person, one vote, without the threat of White Terror from those in power, without the threat of jailing with conviction of "inciting subversion of state power" or "picking quarrels and provoking troubles", vote to decide whether the Communist Party of China should forever rule as a dictatorship or, instead, the people should have the basic right to freely choose the ruling party. This is not what the currently ruling unelected Communist Party government should just have the final say, nor should the so-called Little Pinks (*xiaofenhong* / 小粉紅)⁵⁹ among the China citizens or ethnic Chinese overseas. Are the Communist Party dictatorship and the Little Pinks regarding the vast China citizens as people who are unable to vote

to determine their own future? Where is the human dignity of China's 1.4 billion people? Is it true that China's 1.4 billion citizens are really people without the ability to think independently, who forever need a Big Brother to think on their behalf? Is the brainwashing education of the Chinese Communist Party dictatorship really so successful over all these decades?

An example that can be used to gauge this is the case of Taiwan. The fact is that Taiwan is the first human-rights respecting liberal democracy in thousands of years of Chinese history, a recognized best-case democratisation model by world standard. But a great many China citizens, especially those in the younger generation, have been so conditioned by decades of "patriotic" education to ignore the fact of China remaining under the rule of a repressive dictatorship and instead to focus on Taiwan being just a renegade province to be reunited with the Mainland by force if necessary, while a great many among the overseas Chinese have chosen to laud and support the repressive totalitarian regime of the Chinese Communist Party instead, and want Taiwan to be absorbed by this dictatorship in the name of the national glory of their "Fatherland" or ancestral homeland. However, probably there is always more to that than meets the eyes.

Of course, it is always difficult to gauge the level of success of such brainwashing over a whole generation. But there could be a lot of revelation if we are looking at the penchant for everything "Western" throughout China's society from leaders to cadres to youths, from luxury items, mobile phones to education, despite all those nationalistic, Party-loyal rhetoric that the people let the Party hear what it loves to hear. Like George Orwell said in "Defense of Comrade Zilliacus" in 1948, two years before his passing:

Surely, if one is going to write about foreign policy at all, there is one question that should be answered plainly. It is: “If you had to choose between Russia and America, which would you choose?” ... in spite of all the fashionable chatter of the moment, everyone knows in his heart that we should choose America.⁶⁰

17. From Brainwashing to the Abuse of Racism Charges

In the present era after the fall of the Communist Party dictatorship in Russia and its Soviet Union captive nations⁶¹ and satellite states in Eastern Europe and Mongolia, all in 1990, when Mainland China (the “People’s Republic”) is the only giant landmass now still languishing under a Communist Party dictatorship, Orwell’s words could be ringing true, by all intents, in the hearts of all those nationalistic rhetoric-spewing so-called Little Pinks and old rouges domestic or in the diaspora.

In May 2020 after U.S. president Donald Trump told *CBS News* reporter Weijia Jiang “Maybe that’s a question you should ask China” in response to the latter’s asking him “Why is it a global competition to you if every day Americans are still losing their lives and we’re still seeing more cases every day”,⁶² Jiang hinted on *Twitter* that Trump was being racist. The accusation of racism here is indeed rather tricky. It actually implies that either Trump has conflated Jiang’s ethnicity, nationality and direction of loyalty, or Jiang has conflated her own ethnicity and the country of China that Trump mentioned, or both. When Trump said that if she were to ask China she would get a very unusual answer, he meant the PRC’s unbelievably low rate of death from the novel coronavirus epidemic. It may or may not be incidental that the question has come from a China-born ethnic Chinese *CBS* reporter but

the reporter's insinuating later that Trump was being racist in saying that to her, though reflecting her honest mindset, could be misleading. "Racism" has been misused so much during this time of global pandemic to threaten people who dare to point out that the outbreak had indeed started in Wuhan,⁶³ China, whether or not the virus itself had originated anywhere else including the outer space, and it is the CCP regime's penchant for secrecy and suppression of dissent that had helped to contribute to the global disaster.⁶⁴ Those who dare to insist on this fact are branded "racist" towards ethnic Chinese everywhere. There are prominent ethnic Chinese politicians and scientists making statements that the pandemic "has nothing to do with Wuhan" and coming forward to denounce people who "blacken China's good name". If ethnic Chinese overseas could not resist their "nationalistic" urge to support the ruthless and brazen dictatorship that is ruling China now, they really should not blame people everywhere suspecting that they are but the PRC's international fifth column.

Criticising a China that is under the boot of the CCP's dictatorship is equivalent to racially discriminating against the Chinese? To call the world-ravaging nCoV pneumonia that had spread globally from China's Wuhan outbreak "China virus" is a racial discrimination against the Chinese people?⁶⁵ Does that mean that the Chinese overseas (migrants and descendants) who are already citizens of countries other than China still consider themselves people of China? (Note the ambiguity of the English term "Chinese", referring to either people with China citizenship or people of Chinese ethnicity including non-China-citizens, which tends to compound the problem.)⁶⁶ Then how do the ethnic Chinese overseas communities protest about why others always regard them as the overseas fifth column of the PRC? It is a simple fact that the CCP is strategically conflating its dictatorship with "Chinese", and criticism against the CCP with anti-Chinese racism. The question is: how do the

ethnic Chinese overseas think about that? Where do most of them actually stand?

The ethnic Chinese overseas communities should reflect: as a member of the great ethnic Chinese nation, if that is how they feel, they can feel extremely honoured. However, is the present iron-fist dictatorship in China that has oppressed the Chinese people for over 70 years – the brazen trampling of civil rights, the wanton arrest, torture and incarceration, sometimes to death, of dissidents in order to consolidate the permanent rule of the one-party dictatorship, the continued deception of the world, the relentless suppression of the civil rights and pro-democracy movements, not to mention the bloody purges, the manmade famine that killed tens of millions of people and the 1989 massacre of thousands of civilians during the Mao and Deng eras – the Communist Party dictatorship that does whatever it wants while suppressing any voices of dissent, really should be rightfully considered by them to be the honour to the Chinese nation, or rather an ignominy?

For the ethnic Chinese overseas communities, a real long-term threat from the CCP regime that is hardly recognised is that overseas ethnic Chinese's Great Han Sinism⁶⁷, accentuated for political use by the CCP regime's United Front infiltration and control of ethnic Chinese overseas communities, is pushing these ethnic Chinese overseas communities into an abyss of more and more being perceived as the CCP's regime's "fifth column" repelled by other local communities. With more and more cases of ethnic Chinese overseas arrested for involving themselves in espionage (including technology theft) for the PRC or acting as the PRC's foreign agents of influence,⁶⁸ it is really difficult to blame other people for misperceiving ethnic Chinese overseas in general as the totalitarian PRC's "fifth column".

These ethnic Chinese overseas still feeling "patriotic" to the totalitarian PRC,⁶⁹ happily playing willing victims to the CCP

dictatorship's ethnonationalistic emotional extortion, are tarnishing the reputation of ethnic Chinese overseas and arousing local resentment and suspicion towards them (thus the perennial label, "PRC's fifth column"). Their pride of having a glorious "strong China" backing them up is a dangerous misperception, as throughout the history of the PRC since 1949, the CCP government has only had the record of using the ethnic Chinese overseas as its United Front tool and has never had the record of sending military aid to rescue the latter when anti-ethnic Chinese sentiments flared up into mob violence (unlike U.S.'s or France's oftentimes military evacuation operation for endangered American and French people in other lands). Never. Not in the case of Indonesia of 1965. Not in the case of Khmer Rouge's Kampuchea. Not anywhere. "Politics in command" (政治掛帥) bilateral relations have always been the CCP regime's strategic dictum. Ethnic Chinese overseas are just to be used for this political prerogative and can be swiftly discarded if doing otherwise could jeopardise this prime directive.

In this regard, it is important to draw attention to the fact that the Chinese Communist Party regime, through its United Front work propaganda department, the widely dubbed "fifty-cent" army (五毛) and the "voluntary fifty-cent" netizens (自乾五)⁷⁰, has been highly successful in influencing and brainwashing generations of ethnic Chinese overseas through media stake control as well as hundreds of millions of "patriotic" online video clips and social media short messages every year that purposefully obscure the distinction between nation and ruling party. Most importantly, it has acquired almost all overseas Chinese media outlets around Chinatowns.⁷¹ The purpose is to inculcate in Chinese minds the concept of upholding CCP's one-party dictatorship governance model, and to make sure that a whole next generation of overseas Chinese thus brainwashed will grow up and when participating in local politics will lean towards, support, justify and

favour CCP's one-party dictatorship model, or even guide local politics in the direction of authoritarianism and suppression of dissent, in order to cultivate more long-term allies for the CCP dictatorship.⁷² In an era when more and more Southeast Asian nations in China's neighbourhood are retreating from democracy and returning to authoritarianism, against the Fukuyaman optimism earlier in the 1990s, the role of the PRC as a global supporter, ally and mentor for all totalitarian and authoritarian regimes and the regular exercising of its vetoing power in the United Nations against world condemnation of such regimes' excesses and atrocities, decades-long and going strong, is coming into the world political limelight again. The implication of a whole new generation of ethnic Chinese overseas actively participating in politics throughout the world from Jenni Chen-Ye (陳燕妮) of Finland to Gladys Liu Simngor (廖嬋娥) of Australia at a time of the totalitarian PRC's alarmingly rising global political influence is attracting political analysts' attention too⁷³ – the grim prospect of a whole young generation growing up to be community leaders sympathetic to the dissent-suppressing governance model of the PRC.

18. SARS Redux: CCP's Governance Model and Strengthening World Clout and How Wuhan's nCoV Outbreak Turned into a Global Massacre

Hardly a year since the first anti-extradition bill protest unfolded in Hong Kong in the form of a sit-in at the government headquarters on 15th March 2019 that set off the chain of protest actions that rocked Hong Kong over the rest of the year, another event have been moving apace frenetically that carries all the hallmarks of the CCP regime's governance model of covering up, persecution of whistle-blowers and unofficial citizen-reporters,⁷⁴ tight filtering of information, all-out effort

to influence world bodies especially the World Health Organisation, and economic coercion against any country that dare to make remarks or take actions that the CCP regime perceives to be “unfriendly”.⁷⁵ Unprecedented over the past century, the world is again in the grip of a horrifically deadly pandemic that by the end of 2020 has massacred almost two million people worldwide and damaged the health of the other over a hundred million people. It destroys lives; it destroys families. It destroys social fabric; it destroys values. But its deep impacts are not only medical and social, but also economic and political. From the first Wuhan outbreak at the turn of the year to today’s macabre global menace, it has indeed been pointing to coming long years of living dangerously.

Adding to the blame game for the violence in Hong Kong’s anti-extradition bill turbulence, the clumsiness of the world’s large liberal democratic powers in dealing with the novel coronavirus (nCoV) pneumonia from China that is fast-spreading throughout the globe has reflected how the CCP’s export of the horrific new pneumonia, even if inadvertent and whether or not it has actually stemmed from a laboratory leak, has shaken the foundation of the ideal of liberal democracy.⁷⁶ But have the world’s liberal democracies actually failed in their dealing with this novel coronavirus pneumonia exported from China in comparison with the CCP regime’s inside China itself?⁷⁷ And in the case of Hong Kong, has the turning to violence on the part of some factions of the Hong Kong protesters somehow justified the CCP dictatorship and the Hong Kong SAR government’s position of not yielding to the protest movements’ core demand for real popular elections with universal suffrage from 2014 through 2019?

It has become quite politically incorrect to hypothesize that China’s Wuhan nCoV outbreak was a result of biological weapon experiment – e.g., as claimed by exiled Chinese ophthalmologist and virologist Yan

Limeng (閔麗夢)⁷⁸ whose mother as a result was allegedly arrested by the CCP regime in China, but since biological weapon experiment is being conducted by all major powers, it also cannot be totally counted out. The question is proof. Even without this hypothesis, just say the Wuhan Institute of Virology was conducting legitimate scientific, medical experiment on viruses and bats, a virus leak (whether the viruses have been recombined or not) still represents a very high possibility.⁷⁹ Without more concrete proof from Yan, a more believable possibility is rather that this novel coronavirus has been accidentally leaked from the Wuhan Institute of Virology's laboratories⁸⁰ (which is actually conducting legitimate coronavirus experiments sometimes with strong ties to laboratories of the U.S., France and Canada) rather than as a result of malicious releasing of virus for some sort of biochemical warfare, but of course, substantial evidence is needed to prove this argument too.⁸¹ However, these are legitimate suspicions given the CCP regime's penchant for secrecy and cover-ups⁸² and its disallowing foreign experts to visit Wuhan for over a long year during which all evidences would have dissipated into thin air.⁸³ The wider scientific and medical world should not simply accuse this dissident virologist just as a lying conspiracy theorist, or just offhand dismiss the possibility of a lab leak as a conspiracy theory.⁸⁴ That would be academic dishonesty and close-mindedness. But of course until free press and free academic inquiry become possible in China (a post-CCP China), the truth will never be revealed whether regarding the real cause of this macabre pandemic or the real death toll from the disease in China, especially in Wuhan,⁸⁵ or the real death toll of the 1989 Beijing massacre, or the real number of inmates in Xinjiang's "vocational training" brainwashing internment camps.

This novel coronavirus pneumonia outbreak in Wuhan has not occurred out of nothing, unpredicted. There had been warnings all along,

about how this totalitarian regime which is worsening in its domestic political repression is going to make the next severe acute respiratory syndrome (SARS) inevitable. Over a decade before the current macabre Wuhan nCoV pneumonia outbreak that ended up to be a still-ongoing massacre of the global population, Karl Taro Greenfeld gave the world this grim warning at the closing of his investigative report *China syndrome: The true story of the 21st century's first great epidemic* on the outbreak of SARS:

In fact, humanity had been lucky [...] Had it broken out before the twentieth century, it would certainly have been a dreadful epidemic, with a 5 to 10 percent mortality rate, causing millions of deaths. Even today, had it been as infectious as influenza, it would have killed millions [...] And [University of Hong Kong's virologist 管軾] Guan Yi was proving that it was still out there and mutating, its genetic tumblers clicking away until it might settle on a more deadly combination.

(Greenfeld, 2006: 402)

However, ultimately, humanity would not be so lucky the next time a similar virus strikes again, if the PRC's totalitarian ruling model goes on unchanged or getting even more repressive, *China syndrome's* warning continues:

But if we had been lucky, been given, in effect, a warning by the genomic tapestry we had gashed open, had we taken heed? [...] There were teams in Beijing, Washington, and Taiwan working on vaccines for SARS. There were Guan Yi and Malik Peiris and their cohorts in Hong Kong keeping vigilant. But what had really changed in China? The government still expected the local public health agencies to pay

their own way. When that TV producer was infected by reemergent SARS and treated at Number Eight Hospital, rather than encourage the media to cover the outbreak, the government had arrested the first reporters to write about the new case [...] Any biases in the system that prevented accurate reporting of the initial outbreak remained. There had been no attempt to encourage more openness. One now encountered government officials who believed that the real lesson of SARS was to engage in more effective cover-ups. Even more troubling, Dr. Jiang Yanyong, the whistle-blower who had exposed the Chinese government cover-up, had since been put under house arrest for writing a letter to party leadership criticizing the government's labeling of the student protest at Tiananmen Square as "counterrevolutionary." The takeaway: deny everything.

(ibid.: 402-403)

As Greenfeld quotes political commentator Baopu Liu: "While the Chinese leadership is serious about fighting SARS, its No. 1 priority remains the stability of the regime." Alas, the world has never learnt, and it is now paying the price with millions of deaths and economic ruin.⁸⁶ But allowing the CCP dictatorship to continue strengthening its human rights abuses, persecution of dissidents, tight surveillance of citizens, enforcing amnesia and brainwashing a whole generation after the Beijing massacre of 1989,⁸⁷ is to encourage this rare remaining huge totalitarian state to continue its regime power stability priority over all else, that directly leads to this SARS redux – with a much wider scale – that has massacred millions across the globe. The outside world, the liberal democratic world has decided to continue sacrificing value and principle for corporate gains, for the lucrative China market, and investment opportunities, and many universities and academics in the liberal democratic world do that too for the sake of attractive project

grants and visiting academic opportunities, and even the World Health Organization leadership (whose present director-general was elected into office in 2017, becoming the first WHO director-general who is not a medical doctor, with the support of the PRC and a bloc of other Asian and African countries among whom the PRC was influential, defeating his rival, a British medical doctor candidate with distinguished career in the international civil service) has succumbed to the PRC's clout and influence to play to the tune of the CCP regime in ignoring Taiwan's message of warning inquiry,⁸⁸ in condemning with the PRC those countries that blocked tourists from China when the disease had started to turn into a "pandemic" – a warning term continuously shunned by the WHO leadership⁸⁹ that is blindly accepting words from a regime well-known for cover-ups and persecution of whistle-blowers and citizen-reporters. Such continuing appeasement from the liberal democratic world has unfailingly further encouraged the CCP regime's arrogance and belligerence,⁹⁰ and its penchant for using its huge market power – a new twist to the "human sea" stratagem of the Maoist era, non-military this time but in the form of irresistible purchasing power of a fifth of humanity with a booming economy – to punish any nation that dare to point to the PRC as the source of the macabre SARS redux. While this pandemic is murdering the global population and wreaking havoc in other countries' economies, this brazen regime is advancing an agenda to take advantage of the deteriorating situation to act like a saviour of the world through propaganda domestic and abroad and with its mask and vaccine diplomacy,⁹¹ while on the other hand pursuing even more draconian suppression of dissenting voices in the country,⁹² brutally clamping down on the Hong Kong people's democratic aspiration through the slavishly subservient HKSAR government leadership,⁹³ threatening Taiwan with unprecedented number of military fly-by sorties, and sabre-rattling in the South China Sea.⁹⁴ In short, as adept as

ever, this Leninist regime is quick on taking advantage of the world chaos caused by a virus it exported to flex its muscles in South China Sea, in Hong Kong, across the Taiwan Strait, and to further advance its influence in the Third World.⁹⁵ These tactics of the dictatorship need to be stopped, all for the sake of humanity's next generation.⁹⁶

19. The Ultimate Purpose of Draconian Lockdown

When one talks about the PRC's "anti-Covid-19 success", one has to be alert of a deeper implication for the PRC – do the draconic measures actually strengthened the iron-fist rule of the CCP and emboldened it to even raise its level of oppression in the coming years – and here is more than meeting the eyes.

As at that time of the SARS outbreak, in State's response to Wuhan's nCoV outbreak we saw victims' families being harassed and lawyers intimidated for trying to sue the Wuhan local government for criminal negligence and official cover-up.⁹⁷ What we saw was a repeat of State's response in those cases of the melamine-contaminated Sanlu (三鹿) milk powder scandal and Wenchuan (汶川) earthquake's "tofu-dreg schoolhouses" (豆腐渣校舍) scandal when victims' family members were harassed and arrested and lawyers intimidated, and which later led to the CCP regime's large-scale arrest of lawyers and rights activists during the summer of 2015 in the infamy of the 709 Crackdown (中國 709 維權律師大抓捕事件).⁹⁸

If one looks at the two very similarly phrased "add oil" slogans, *Xianggang Jiayou* (Hong Kong Kayau / 香港加油) and *Wuhan Jiayou* (武漢加油), both of 2019-2020, one will notice that the former was condemned by the CCP regime, the other promoted. The State's response to the first is truly ironic as it seems that any phrase that encourages Hong Kong whether that be "Hong Kong add oil" or "glory

to Hong Kong” is perceived by the State as against the Centre, which is tantamount to admitting that the Centre is against Hong Kong, against the people of Hong Kong, thus admitting the Centre’s oppression of Hong Kong. On the other hand, “Wuhan add oil” may on the surface be just an exaltation for Wuhan to overcome the disease, but in effect it is also a distraction to divert attention from the central State’s incompetence in handling the epidemic and the inhuman lockdown it imposed on the Wuhan people to correct its initial error and to salvage its reputation – alas, definitely worth salvaging is a reputation of brutal efficiency that is of ultimate importance for the CCP dictatorship – its “performance-based legitimacy”, an image that it will go to any inhuman extreme to uphold, partly as a direct legacy of Mao’s dictum “correction necessitates overkill” (矯枉必須過正, 不過正不能矯枉)⁹⁹. A too drastic quarantine by lumping people, healthy and potentially infected, forcibly together, just for the sake of protecting people “outside” and even more importantly averting a potential bigger disaster that could destabilise the regime, is not only inept and incompetent (just like the implementation of the unnecessarily coercive, disastrous one-child policy that even involved extreme measures like forced abortion and sterilisation) but also infringing human rights and counterproductive because it is subjecting people to cross-infection “inside” by force.

One of the most important purposes of the CCP regime’s extreme mode of locking down city is to block information.¹⁰⁰ The CCP regime-controlled data for the country have always been unreliable.¹⁰¹ Later with the virus danger receding, when Xi Jinping is rushing to resume functioning of the economy, Chinese data might be even less reliable than before. The world can only hope that the concealment will not be too much this time. Over the many months since the nCoV pneumonia from the Wuhan outbreak started to spread, the world has been made truly miserable by the typical Leninist governance model of the Chinese

Communist Party.¹⁰² How many families were destroyed with their members dead, and how many kith and kin are separated from each other forever by the great threshold? It is really beyond shame and sanity for the CCP dictatorship to brag, whether through open propaganda or insinuation, that this PRC-originated global pandemic has indeed proven that its enforced one-party absolute dominance dictatorship governance model is better than a liberal democratic system – is the CCP really worthy of being so proud of beating the human-rights-respecting liberal democratic nations by exporting this disease? Regardless of how much the CCP regime has attempted pointing the proto-origin of the 2019 Wuhan, China, novel coronavirus pneumonia to the United States, Italy, Spain, India, Norway, Australia or even the outer space,¹⁰³ and no matter how much medical equipment and vaccine, how many masks and doctors are sent by this self-perceived, self-transformed “saviour” to the outside world, the truth cannot be concealed or obfuscated: the dictatorship’s trampling on human rights, persecution of dissent and lying and concealing data and information¹⁰⁴ as it has always been doing point to it being the ultimate culprit of this global tragedy.¹⁰⁵ A respectable government or at least one with an ounce of decency left should have done what a conscientious former host at *China Central Television (CCTV)*, Aqiu/Qiu Menghuang (阿丘 / 邱孟煌), advised, “Can we put on a face mask, just speak with a gentle tone and apologise, without arrogance, bow to the world, and say: we are sorry, we have caused you trouble.”¹⁰⁶ (“我们可不可以说话语调稍温和并带些歉意, 不怂也不豪横地把口罩戴起来, 向世界鞠个躬, 说声: 对不起, 给你们添乱了。” Of course, his comment immediately attracted frenzied savage attack from PRC’s nationalistic netizens.) The world can choose to forgive the CCP (although so far it has not apologised), the world can kiss the CCP’s national five-star red flag like the President of Serbia mawkishly did¹⁰⁷ ... When human rights advocates like Liu

Xiaobo (劉曉波) died from “late-diagnosed disease” contracted in CCP’s prison – one of the numerous dissidents “*be died from illness*” (*bei-bingsi* / 被病死) during incarceration – the world can close its eyes and ignore the injustice that is occurring. But when millions of Liu Xiaobos around the world have tragically died from a disease that spread through the world due to factors intricately linked to the dissent-trampling neurosis of an ultimately self-serving totalitarian regime of the CCP, how long will the world continue to turn a blind eye to the macabre impacts of the Party’s sugar-coated ruthlessly enforced autocratic governance model?¹⁰⁸

20. The Misperception of Liberal Democracies’ “Failure” in Response to the Pandemic

It took many months after almost 4000 dead, according to official figures (the real number should be many times higher given the CCP regime’s traditional approach of suppressing information) for the critical period of Wuhan’s and Hubei’s nCoV pneumonia situation¹⁰⁹ to be overcome. With millions of travellers from Wuhan still flying out even at the peak of the epidemic¹¹⁰ bringing the disease to many main tourist destinations¹¹¹ and then with newly infected travellers flying from one country to another, the Italian and Spanish outbreaks, later followed by the United States of America’s, the United Kingdom’s and the rest of Europe’s had occurred many months later than Wuhan’s and the rest of the PRC’s (though sporadic infections might have occurred much earlier in these places brought in by individual travellers from China at a time when this new disease has not yet been detected), and hence were passing through critical periods much later than China’s. Given a different cultural system that values individual freedom, a different demographic composition of aging societies, different degrees of

pathophysiological vulnerability to flu and pneumonia between climatic regions and ethnic groups,¹¹² aversion to restricting individual rights and respect for dissent and opposition, press freedom and impossibility for information suppression, a high infection rate and high death toll are not surprising. Whether the death tolls are really so much higher than PRC's is difficult to judge,¹¹³ given the lack of free press and political opposition and civil societal pressure groups in this vast land under the boot of the CCP that always has a penchant for secrecy and cover-ups for the purpose of maintaining "stability" that it deems critical to continue its autocratic rule.¹¹⁴ With the advent of advanced vaccines made possible by stringent scientific research with data transparency and watchdog monitoring, herd immunity will be reachable soon without the need for that kind of draconian inhuman lockdown practice of the CCP, which anyway is not possible to implement in human-rights-respecting liberal democracies.

Seen from the right perspective, contrary to what CCP's propaganda machinery wants the world to believe,¹¹⁵ the liberal democracies are not doing any worse than the totalitarian PRC.¹¹⁶ And these are countries with free press and free flow of information, unlike the CCP-ruled PRC where the real number of confirmed cases could more believably be in the range of the official number, as usual, read with a multiple of a dozen to twoscore. One major reason why the CCP found it necessary to go for such drastic inhuman lockdown, besides being out of panic and because that it is the usual "efficient" way the Party-State deals with issues like the inhuman implementation of the great unnecessary blunder of one-child policy, is to stifle the flow of information, so that data can be manipulated. That is also the reason why China has rejected for so long the WHO's and the West's offer of sending scientists and experts to Wuhan and Hubei.¹¹⁷ There is much to hide.¹¹⁸ A CCP-style lockdown is important for this control of information flow.¹¹⁹ Eventually the CCP

regime would have to agree to let foreign experts visit Wuhan and we should be expecting it to do so, say about a year from the date of outbreak, for such visit will help the regime to clear its culpability as one year is a long while. Much changes, upgrading and improvement would have happened to a market or a research facility or a laboratory in a year. Any meaningful evidence could be expected to have been easily annihilated in a long year if a regime wishes to do so.¹²⁰ As for people who could provide evidence from experience, they can be silenced, “disappeared”, held incommunicado in the usual way. As the late theatre critic Brooks Atkinson once said, “Drop the last year into the silent limbo of the past. Let it go, for it was imperfect, and thank God that it can go.” By the time foreign experts from the WHO are allowed to visit Wuhan, all meaningful evidence from a year ago would have disappeared into the “silent limbo of the past”, and the visit will have served the real purpose the regime wants. Everything will look as perfect as the regime wants, and a gullible world will be told that there is no way that the source of culpability for the pandemic could lie in such a perfect system, and it will just end up to be another case of a totalitarian power taking a world body for a ride.¹²¹

21. Cross-Strait Contrast: Liberal Democratic Taiwan’s Excellence despite Being Ostracised by WHO

Just across a narrow Taiwan Strait from the PRC, Taiwan’s miraculous performance in this current wave of epidemic proves that the free and democratic Taiwan model represents the real future of the Chinese nation.¹²² As a scholar teaching applied geopolitics at Columbia University comments, “You’re not China’s neighbor without learning some things along the way, and the SARS experience nearly twenty years ago helped gird Taiwan for pandemics and the general China

skepticism.”¹²³ At that dangerous moment when this pandemic (which was finally, after repeated delays, declared to be a public health emergency of international concern (PHEIC)¹²⁴ on 30th January 2020 by a WHO which had seemed so willing to trust information from a totalitarian source that cannot be trusted, playing itself into the hand of a power with well-recorded penchant for cover-ups to serve the ultimate aim of protecting the reputation of the regime at all costs) was spreading fast across the world and taking heavier and heavier toll on human lives, across the Strait from the source of the pandemic, the vibrant liberal democracy of Taiwan, shunned and ostracised by the WHO,¹²⁵ was donating 10 million face masks – 7 million to Europe, 2 million to the U.S. and 1 million to a number of small countries that still recognise the Republic of China (ROC) on Taiwan diplomatically. Taiwan, the second largest face-mask-producing country in the world, was producing 13 million face masks daily, and was also donating 100 thousand face masks to the U.S. weekly.

While the vibrant liberal democracy of Taiwan, with full respect for the people's freedom of expression, political freedom and civil liberties, deserves the world's support for her positive actions from being the earliest whistle-blower, sadly ignored by a WHO willing to put itself under the sway of a totalitarian regime, to her credentials accumulated through her performance domestically and in helping the world respond to a pandemic that the WHO has to be held responsible for ignoring her earliest whistle-blowing enquiry, how has the world responded to her minimal request for participating in WHO meetings on the pandemic besides with *Realpolitik* concerns? Heeding the PRC's hysterical objection, the world has turned its back on the best-case human-rights-respecting liberal democracy of East Asia, and preferred to continue to ostracise this economically advanced industrialised nation that has every right to be respected and recognised as an independent nation like the

other Northeast Asian nations who were formerly land-based colonies or tribute territories of the imperial Chinese dynasties, with right for self-determination. Taiwan is not asking for a formal membership of the WHO but just for a restoration of her observer status at meetings stripped off by the WHO under pressure from the PRC¹²⁶ as a punishment of the people of the island state for voting in Tsai Ing-wen (蔡英文) of the Democratic Progressive Party (DPP, 民主進步黨 / 民進黨) as president and rejecting the more pro-Beijing Kuomintang (KMT, 中國國民黨)'s presidential candidate. Taiwan's star-performer credential as a liberal democracy that has excellently beaten the threat of the 2019 nCoV pneumonia pandemic (a.k.a. COVID-19) spread from China's Wuhan has strongly buttressed her international image and support.¹²⁷ The United States of America, as the largest funder of the WHO (the PRC's yearly funding is minuscule compared to the U.S.'s), is effective in cutting of its funding, as can be seen in the WHO's almost immediate softening of its pro-Beijing stance (e.g. pressing Beijing again to allow a WHO expert team to enter China to study the nCoV's origin – Beijing of course rejected that request again at that time)¹²⁸ and anti-Taiwan image (calling Taiwan directly to discuss over telephone for an hour almost immediately after Trump's funding cut).

22. The Myth of Democracies-bashing Justifying PRC's Authoritarian Model

It is indeed interesting to observe how the novel coronavirus pneumonia's spread from the initial outbreak in Wuhan, China, has served to devastate the societies of the liberal democracies that value so much individual liberties. While mobility control can be justified to protect lives, the sudden kiss of macabre misfortune by a virus, spreading from the CCP dictatorship-controlled country thousands of

miles away, that is placing everybody under house arrest in living hell, or snatching away one's innocent life like that of the "murdered-by-illness-contracted-in-prison" Chinese dissident Liu Xiaobo, is really driving people crazy. "Those who would give up Essential Liberty to purchase Temporary Safety deserve neither Liberty nor Safety," said Benjamin Franklin. Those democracies that have a tradition less subscribing to such dictum, and more rule-abiding, e.g. Japan, Republic of Korea, Taiwan, Singapore, Germany and Austria, or even Australia and New Zealand and the Nordic democracies, have fared much better or are even performing excellently in combatting this new PRC "China syndrome" (to allude to the apt title of Greenfeld's book on SARS), this SARS redux (to refer to his prediction two decades ago), especially those which are small island states, e.g. Singapore, Taiwan, New Zealand, or on a larger scale, Australia, where border control represents a smaller headache than others. South Korea, Taiwan, Japan and Singapore are important success cases,¹²⁹ even though there are glitches here and there through various waves of the pandemic, to showcase against this SARS redux, especially that they are multiparty liberal democracies that share a Sinitic/ Confucian cultural tradition with the Communist Party one-party-ruled PRC and Vietnam (though Singapore's democratic credential is often tainted by neo-authoritarianism, it still has a multiparty parliamentary structure and there has been a certain degree of liberalisation in the post-Lee Kuan Yew era (後李光耀時代), and is therefore much more encouraging in terms of democratisation than, e.g., the Vladimir Putin administration's Russian Federation). Taiwan and South Korea are still doing excellent; Singapore's spike in number of confirmed cases lately is mainly concentrated in several foreign workers' quarters, while local cases are still very low in number, and Japan has experienced ups and downs, but still looks excellent compared to the large democracies on both sides of

the Atlantic, where self-isolating is felt like real torture, and a shame as Italian opera tenor Andrea Bocelli has correctly and honestly, though not at the right time during this mass life-threatening healthcare crisis, described.¹³⁰ This disease's global spreading out from PRC's Wuhan outbreak has indeed shaken the core values of Western liberal democracies.¹³¹ With the spread of this virus, which looks accidental but is closely linked to CCP dictatorship's way of rule, Xi Jinping has indeed outdone Mao by winning an ideological war for CCP dictatorship's governance model. By exporting, though by most evidences appearing inadvertent, this Wuhan nCoV pneumonia, the CCP dictatorship is severely shaking the very foundation of individual freedom that is the cornerstone of North Atlantic multi-party liberal democracy, as a professor of politics at the University of Sydney and Forschungsprofessur at the WZB (Berlin) dismally says that this crisis could be making democracies their own worst enemies: "The upshot would be that Chinese-style ways of wielding power would tighten their grip on large parts of the world. A new despotism skilled at the arts of spreading voluntary servitude, what Chinese intellectuals like to call 'good governance' (*liánghǎo de zhìlǐ*) [良好的治理], would triumphantly become a formative feature of our planet's pestilent future. Despotism would then be the future of democracy."¹³² Fortunately not excellent but still good news is that the overall situation in Europe is getting better, with Italy and Spain (worst cases) seemingly having past the peak and France getting better too. They are trying to return to a semblance of normal life now, especially that now with effective vaccines appearing to lead to herd immunity, though after large number of people were already dead. However, whether China's numbers of confirmed cases and deaths are really that much lower is questionable as the CCP regime's official figures are completely untrustworthy this time, as before.¹³³ In Asia, Israel, Taiwan, South Korea and New Zealand are

among the liberal democracies that performed excellently against this nCoV pneumonia onslaught from China's Wuhan. These are important examples at a time when PRC's propaganda is trying to promote CCP's totalitarian governance model and the unqualified "success" of the coercive Wuhan-type lockdown.

In fact, judging which country's pandemic situation to be more severe should be more correctly based on the number of people killed. That is because many countries are having low diagnosis rate due to the lack of tests. Of course, if the revealed number of deaths is subject to tight State control and possible concealment which could not be challenged by the civil society watchdogs in a country where information is strictly controlled by a totalitarian dictatorship, there is no way to judge.

It is undeniable that this time the nCoV pneumonia that spread from Wuhan, China, throughout the world has turned out to be an earth-shattering assault on the value foundation of the world's major multi-party liberal democracies.¹³⁴ The liberal democracies' steadfast insistence on respecting the human rights of individuals has rendered them vulnerable in their attempt to parry the blow.¹³⁵ However, this particular plague represents a rare incidence once in a century, and its spread has also been closely linked to the long-running oppressive governance model of the CCP dictatorship, hence it cannot be seen as normality. Also, not all liberal democratic countries have shown such vulnerability in responding to this assault. Taiwan, Germany, South Korea, Australia, New Zealand, Israel, and the Scandinavian European countries have all responded well.¹³⁶

The CCP dictatorship is now trying to turn this global disaster it generated through information-suppressing, whistle-blower harassing and free-speech-muzzling into a soft power advantage first with a mask diplomacy¹³⁷ and later with a vaccine diplomacy to promote its

repressive authoritarian political governance model to the developing countries. It will be a long-term global disaster if the world's liberal democracies just sit by and let this largest dictatorship on this planet twist the narrative and dominate public discourse. While it is not easy to deny the initial spread of this disease from Wuhan through the millions of travellers who left Wuhan just before the lockdown, the CCP regime is all out to rewrite the narrative through confounding the world by emphasising on the virus's original source in nature to divert attention from its handling of the Wuhan outbreak,¹³⁸ to lead world opinion on a detour.¹³⁹

It may not be easy to understand why the crux of the matter could be so obscure to many. The problem is not whether the proto-origin of the virus is in China or the United States or Italy or the outer space.¹⁴⁰ The important point is that the first large-scale outbreak occurred in Wuhan. The CCP regime has followed its consistent ways to conceal information¹⁴¹ and persecute whistle-blowers¹⁴² and mislead, influence and manipulate the leadership of the World Health Organization, actions that directly led to other nations' failure to defend against the epidemic in time, causing millions of tragic deaths and families being permanently scarred by losing their loved ones. At the very date of December 31st, 2019, Taiwan alerted the WHO about the possible emergence of a new SARS in Wuhan (note the fact that SARS can be transmitted from person to person) in an email of query,¹⁴³ and the WHO thanked Taiwan, saying that the WHO experts would investigate.¹⁴⁴

At that time, Taiwan immediately checked the tourists flying in from the city of Wuhan, Hubei Province. As a document from the Five Eyes intelligence alliance obtained by an Australian daily put it chronologically, while officials in Taiwan had raised concerns as early as 31st December, and experts in Hong Kong were alarmed by 4th January, the PRC authorities had denied the risk of human-human

transmission until 20th January although evidence of that had reportedly emerged from early December, while beginning to censor news of the virus from 31st December, deleting terms including “SARS variation”, “Wuhan Seafood market” and “Wuhan Unknown Pneumonia” from search engines.¹⁴⁵ During this whole episode, as the dossier accused, the WHO had collaborated with the CCP regime and continued to declare to the world that there was no evidence that the virus could spread from person to person. When some countries (including the United States) also began to consider partial closures to restrict the entry of Chinese tourists, China angrily scolded these countries for being unfriendly. The WHO also endorsed the CCP regime's stance and strongly opposed countries considering partial closures keeping Chinese tourists out. Who was actively influencing the WHO?¹⁴⁶ The said Five Eyes dossier also highlights how the PRC imposed travel bans on its own people but told other countries restrictions on movement were not necessary. As a result, millions of people were still leaving Wuhan after the outbreak and before the PRC government locked down the city on 23rd January 2020, while throughout February “Beijing presses the US, Italy, India, Australia, Southeast Asian neighbours and others not to protect themselves via travel restrictions, even as the PRC imposes severe restrictions at home.”¹⁴⁷

When the Wuhan epidemic situation had reached a stage where covering up was no longer feasible, the CCP regime simply sealed Wuhan with the most cruel one-size-fits-all method. In the months that followed, the WHO, the United States and others had asked China to allow them to send in experts to investigate the situation in Wuhan, Hubei province, but the CCP regime rejected them one by one.¹⁴⁸ The CCP government also blocked, harassed and arrested citizen journalists entering Wuhan to report and send out “unofficial” photographs and videos. Was the CCP regime's absolute city-lockdown really aiming to

just block the mobility of people or more importantly to block information and data flow?

Even allowing for imperfection and abuses in all systems, with watchdogs and structural checks and balances, scientists in the liberal democratic nations can be counted on to abide by professionalism in conducting research, and Italian or American scientists when discovering that the virus might have existed a year before in their country they would be able to publish their findings freely without threat from the State – unlike their counterparts in the PRC, including highly respected top medical experts, who as people in the system has to always think about whether the heavy punitive hand of the CCP would come down to them, before publishing any findings that would negate or contradict the official Party line.¹⁴⁹ However, whenever the CCP regime catches such “evidence” that it considers to be useful to shift culpability, it will go for a publicity extravaganza, for obfuscation and befuddlement.

Said to be based on its own non-stigmatisation guidelines introduced in 2015, the WHO abandoned the term “Wuhan pneumonia” that was already in use at that time and spent many days to create a weird acronym “COVID-19”, saying that it was short for “coronavirus disease 2019”. If so, that would be a rather new practice for an epidemic that would have otherwise been named after the place of the initial explosive outbreak, be that “Wuhan” or “China”.¹⁵⁰ The 1918 flu epidemic caused by H1N1 influenza virus is commonly known as the Spanish flu. The name “Spanish flu” came from the early affliction and large mortalities in Spain where it allegedly killed 8 million in May 1918. The Allies of World War I came to call it the Spanish flu, primarily because the epidemic received greater press attention after it moved from France to Spain. The Japanese encephalitis (JE) refers to the infection of the brain caused by the Japanese encephalitis virus (JEV)

that appears to have originated from its ancestral virus in the mid-1950s in the Indonesia-Malaysia region and evolved there into five different genotypes and spread across Asia. German measles (rubella) refers to infection caused by the rubella virus. It occurs worldwide. And then there is the Nipah virus. And there is the psychological condition known as the Stockholm syndrome. Nobody has ever had qualms about the eponymy with these past plagues and current epidemics, and these names have not caused any bad influence on tourism or other adverse effects for these regions. Diseases have a source history; geographic eponymy has a scientific advantage, and has commonly been practised in medical terminology, with diseases and medical entities being named after the place where a condition was first discovered or where a disease was first detected. As Juliet wonders, in William Shakespeare's *Romeo and Juliet*¹⁵¹, "What's in a name? That which we call a rose / By any other word would smell as sweet." Whether it be a beautiful thing like a rose or an evil thing like a disease, why is that unprecedented up-in-arms over a name? The WHO's 2015 guidelines "for the Naming of New Human Infectious Diseases" had already been criticised as overly "politically correct" when it was introduced that "will certainly lead to boring names and a lot of confusion," as an expert on emerging infectious diseases predicted, while another virologist warned: "You should not take political correctness so far that in the end no one is able to distinguish these diseases". Not only as a scientist at the WHO admitted that the new rules would make for more difficult names, it could also become harder for distinguishing diseases, in which geographic eponyms can be useful and well justified, which can provide useful historical epidemiological insights into the geographical, environmental and demographic distribution and determinants of a disease, as well as the natural hosts and sources of infection. "For instance, under the new rules, Marburg disease (named after a city in

Germany) might have been called filovirus-associated haemorrhagic fever 1, while Ebola (named after a river) might have been filovirus-associated haemorrhagic fever 2.” As the said virologist questioned: “Would it have been better if we had named [MERS, which was associated with the Middle East] novel betacoronavirus clade C, type 1?”¹⁵²

The new qualm about geographic eponymy aside, the CCP also wants the world to believe that its one-party totalitarian system is better than a multi-party liberal democracy, but that is not just wishful thinking. Even the true number of nCoV confirmed cases and deaths in China will eventually be like how many people died of starvation during the Great Leap Forward (大躍進), how many people were persecuted to death during the Great Proletarian Cultural Revolution (無產階級文化大革命), and how many people were killed in the June Fourth massacre. As long as the CCP’s one-party dictatorship remains, it will eventually become an unsolved case.

However, liberal democracies will survive. The respect for human rights and personal liberties will survive, and in fact will be strengthened after this crisis, having learnt much from the painful lessons, from errors made. The chaos currently seen in the United States and parts of Western Europe should be attributed to the failure of the executive leadership, not the structural weakness of the system of liberal democracy. The values of respecting individual human rights and freedom (famously reflected in Patrick Henry’s 1775 declaration “Give me liberty, or give me death!” or Andrea Bocelli’s recent untimely, controversial but misinterpreted remarks¹⁵³) developed over the millennia have prevented many of these liberal democracies from locking down cities with strong means like the authoritarian CCP regime does. This is something that many people in China and many ethnic Chinese overseas cannot understand, because China has been under the

autocratic rule of the emperors for thousands of years, and it has never been able to develop a system that respects individual freedom and human rights and freedom of speech as found in North Atlantic nations. It is a millennia-long dynastic governance system that the CCP has inherited and further strengthened well over its seven-decade rule, since its successful conquest of the whole Mainland China in 1949, during which it has long been suffocating free thought, free speech, political freedom and civil liberties, and now through exporting the SAR-Cov-2, it is not only suffocating human lungs, but is also killing the long-valued liberal democratic system of the free world by mental asphyxiation.¹⁵⁴ We are now forced to allow governments to acquire a lot of extra powers,¹⁵⁵ while turning innocent people into “criminals”. No matter deliberately or inadvertently,¹⁵⁶ by exporting this 2019 Wuhan’s nCoV pneumonia throughout the globe, the CCP dictatorship has managed to severely disrupt and compromise the normal functioning and even basic principles of liberal democracies worldwide.¹⁵⁷ During this whole episode of global disaster, we do not hear a single word of regret, not to say apology, to the world from the CCP regime,¹⁵⁸ a dictatorship that holds as its top prerogative its continued stranglehold to maintain absolute power and stifle dissent including international criticism – even starting a trade war to punish through economic coercion Australia’s asking for an independent international investigation into the pandemic’s origin,¹⁵⁹ plus arresting Australian reporters in its customary exercise of hostage diplomacy¹⁶⁰ with trumped-up charges long practised to perfection by a regime devoid of any moral decency on persecuted dissidents from Mainland civil rights activists to Hong Kong dissident publishers and booksellers,¹⁶¹ from critics of the CCP regime to the top leadership’s potential challengers – even at the expense of the welfare of China’s own citizens who can only voice disagreement to government policy at their own personal peril.

23. CCP Dictatorship's Governance Model as Fascist and Totalitarian, and Hong Kong's Tragedy from Creeping Authoritarianism to Outright Repression

The two crises of 2019-2020 – Hong Kong's anti-extradition bill protests and China's Wuhan novel coronavirus pneumonia outbreak that turned into a murderous global pandemic – and the CCP regime's responses to them, respectively in the form of a ruthless repression through a new “national security law” for Hong Kong¹⁶² and taking advantage of the very pandemic it originated to advance its agenda in the disputed waters of the South China Sea, across the volatile Taiwan Strait, and reinforce its politico-economic influence across the world,¹⁶³ ultimately give rise to the critical question of what really constitutes the CCP dictatorship's real threat to the world: military hegemony or ideological penetration?

The concept of “totalitarianism” first took shape in the late 1930s “in the writings of those who had begun to question both the socialist credentials of the Stalinist regime and the Marxist interpretation of fascism as the final stage of capitalist decay”, as historian Christopher Lasch lays out in his book on the interrelations of contemporary politics and culture, *The minimal self*; instead, George Orwell, Arthur Koestler and other former Marxists “had come to see Stalinism as a new form of domination: neither a return to an older type of autocracy nor the perverted socialism described by Trotsky as bureaucratic collectivism but a system of total control that sought to regulate not only the individual's public life but his inner life as well, thereby abolishing the very distinction between the public and private realms and between society and the state.” (Lasch, 1984: 104-105) As regards Hitler's Nazi regime in Germany, Lasch notes that it “could not be understood, as Orwell himself characterized it as late as 1939, during his brief flirtation

with Trotskyism, as a further “development of capitalism” or even as a revival of old-fashioned autocracy.” (*ibid.*) The reason that these modern dictatorships – these regimes of totalitarianism which despite their use of terror to maintain their power actually enjoy a good deal of popular support – are so terrifying, as Lasch quotes Orwell, “is that they are something entirely unprecedented.” (*ibid.*)

The totalitarianism of today's CCP regime is indeed unprecedented. The way it combines the siren call of Mammon with ruthless domestic repression as well as extraterritorial thuggery is unprecedented. The way it drags a million minority people against their will into concentration camps (euphemistically called vocational training camps) for brainwashing is unprecedented since the closing of Nazi's last death camps. The way it is now moving forward to become the world's first perfect digital totalitarian state with that unrivalled level of surveillance and the so-called “social credit system” is definitely unprecedented (Yeoh, 2018: 691-709)¹⁶⁴.

However, as Richard H. Mitchell argues in his book *Thought control in prewar Japan*, comparison of institutions set in different cultures is a risky exercise if each example occurs in a very different social and political atmosphere, and notes that while the prewar Japanese government effectively suppressed freedom of speech and thought, there is disagreement among scholars “over a political label. Was it a brand of “totalitarianism,” a special kind of “fascism” or was it neither?” (Mitchell, 1976: 188) Noting that modern totalitarian states are characterised by having a single mass party with a maximum leader, employing terror tactics on a wide scale and aiming at totally reshaping society, which represent a mould into which the ideas and actions of Japan's major interwar leaders do not fit, Mitchell does acknowledge the argument of Maruyama Masao (丸山眞男), a leading proponent of the concept of a fascism peculiar to Japan, that “while fascism did not

come from below, as in Italy and Germany, it was imposed from above” in the case of prewar Japan. The ruling elite of Japan then, as Mitchell cites Maruyama, being alarmed by the revolutionary situation at that time, gradually created a “totalitarian system ... within the framework of the State structure determined by the Meiji constitution”. What Maruyama sees in prewar Japan’s “totalitarianism”, or “fascism imposed from above”, while differing a great deal from those in Mussolini’s Italy and Hitler’s Germany as well as Stalin’s Soviet Union and Mao’s China, does resembles very much post-June Fourth Massacre China, though for Richard Mitchell, he would prefer to describe it as “highly authoritarian” that he sees more as a reassertion of authoritarian tendencies with corollary restraint on the exercise of liberalism and individual freedom brought about partly by the onset of total war (*ibid.*: 189). Mitchell is of course right in pointing out the fact that thought control in interwar Japan differed so much from that practiced by the Nazis, Leninist to Stalinist Soviet Union and Maoist China in the former’s absence of mass application of terror, gulags and forced labour, executions, deportation to remote or frontier areas, or category of “nonpeople” who could be put to death (*ibid.*: 190-191). On the other hand, while such atrocities are not practised on that Maoist scale today in the PRC, mass application of terror is still practised widely in the PRC, updated with the most modern information technology and surveillance devices,¹⁶⁵ with arbitrary arrest and jailing of pro-democracy activists and other political dissidents under dubious charges like “inciting subversion of state power”, “picking quarrels and provoking troubles”, or even “soliciting prostitutes” (a frequently used smear tactic in which government critics derisively refer to its victims as *bei-piaoji* / 被嫖妓 – “be prostitute-solicited”) or “bribery”, and threatening exiled dissidents’ family members in the country; in place of Maoist forced labour (*laogai* / 劳改) “re-education camps” there are now million-inmate

concentration camps in Xinjiang interning the Uyghurs with alleged forced labour practices (whitewashed as centres for vocational training and for anti-terrorism purposes) where inmates are allegedly subjected to intensive processes of thought reform, i.e. brainwashing¹⁶⁶ – the same Mao-era programme that “got its emotional scope and power through a combination of coercion with evangelistic exhortation aimed at the victim” (*ibid.*: 190)

24. PRC's Persecuted Minorities

Regarding Xinjiang, according to a Washington-based Uyghur rights group, hundreds of Uyghur reporters, students and intellectuals were forcibly brought into government-run detention camps, subjected to heavy brainwashing and facing punishment for insubordination and even death from health problem deteriorated by the camps' repressive environment, with the number at one stage according to a report having risen to 386 people missing, including 101 students and 285 scholars, artists and reporters.¹⁶⁷ Such outrageous CCP regime's Xinjiang policy is fast approaching 1930-40s' classic Fascism.

State statistics at least admitted the number of camp inmates (though of course not defining it so) to be 1.3 million (somewhat higher than the 1 million estimated by UN Committee on Elimination of Racial Discrimination and researcher Adrian Zenz).

The sad thing is that, except for some Western liberal democracies and some powerless societal human rights bodies, no countries are really protesting the CCP regime's genocide, cultural or otherwise, of the Uyghurs,¹⁶⁸ not even the Organisation of Islamic Cooperation (OIC) member countries.¹⁶⁹ Apparently the CCP regime's sharp power is working very well. Pakistan has later led 55 countries to voice against 39 countries' condemnation of China's suppression of human rights in

Hong Kong, and Cuba has led 45 countries to voice against the 39 countries' condemnation of China's suppression of human rights in Xinjiang.¹⁷⁰

Similarly, no meaningful protest was raised against China at the time of Uyghur folk singer and composer Abdurehim Heyt's reported death under torture in a Xinjiang concentration camp in February 2019 and, if he did survive, at his disappearance again in October. Not much world attention was paid to the death of renowned Uyghur writer Nurmuhhammad Tohti in 2019 who was reportedly denied medical treatment in a Xinjiang concentration camp.¹⁷¹ And these are high-profile cases; how about the plight of the rest of the million who were brutally dragged by the CCP regime into these camps "for vocational training"?

Uyghur rights will continue to be a hopeless cause under the present dictatorship just as under the imperial Ch'ing Dynasty's rule. The rights of the Uyghurs in Xinjiang (Tarim Basin and Dzungaria), as well as those of the Tibetans in Tibet and Mongols in Inner Mongolia, will only possibly be respected and free from cultural genocide when democratisation becomes possible in China as a whole. That will be a long-term struggle, given the present economic and political strength of the CCP dictatorship. Meanwhile, the totalitarian rogue regime remains defiant while the world in craving China's market and investment continues to turn a blind eye to such injustice and atrocities within the PRC.

While the brutal suppression of Falungong represents the Party-State's assault on a quasi-Buddhist modern cult emerged in the spiritual vacuum left by the Maoist destruction of traditional Chinese moral universe, which later grew so big that it started to pose a threat to the CCP's ideological and political monopoly, the PRC's controversial nationalities policy concerns mainly Uyghurs, Tibetans and Mongols

which are China's national minorities ethnolinguistically distinct from the Han Chinese but regional majorities (before the massive influx of Han Chinese into their regions), with hundreds to thousands of years of history, now under threat from the cultural assimilation policy of the CCP-ruled Han Chinese central State. The central State's suppression of their ethnic aspiration for self-determination and autonomy has always been ruthless and brutal, and the oppression is getting worse under the present leadership of Xi Jinping.

What most Han Chinese including those in the ethnic Chinese overseas communities fail to understand is that China's ethnic minorities' struggle for their rights is tied to the whole country's struggle for democratisation, for federalisation will come hand-in-hand with democratisation, whether it be the struggle in Xinjiang, Tibet, Inner Mongolia, or Hong Kong or the rest of China, and as China's population constitutes one fifth of humanity, democratisation of China, which is now under the boot of a Party-State regime that is supporting authoritarian regimes across the globe, is of absolute importance not only to the political health of its regional neighbours but also beyond.

25. China's Totalitarianism from Mao to Xi

Regarding the "Chinese Communist program for reforming the thinking of hostile intellectuals [...] to indoctrinate so thoroughly as to effect a radical transformation of beliefs", Richard Mitchell refers to Robert Lifton's writings (1956, 1961) about such Chinese Communist brainwashing as comprising the two basic elements of confession and re-education aiming at "social control and individual change" since according to Mao, the old society was corrupt, and "the people must be saved by expelling dangerous ideology and instilling one supporting the state" (Mitchell, 1976: 190). The unrivalled Maoist brutality and

savagery might have now belonged to a bygone era, but such Leninist totalitarian brainwashing persists in today's PRC albeit in an updated format, more subtle in some way, with the aid of modern information technology, including erecting an impenetrable "Great Firewall of China" (防火長城, referring to a combination of legislative actions and technologies in the PRC to block access to selected foreign websites, information sources and Internet tools, such as *Wikipedia*, *Facebook*, *Twitter*, *Google*, *Dropbox*, *Slack*, *Whatsapp*, etc.) in cyberspace, thus banning almost all foreign information and news sites and social media and Internet search engines and replacing them with local versions which are under tight surveillance and censorship such as *Baidu*, *Weibo* and *Wechat/Weixin*,¹⁷² enforced memory wipe and public amnesia on past events unfavourable to the CCP regime, in particular the 1989 Beijing-Tiananmen demonstrations and massacre – "there are only 364 days every year in China; a day has been forgotten", as Taiwan president Tsai Ing-wen well says¹⁷³ – and ruthless persecution of whistle-blowers and citizen-reporters as well as civil rights lawyers. All these measures have in effect led to the closing of the Chinese mind, with citizens allowed to see only what the authorities want them to see, in an environment of perfected art of information control, with all factors deemed inconvenient to CCP's one-party rule obliterated.¹⁷⁴ Take the example of the *Youtube* clip of that young woman from China studying in the U.S. who cruised around an American city liberally videoing the haunting scenes of a cityscape devastated by pandemic deaths, and of ambulances darting on city roads with sirens blasting, while patriotically reflecting aloud that back home across the ocean how great her Fatherland is ("祖国好强大啊!").¹⁷⁵ How ironic, not for the fact that her Fatherland's autocratic ruling regime's repressive governance is ultimately culpable for spreading this disease to the world, not for the fact that access to *Youtube* is banned in her Fatherland, but for the fact

that she was driving around taking video as she wished to freely in a city of a liberal democratic country without fearing being persecuted by the State and putting the video on *Youtube* for the world to see, while in her Fatherland – her *Patria*, to use a Fascist term – citizen-reporters like Chen Qiushi (陳秋實), like Zhang Zhan (張展), like Li Zehua (李澤華), like Fang Bin (方斌),¹⁷⁶ who sneaked into Wuhan to witness, photograph, video and sent their report out of the city to a people who were fed up with the State's censorship of news¹⁷⁷ and fabrication of fake casualty figures, were hunted down like criminals, “disappeared”, tortured or eventually imprisoned under the charge of “picking quarrels and provoking trouble” (尋釁滋事). Truly, how great her *Patria* is! Or take the example of that China professor returning to his Fatherland from a visiting stint in Western academia, who laughed uncontrollably while giving a speech at the shocking death toll in Western liberal democratic countries from the nCoV pneumonia pandemic in comparison with “just 4000 deaths”, citing his great *Patria*'s official figures, which according to him, given China's huge population, meant no death at all.¹⁷⁸ Truly, by this professor's reasoning, the PRC had won again: a great time for celebration. Such outlook, such mindset, from students to professors, reflects the terrifying *saturnic power* of a totalitarian ruling regime, the slow poisoning of the mind, which is gradually, but effectively, after subjecting a whole generation to relentless, brutal brainwashing, enforced amnesia and stringent censorship, leading down the road of the tragic closing of the Chinese mind.

With an over-confident dictatorship riding a wave of economic successes, kept being fed a feeling of invincibility by others, many of the practices and policies of the Maoist era have been revived by Xi Jinping who has openly expressed his deep admiration of Mao. Ruthless hard-line coercive policies towards the frontier regions of Tibet and Xinjiang

are some of those revived. Self-criticism by detainees is another, though now on primetime *CCTV*, an advance from Mao's on-stage public confession. The Stalinist-Maoist practice of detaining and medically "treating" dissidents in psychiatric hospitals has also been revived occasionally (defining dissent as sign of insanity). The Shanghai girl Dong Yaoqiong (董瑶瓊) who splashed paint on Xi's portrait, while criticizing on streamed live video the CCP dictatorship and the brainwashing process (*naokong* / 腦控) the CCP imposed on the Chinese people, has been repeatedly sent into psychiatric hospital. But hers just represents a higher-profile case among many such "be insaned" (*bei-jingshenbing* / 被精神病) victims, including veteran-turned-rights-activist Zhu Yongjian (朱永健) who had been sent six times into psychiatric hospital. Their social media, e.g. *Weibo*, accounts have all been shut down too.¹⁷⁹

Despite the smokescreen of rhetoric, basically what we are witnessing in the PRC is the resiliency of what Hsu Szu-chien (徐斯儉) called a "degenerative totalitarian polity" (*t'ui-hua chi-ch'üan cheng-t'i* / 退化極權政體) since mid-1990s which while having lost the original totalitarian regime's ideology, power of political mobilisation and monopoly over the economy, still not only continues with but tenaciously maintains the absolute monopoly by the "Party" over political power and State machinery and control over media of propaganda and social organisations (Hsu, 2003: 168). The major characteristic of such a degenerative totalitarian regime is that, according to Hsu, just like many authoritarian and post-totalitarian regimes, by sourcing its legitimacy from economic development, and with the unchallengeable national power inherited from its totalitarian past, it is now playing the role of a developmental State to drive economic development, while at the same time continuing to prohibit political pluralism, freedom of political association and the existence of

independent mass media. Moreover, a degenerative totalitarian regime does not need to worry about justification for long-term survival that used to plague authoritarian regimes from the perspective of the ultimate value legitimacy, for not only that the degenerative totalitarian regime has inherited totalitarianism's self-justification of political monopoly, it is also carrying forward and strengthening the reign of terror and State machinery of repression that it inherited from its totalitarian past (*ibid.*: 168-169). Such an ingenious combination of the capability for national development and that for repression has served to continue a mode of governance which is justifying repression (in the name of *weiwén* (維穩), i.e. "maintaining stability") with economic development, observes Hsu, as long as the benefits of development surpass the costs of repression, as development (which has replaced ideology and social reconstruction in its totalitarian past) is now the main aim of this degenerative totalitarian regime as the key to the paramount *raison d'être* of maintaining the status quo of monopolistic political governance. Unlike under an authoritarian government, even limited pluralism and self-organisation of societal interests to any meaningful extent are absolutely prohibited lest they jeopardise this degenerative totalitarian regime's absolute monopoly of all political power (*ibid.*: 169).

Interestingly in the unique case of today's China, the late Carl Joachim Friedrich and late Zbigniew Kazimierz Brzezinski's all six features of totalitarian states (Friedrich and Brzezinski, 1956) seem still have not lost their applicability. The new "(market) socialism with Chinese characteristics" has replaced the old straitjacket Maoism as the *all-encompassing ideology*. There is still only *a single party*, the CCP, legally allowed, unchallenged, to rule the country though it is no longer led by one man with a cult of personality (like Mao, or the consecutive Kims in North Korea) but by a collective leadership in the CCP central

politburo. There is still a *monopoly of communications* by extreme censorship and swift punishment of occasionally wayward editors and reporters, and *monopoly of weapons* ensuring swift State violence against any resistance threatening CCP's rule including military action against ethnoregional insubordination towards Beijing's internal colonisation. While the discredited central-command economic system has been thrown into the ash heap of history as in all other parts of the formerly Marxist-Leninist-Stalinist (Communist) world except North Korea and replaced with the free market, a CCP-tightly-controlled *economy* is still imperative as high economic growth has manifested itself to be the top priority in legitimising the Party's continued monopoly of political power together with outward projection of economic might taking precedence over local priorities (e.g., workers' welfare, social equality) because of the rising nationalistic support for CCP that international clout can generate. Finally, *organised terror* remains an effective tool to subdue the country's citizens, though as William Dobson notes in *The dictator's learning curve* (2012/2013), instead of mass killings and swift executions, the Party today prefers legal conviction and incarceration through the application of blanket laws like "subversion of state power" and "picking quarrels and provoking trouble" (a nebulously defined "pocket crime" charge into which "anything can be stuffed"¹⁸⁰), house arrests, extralegal beatings and other forms of harassment or more subtle forms of control and intimidation like threats to family members, loss of jobs and internal exile to remote areas, which as a whole form what can be described as the government's "holistic censorship regime"¹⁸¹:

The authorities' legal tools are surveillance, arrest and imprisonment. But often the "legal" apparatus is deployed as a form of intimidation rather than law enforcement. This is because indiscretions against the

ruling ideology are offenses against the CCP, not the civil authorities; civil law applies only imperfectly. So offenses against the “feelings of the Chinese people” are met with house arrest, incognito detention, assault by unidentified authorities and physical intimidation.¹⁸²

The “midnight knock on the door” during Soviet time that cowed the population throughout the Communist world, while still occurs occasionally like the case of the disappearance of the Causeway Bay Five, in these days could usually come in broad daylight in the new PRC with official legal summons backed up by blanket public offense charges in the realms of “inciting subversion of state power”, “sedition”, “picking quarrels and provoking trouble”, “disturbing social peace” and an official kangaroo court.

It is such totalitarian nature of the CCP regime’s governance model that combines with PRC’s post-June Fourth State corporatism, or referred to by some observers as “Leninist corporatism” (see, e.g., Hutton, 2006: 8, 98, 144-148) that actually provides a closer resemblance to Francisco Franco’s *Nuevo Estado* (“New State”), and the “harmonious society” vision declared since the Hu-Wen (胡溫) administration does recall Franco’s vision of social cohesion and harmonious relationship between employers and workers via corporatism that would promote a close collaboration between them under the direction of the State and his corporatist policies to regulate the economy by controlling the conditions of work, wages, prices, production and exchange. This Franquist *Nuevo Estado* parallel may explain why the present authoritarian capitalist model of Chinese development does smell Fascist (Yeoh, 2017: 902-913)¹⁸³, especially that it does share the core characteristics of “classic Fascism” (as in Benito Mussolini’s Italy and Adolf Hitler’s Germany) as defined by the late Bertram Myron Gross, American social scientist and Professor of

Political Science at Hunter College of the City University of New York, in his provocative book *Friendly fascism: The new face of power in America* (1980): (1) “a tight Government-Big Business oligarchy with charismatic dictator or figurehead, and expansionist, scapegoating, and nationalistic ideologies”; (2) “liquidation or minimalisation of multiparty conflict and open subversion, with little use of democratic machinery and human rights”; (3) “negative sanctions through ruthless, widespread, and high-cost terror; direct action against selected scapegoats”; (4) “ceaseless propaganda, backed up by spies and informers, to consolidate elite support and mobilize masses”; (5) “widespread benefits through more jobs, stabilized prices, domestic spoils, foreign booty, and upward mobility for the most faithful”. (Gross, 1980: 170)

Today’s PRC is no longer a Communist country but just ruled by a dictatorship still calling itself a Communist Party. But it still retains its former Leninist structure of governance. Corporatist maybe, but no longer Marxist. It wants to be a free market economy but is too scared to let go of State control lest that would jeopardise the CCP’s power. While turning to embrace capitalism, the CCP is always wary about any potential challenges to its absolute power, whether from the physio-religious Falungong or too-successful huge business conglomerates – witness the recent action taken against Jack Ma and his Alibaba and Ant Group. Well reflected here is the unchecked power of a ruthless unelected ruling party. The CCP has long ditched Marxism to embrace a rugged form of capitalism. It has to keep hoisting the Marxist flag because otherwise there will be no ground for it to claim continued political monopoly. Its Marxist-Leninist-Maoist past however has still left it a strong structural legacy to influence the country’s present policy orientation.

If we could see the present CCP’s brutal authoritarian capitalist regime as the real modern manifestation of historian Karl Wittfogel’s

“oriental despotism”¹⁸⁴, despite all its modern trappings, the contemporary CCP’s bureaucratic-mercantilist totalitarian regime is merely the latest imperial dynasty to rule China with the same brutal technique as practised by the former emperors through the Middle Kingdom’s millennia of despotic rule. (Yeoh, 2016b: 584-589)¹⁸⁵

26. Saturnic Power: China Model’s Creeping Authoritarian Pull Is a Slow Poisoning of the Body Politic

In today’s China clearly we see a regime that maintains its political power monopoly through Orwellian surveillance of its citizens, through punishment with police power – and that of the State Security police (*guobao* / 國保) – backed by laws enacted to crush dissent. Recalling graffiti the writer Hans Koning noted on a Paris wall in May 1968: “Our modernization is only a modernization of the police” (Koning, 1987: 137), 1968’s Chicago “police riot” (as later described by the National Commission on the Causes and Prevention of Violence, noting the indiscriminate police violence against protesters, reporters, photographers and even bystanders) was sadly to be witnessed again in Hong Kong of 2019, though we can more accurately argue that both the police in the frontline and the increasingly enraged protesters were being victims of an incompetent Hong Kong State machinery and its overlord in Beijing whose experience in relying on police in enforcing its stability-above-all-else laws has been unrivalled.¹⁸⁶

The government’s response is the key. In 2014, the Occupy Campaign (Umbrella Movement) was a peaceful demonstration, just like Malaysia’s Bersih clean elections movement.¹⁸⁷ The demands were also similar, asking for one-person-one-vote voting in clean election, free from the authorities’ manipulation or candidate filtering for political inclination.¹⁸⁸ The result? The ruling regime refused to give an inch and,

instead, arrested all those who advocated peaceful demonstrations,¹⁸⁹ including the campaign's initiator Benny Tai and others among the Occupy Nine, who were then given jail terms. The government is like a steel wall. It always turns a deaf ear to the demands of the people and arrests all those who advocate peaceful protests. As a result, by 2019 the demonstrations had turned to violence. As President John F. Kennedy once said, "Those who make peaceful revolution impossible will make violent revolution inevitable." (Kennedy, 1962) The government has driven civil society into revolt (官逼民反), and who should be held accountable?

The Hong Kong "uprising" (there should be no qualm in calling it so) reflects a conscientious society – the part of society that still cares about human dignity that comes from rights and liberty, the freedom to choose their government and in a process that is free from the political micro-meddling of a dictatorship, apart from economic and material comfort – deep in desperation due to the SAR government's steadfast stonewalling their demands voiced through 2014's peaceful Occupy Movement (a.k.a. Umbrella Movement), a SAR government that instead opted to persecute and jail activists involved in the movement. If the SAR government could claim that its hands were tied by Beijing who would not allowed it to give an inch, the conscientious society of Hong Kong also has a right to rebel – after all, how does such a semi-autonomous regional government who acted so slavishly subservient to a dictatorial central government have the skin to claim any legitimacy? When it had so callously given away its opportunity to listen to the people's demand for rights and dignity given by its semi-autonomy promised at the Handover, it has no right to chide the citizens for protesting, even resorting to riotous behaviour out of desperation. It has no right to condemn the protesters for getting support, including financial and training, from pro-democracy sympathisers abroad, when

they could not get support from their own SAR government. It just seems like *déjà vu* recalling how Hans Koning has described the 1968 Chicago street troubles:

The Chicago fighting was random, the Movement on the defensive. Many of them were kids, and I am not using the word in a patronizing way. They were very brave. By Tuesday night they had earned the sympathy first of the sidewalk, then of much of the convention. That was their Night of the Barricades, as the tenth of May had been in Paris.

(*ibid.*: 137-138)

Yes, kids they were, in Hong Kong of 2014 and 2019 too, as in Beijing of 1989. But unlike 1989's Tiananmen protesters (peaceful as those of 2014's Hong Kong), the these Hong Kong "kids" of 2019 were not receiving the same level of sympathy from many of their fellow citizens and the ethnic Chinese overseas communities, thanks to the success of the CCP regime's United Front co-optation backed by economic enticements beefed up by ethnonationalistic brainwashing. Here we see a power exerted by a totalitarian regime, degenerative in its totalitarianism might be, which is not just "soft" or "sharp", but toxic – global projection of a *saturnic power* effecting a creeping, slow mental poisoning. "Indeed, unless we choose [...] the means to producing a race of free individuals," says Aldous Leonard Huxley in his 1946 foreword to *Brave new world* (1932), "we have only two alternatives to choose from: either a number of national, militarized totalitarianisms [...] or else one supra-national totalitarianism, called into existence by the social chaos [...] and developing, under the need for efficiency and stability, into the welfare-tyranny of Utopia" – as Miranda exclaimed in William Shakespeare's *The tempest*, "O brave new world, / That has such people

in't!"¹⁹⁰ It is an individual choice; it has to be. "You pays your money and you takes your choice", shrugs Huxley, metaphorically (Huxley, 1946/1970: xv). From ethnic Chinese overseas to foreign admirers of a glistering economic success perceived as attributed to the one-party rule of the CCP regime, from businesspeople fascinated with lucrative investment contracts to academics drooling over research grants and visiting fellowship opportunities, the world is happily savouring the toxicity of the *saturnic power* of a brazen regime that maintains its political power monopoly through domestic repression and external propaganda, a regime that has no moral bottom line, and joyously sailing the Huxleyan *soma* bliss towards an eternity of *soma* coma, as Lenina Crowne sings: "Hug me till you drug me, honey; / Kiss me till I'm in a coma: / Hug me, honey, snuggly bunny; / Love's as good as *soma*." (Huxley, 1932/1970: 136)

27. Entr'acte: When *Nineteen Eighty-four* Meets *Brave New World*

"And, like the baseless fabric of this vision, / The cloud-capped towers, the gorgeous palaces, / The solemn temples [...] We are such stuff / As dreams are made on"¹⁹¹, says Prospero in William Shakespeare's *The tempest*, the play from which Huxley's *Brave new world* derived its title. Commenting on the latter, Margaret Atwood (2007) says:

He might well have added: "and nightmares".

Margaret Atwood, in her 2007 review of *Brave new world* on the book's 75th anniversary, wonders "Which template would win" between George Orwell's "horrific vision of a brutal, mind-controlling totalitarian state – a book that gave us Big Brother and thoughtcrime and newspeak and the memory hole and the torture palace called the Ministry of Love and the discouraging spectacle of a boot grinding into

the human face forever” and Aldous Huxley’s softer form of totalitarianism over a “society of vapid consumers, idle pleasure-seekers, inner-space trippers and programmed conformists”, and asks: “Would it be possible for both of these futures – the hard and the soft – to exist at the same time, in the same place? And what would that be like?” Nevertheless, the bargain is that while Huxley’s totalitarianism feels “softer”, ironically it is, as Keith Phipps observes in his review of the 2020 television drama adaptation of the book, “more insidious, and more seductive. It takes the form of pleasure and safety and a willingness to abdicate responsibility and individuality to maintain the status quo, no matter who gets reduced to a figure in an equation in the process.”

In 1985, Anthony Burgess’s critique of George Orwell’s *1984*, Burgess summarizes Orwell’s dreadful premonition of mankind’s future in these words: “Orwell seemed to believe that the real world, as opposed to that of his feverish and genuinely diseased imagination, was moving in the direction of bigger and worse cacotopias. States would grow greater and more powerful. Equipped with the most devilish technology of oppression, they would more and more reduce the individual to a gibbering humanoid. The future presented an unequal contest between man and the State, and man’s defeat would be humiliating and total.” (Burgess, 1978/1980: 60) What makes this cacotopia even more chilling is that “people will come to love their oppression, to adore the technologies that undo their capacities to think” made available to them to cultivate “a trivial culture, preoccupied with some equivalent of the feelies, the orgy porgy, and the centrifugal bumble puppy” (Postman, 1985/2005) in the Arcadia of one-Party state, indulging in the self-gratifying, click-maximizing *douyin/TikTok*ian pleasure – where *Tik Tok / douyin* (抖音), in place of intellectual detailed analysis, supplies in abundance broken, byte-size irrelevant and mostly unfounded “info” – and the unending self-exhibitionist and

voyeuristic reality shows, titillating the senses, redefining free speech as apolitical celebrity-focussed gossiping and senseless gibberish. As Huxley remarked in *Brave new world revisited* (1959), his own “second opinion” on his earlier dystopian masterpiece *Brave new world* (1932), Postman notes, “the civil libertarians and rationalists, who are ever on the alert to oppose tyranny, “failed to take into account man’s almost infinite appetite for distractions.”” Comparing the two greatest dystopian treatises of the Twentieth Century, Postman gives us this haunting encapsulation: “In 1984, people are controlled by inflicting pain. In Brave New World, they are controlled by inflicting pleasure. In short, Orwell feared that what we fear will ruin us. Huxley feared that our desire will ruin us.” In other words, a willingness to capitulate to the ultimate totalitarian state that the human race has ever witnessed under a combination of dreadful punishment for not conforming and enticement with material pleasure implanted into individual consciousness through dominating propaganda by official mouthpieces and private media cowed under Party-State pressure.

28. “Nomenklatura Conspiracy” and the Great Totalitarian Deception

As Raymond Sleeper pointed out in 1987 referring to the Soviet Union and the “nomenklatura conspiracy”, we can discern the same deception being employed today by the CCP regime to maximise the maintenance of this capture-bonding, a continuation of the use of Marxist-Leninist concepts developed in Soviet/Maoist times that represented subversions of well-accepted Western liberal democratic ideas, mainly through the use of double-meaning language that serves to justify CCP’s authoritarianism, e.g., admitting that human rights, freedom and democracy are universal values but giving them a different meaning in

the “unique” Chinese context – in short, so and so and so “with Chinese characteristics”, inevitably because of “different national contexts” (*guoqing butong* / 國情不同). Sleeper referred to then head of the U.S. negotiating team in Geneva on nuclear weapons Ambassador Max Kampelman’s 4th January 1985 address to the Standing Committee on Law and National Security of the American Bar Association in which he made a significant point on the USSR leaders’ facility in using language differently:

They have the ability to use language in a way which is designed to confuse people like ourselves and undermine our will. This they do professionally and effectively. They take a noble word like *democracy* and adopt it as their own – as you know, they frequently call their systems ‘people’s democracies.’ This is a total corruption of the term [...] The Communists are able to use these differences [in meaning of words] to promote their own appeal, which [...] is essentially a humanitarian appeal [...] In their propaganda they identify themselves and ally themselves with efforts to achieve humanitarian goals such as ‘freedom’ or ‘justice.’

(Quoted in Sleeper, 1987: 203)

In other words, the “different use” of words Kampelman referred to is basically “an instrument of subversion, of disinformation – an instrument of deception” (*ibid.*).

Such instrument of deception is of course not the monopoly of the world’s one-party totalitarian regimes, old and new. Similar tactics are not uncommon in countries experiencing a creeping authoritarianism. “The most effective way of making people accept the validity of the values they are to serve is to persuade them that they are really the same as those which they, or at least the best among them, have always held,

but which were not properly understood or recognised before”, says Friedrich Hayek in *The road to serfdom* (1944), and just as what transpired in the history of Christianisation of the pagan world of the Roman empire, “The people are made to transfer their allegiance from the old gods to the new under the pretence that the new gods really are what their sound instinct had always told them but what before they had only dimly seen. And the most efficient technique to this end is to use the old words but change their meaning. Few traits of totalitarian regimes are at the same time so confusing to the superficial observer and yet so characteristic of the whole intellectual climate as the complete perversion of language, the change of meaning of the words by which the ideals of the new regimes are expressed.” (Hayek, 1944/1986: 117) The word “liberty” was picked out by Hayek as the worst sufferer in this perversion of language, but “freedom or liberty are by no means the only words whose meaning has been changed into their opposites to make them serve as instruments of totalitarian propaganda”, also not spared the fate are terms like justice and law, right and equality – a list that could be extended to embrace almost all moral and political terms in general use – which causes confusion by purpose, a confusion that “becomes worse because this change of meaning of the words describing political ideals is not a single event but a continuous process, a technique employed consciously or unconsciously to direct the people.” (*ibid.*: 118) After the fall of the Communist Party totalitarian regimes in USSR and across Eastern Europe in 1989/1990, the almost only Leninist totalitarian regime left – the CCP dictatorship in the PRC – has fully inherited the Soviet mantle, and with the PRC’s unstoppable ascendance to be the engine of economic growth and main source of lucrative business contracts for the rest of the world, and with no lack of top global intellectuals, not to say just people in the streets – from inside the PRC to the sidewalks of Chinatowns and beyond – fully willing to be

co-opted by the totalitarian regime in its glistening new coat, the extension of CCP's *saturnic power* continues to be greatly fuelled by such perversion of language.

The use of such “different meaning” tactic (i.e. the use of concepts that are in fact subversions of well-accepted Western liberal ideas born out of hundreds of years of struggle of civil society against autocratic monarchy, of the Paineian revolutions French and American, and based on fundamental ideas first developed during the Renaissance) in Marxist totalitarian states or post-Marxist totalitarian/authoritarian states today as “active measures”, i.e. acts of “disinformation” and “deception” intentionally rooted in double-meaning language or “doublespeak” – closely related to George Orwell's concept of “doublethink” in his dystopian novel *Nineteen eighty-four*; one of his twin central conceptual inventions (together with “Newspeak”) in the book – has its roots at the time when Lenin was planning to overthrow the Tsarist government at the turn of last century, as Professor Raymond Sleeper plainly lays out:

When Lenin began to organize his revolutionary conspiracy, he found that the main ideas of communism were already or could be expressed in terms of Western ideas so cleverly that the average citizen of the West [as well as that of the Russian empire, later USSR] would not see the trick – the inherent deception of communist ideas. To the contrary, the average citizen understood *genuine democracy* and *economic freedom* to mean what they had always meant, the right to vote, the right to own property, the right to travel, the right to work where he pleased – in short, freedom.

(Sleeper, 1987: 191)

Maintaining its Marxist-Maoist tradition, today's CCP is redefining concepts like democracy and human rights under the warped framework

of “(market) socialism with Chinese characteristics”. In this process it is following this early Leninist subversion of Western liberal ideas in the wide use of double-meaning concepts – one meaning being the accepted Western liberal concept (the “universal values” which today’s CCP is paying lip service to) and “the other meaning being the opposite or subverted meaning that was the true Marxist-Leninist meaning [which] also served the very useful purpose of not immediately alarming the established government, which Lenin had to deceive, confuse, and destroy in order to capture political power in Russia” (*ibid.*: 191-192). No longer talking much about Communism, Marxism or even Maoism, the CCP regime of the “People’s” Republic of China has remained the faithful follower of this power of double meaning – redefining these terms like “human rights”, “democracy” and “freedom” in its own way, justifying such deception by referring to “China’s different context, different condition” (*guoqing butong*).¹⁹²

In this atmosphere criticisms against the Party or mode of government in this one-party state are considered subversive. The critic can be charged with “incitement to subvert state power” which can lead to more than 10 years’ jail or life imprisonment, as authoritarian patriotism asks for unquestioning loyalty and absolute allegiance to the government’s cause and therefore is intolerant towards dissent and any challenge against the Party’s monopoly over public discourse.¹⁹³

29. The Sleep of Conscience: Intellectual Escapism

In another of his most well-known works, *The fear of freedom*, Erich Fromm says that

The feature common to all authoritarian thinking is the conviction that life is determined by forces outside man’s own self, his interest, his

wishes. The only possible happiness lies in the submission to these forces ... The courage of the authoritarian character is essentially a courage to suffer what fate or its personal representative or “leader” may have destined him for. To suffer without complaining is his highest virtue – not the courage of trying to end suffering or at least to diminish it. Not to change fate, but to submit to it, is the heroism of the authoritarian character.

(Fromm, 1942/1991: 147-148)

It is not difficult for the persisting oppression of a totalitarian regime to breed such an authoritarian character, the capitulation in despair in witnessing constantly what dire fate has been and would go on befalling upon those who dare to defy authority, those who voice dissent. It is easier for such an authoritarian character to be prevailed upon to opt for comfort of life as the reward for conforming and capitulation. It is a manifestation akin to Stockholm syndrome, it is a dissolution of one's individual self into the safety of namelessness of a crowd for attention evading, a retreat into self-deception and illusion for survival, into by purpose blinding oneself so as not to see the evil deeds committed daily by the State in the name of the national good, into a world of nationalistic fervour where collective memory of the Party's atrocities, crimes against humanity, has been wiped clean by the State. To live, you have to just spell evil backward, as often it is said. But such self-deception is basically a neurosis, as John Sanford says in his psycho-religious study of evil, *Evil: The shadow side of reality*: “We can say that intrinsic evil is a force of destructiveness that destroys wholeness [...] We can say that something that is dissociated is relatively evil because its evil varies with its state of dissociation [...] as the dissociation in Jekyll's personality increased Hyde became increasingly pure evil.” (Sanford, 1982/1984: 145-146) As hideous as

Hyde's deeds were, Robert Lewis Balfour Stevenson wrote in his 1886 haunting novella, *The strange case of Dr Jekyll and Mr Hyde*: "Henry Jekyll stood at times aghast before the acts of Edward Hyde; but the situation was apart from ordinary laws, and insidiously relaxed the grasp of conscience. It was Hyde, after all, and Hyde alone, that was guilty. Jekyll was no worse; he woke again to his good qualities seemingly unimpaired ..." (Stevenson, 1886/1999: 46) For Dr Henry Jekyll, it was just that "his conscience slumbered", wrote Stevenson. What transpired was the sleep of conscience among the world's multitude in that proclamation of "Peace for our time, peace with honour" of British Prime Minister Neville Chamberlain after that shameful, self-deluding Munich Agreement in the autumn of 1938 (Rothschild, 1988: ix), which the world were to unfortunately witness in the 1930s to 40s, and we are unfortunately witnessing again today; going together was also the sleep of reason – *El sueño de la razón produce monstruos* (*The sleep of reason produces monsters*) aquatint that Francisco Goya created between 1797 and 1799, in which the dreamer was surrounded by dark creatures of the night, two decades before he painted the most well-known among his "Black Paintings", *Saturno devorando a su hijo* which depicts a Saturn that is devouring his own child (one of the fourteen "Black Paintings" created between 1819 and 1823 on the walls of the painter's house) that came vividly alive in that dark night of State terror of 3rd-4th June 1989 Beijing (Yeoh, 2019b: 816). "Imagination deserted by reason begets impossible monsters,' [Goya] had explained [...] Was it a premonition of what was to come? Were the Victorians and their American contemporaries doomed to sleep the sleep of reason and beget impossible monsters?" Asked historian Derek Jarrett in his book *The sleep of reason* (Jarrett, 1988: 1). He was talking about 1936. It is the same question we should be asking today too. This is about complacency in the face of rising "high-tech totalitarianism" (Teng, 2019) backed by

string economic performance and spiralling global economic clout and market power of the PRC. “Life is but an empty dream,” Jarrett quotes Henry Wadsworth Longfellow, “For the soul is dead that slumbers. And things are not what they seem.” “The sleep of the soul, the sleep that was death to all true wisdom, was the same as the sleep of reason”, remarked Jarrett, noting Goya’s “insistence on the need for imagination to be united with reason.” (Jarrett, 1988: 2) The slumber of conscience; the sleep of reason, the sleep of the soul.

In his 1983 thesis, *Imagined communities: Reflections on the origin and spread of nationalism*, Benedict Anderson defined a nation as a community socially constructed and ultimately *imagined* by the people who perceive themselves as part of that group and “regardless of the actual inequality and exploitation that may prevail in each, the nation is always conceived as a deep, horizontal comradeship. Ultimately it is this fraternity that makes it possible [...] for so many millions of people, not so much to kill, as willingly to die for such limited imaginings” (Anderson, 1983/1991: 6-7). The sovereignty of a nation-state is imagined, according to Anderson, because the concept was born in an age in which Enlightenment and Revolution were destroying the legitimacy of the divinely-ordained, hierarchical dynastic realm, giving rise to the national dreams of freedom whose gage and emblem were the sovereign state.¹⁹⁴ With such an imagined community being kidnapped by a totalitarian State, there would come the dissociation of this ultimate imagination and reason and conscience, leading down the road to the destruction not only of the dignity and fabric of this community but also the world around within its reach. Such is the terror of the totalitarian regime’s *saturnic power*. As Arthur Koestler graphically warns, cited by Robert Rothschild in his aptly titled book *Peace for our time*: “To give in to the temptations of the sirens is in the nature of man; but to be driven by despair to sleep with a crocodile is the privilege of our epoch.”

(Rothschild, 1988: 46) This is a warning as relevant for today's mesmerised citizens in happy servitude under a totalitarian regime as for a global community who is bound to be driven by post-pandemic economic despair to continue flirting with a crocodile whose projecting glittering authoritarian governance continues to shatter the influence of liberal democratic values.

30. The Great Deception and “Rule by Law” Leading to Ethnic Neurosis and National Psychosis

The destructiveness on personality impacted by having to live a lie day to day, for personal survival and comfort having to blind oneself to the State's atrocities towards people around oneself, the need to help oneself find excuses without scientific analysis and by ignoring all evidence to the contrary – tapping into State propaganda for inspirations – to justify one's condoning such State atrocities whether in terms of the large population of the country, the need for repression to keep territories from breaking away, the pretext that there is always imperialist enemies at the gate to destroy the great Fatherland – this is not only Hayek's “road to serfdom” but succumbing to the State's *saturnic power* of a slow mental conditioning that is leading to mass neurosis, as captivated by Winston Smith's haunting, sudden personal realisation towards the end of George Orwell's *Nineteen eight-four*: “He gazed up at the enormous face. Forty years it had taken him to learn what kind of smile was hidden beneath the dark moustache. O cruel, needless misunderstanding! O stubborn, self-willed exile from the loving breast! Two gin-scented tears trickled down the sides of his nose. But it was all right, everything was all right, the struggle was finished. He had won the victory over himself. He loved Big Brother.” (Orwell, 1949/1984: 256) Forty years in the making, Big Brother's final triumph is for Winston Smith both a liberation and an

inevitability, for the alternative was simply too unthinkable, as of that case of the young Nazi aviator who was “totally identified, on a conscious level, with Hitler, the Hitler Youth Movement, and the goals of the Third Reich”, who came into Jungian analysis in Berlin, as given us by John Sanford in his book *Evil: The shadow side of reality*: “Shocked at his dreams [that contradicted his beliefs on a conscious level], the young aviator decided to investigate matters for himself and went to visit a concentration camp. What he saw here opened his eyes and appalled him [...] He then committed suicide; the revelation of good and evil was too much for him.” (Sanford, 1982/1984: 11)

*The result of this deception
Is very strange to tell,
For when I fool
The people I fool
I fool myself as well*

– says M.R. Haight in the book *A study of self-deception* that explains: “we can lie to people about themselves with perfect success if they are at all suggestible. But to do so we may need to look sincere in the teeth of such overwhelming evidence that other people think we are lying to ourselves. Typically however when we lie in this way it is also *about* ourselves, I think (as Sartre says); but not in bad faith, simply as means to an end.” (Haight, 1980: 110) Notoriously, though, as the above rhyme goes, “I do not fool myself, I change myself (if the trick works). And if this is what I hoped would happen, it may have been my lie’s main aim: for if I can change myself, I shall not need to fool other people for long. The change has worked when I no longer feel any fear; and there need be no paradoxical stage between that and my first state, one in which I fool *myself*.” (*ibid.*)

Explaining the psychological concepts of the “True Self” versus the “False Self”, psychoanalyst Donald Winnicott, who saw a very important function of the “False Self” as “to hide the True Self, which it does by compliance with environmental demands”, says that in “the extreme examples of False Self development, the True Self is so well hidden that spontaneity is not a feature” while compliance “is then the main feature, with imitation as a speciality” (Winnicott, 1960/1965: 146-147)¹⁹⁵:

In this way it is possible to trace the point of origin of the False Self, which can now be seen to be a defence, a defence against that which is unthinkable, the exploitation of the True Self, which would result in its annihilation.

(Winnicott, 1960/1965: 147)

Winnicott’s precursor Erich Fromm in his book *The fear of freedom* distinguishes between the “original self” and the inauthentic “pseudo self” that represents a way to escape the loneliness of freedom: “Although one looks at repression mostly from the standpoint of the operation of the repressed forces in neurotic behaviour, dreams, and so on, it seems important to stress the fact that every repression eliminates parts of one’s real self and enforces the substitution of a pseudo feeling for the one which has been repressed [...] The loss of the [original] self and its substitution by a pseudo self leave the individual in an intense state of insecurity. He is obsessed by doubt since, being essentially a reflex of other people’s expectation of him, he has in a measure lost his identity. In order to overcome the panic resulting from such loss of identity, he is compelled to conform, to seek his identity by continuous approval and recognition by others [...] Thus, he is ready to submit to new authorities which offer him security and relief from doubt [and in

the case of Nazi Germany] for the nucleus – the lower middle class – of the Nazi movement, the authoritarian mechanism was most characteristic.” (Fromm, 1942/1991: 174, 177-178) And yet in this Faustian bargain struck with the totalitarian regime, the individual whether like it or not, “pays for the new security by giving up the integrity of his self” while the factual dichotomy between him and these authorities does “thwart and cripple his life even though consciously he may submit voluntarily”, and it is in this manner, according to Fromm, that the “function of an authoritarian ideology and practice can be compared to the function of neurotic symptoms.” (*ibid.*: 205)

Even for fighters against evil, Friedrich Nietzsche has warned against the corrupting influence on the psyche by the dark force, by the totalitarian order, of awakening the ever-existing dark side of personality, the Jungian shadow archetype – “that part of the personality which has been repressed for the sake of the ego ideal” (Whitmont, 1978: 160)¹⁹⁶ – in his 1886 *Jenseits von Gut und Böse (Beyond good and evil)*: “He who fights with monsters should look to it that he himself does not become a monster. And when you gaze long into an abyss the abyss also gazes into you.” (Nietzsche, 1886/1990: 102, §146) For those who opt for self-deception, shutting out knowledge of injustices and States’ suppression of free thought and murderous persecution of dissent in exchange for a safe and comfortable life for oneself, gazing long into the abyss that one needs to live with, make terms with, will eventually change oneself in the self-deception as Haight says – a willing process of hypocrisy no doubt, but a chilling road to mass communal neurosis under the *saturnic power* of the totalitarian Party-State. According to the ego psychology neo-Freudians developed in the wake of Freudian psychology, if a person is “unable to come to terms with his or her limitations as a person and ultimately with mortality [...] neurosis would result” due to maladaptiveness of illusions, and to avoid that, writes

professor of psychology Shelley Taylor in her book on self-deception and mental health, *Positive illusions*, need to be maintained are “benign fictions about one’s self, the world, and the future” in an active process that requires “commitments of cognitive and emotional resources so that reality can be continually kept at bay” (Taylor, 1989: 122-123). While denial “may give the appearance of being a successful psychological shelter from reality,” says Taylor, in masking anxiety without making it go away, repression, on the other hand, “inhibits the full experience of emotional responses by pushing contradictory impulses into the unconscious.” (*ibid.*: 125-126)

In adjusting one’s behaviour to correspond to the expectation of society – and demands of a totalitarian State in our present context – one must often repress internal impulses that conflict with these standards – or suppress conscience-driven personal dissent against State atrocities – and thus essentially “repression eliminates the discrepancy between what one should feel and what one actually feels.” (*ibid.*: 126) Unlike either denial or repression that alters reality, self-deception comes in the form of illusions that “simply interpret it in the best possible light” by enabling people to “impose their own interpretations on events and to give themselves the benefit of the doubt, framing events” in ways that distort statistical reality, and as Taylor quotes psychologist Daniel Weinberger, to allow people to “hold beliefs that are more positive than reality can sustain” (*ibid.*: 126-127). Closely linked to this self-deception by way of positive illusions is the cognitive control of negative information (*ibid.*: 144-149) through selective attention, i.e. “selectively attending to positive information and selectively ignoring negative information”, and what Taylor calls “benign forgetting” to the extent that one even “forgets that one has forgotten” – a memory trick called “doublethink” in George Orwell’s *Nineteen eighty-four*. These mental processes have today definitely been made easier by a totalitarian State

that has enforced decades of collective amnesia upon the country's younger generation through strict censorship of "negative" information in publications and mass media and persecution of those who voice their memories of the Party's atrocities against citizens, of the night-long massacre of unarmed students and other civilians,¹⁹⁷ and by erecting a Great Firewall in cyberspace to totally block access to information from sources abroad, may those be *Google* or *Wikipedia*, *Facebook* or *Youtube*. The collective memory wipe has been so successful as to enable a "cognitive drift" in favour of the regime – and even more interesting is "the fact that many people accomplished this reversal of their previous opinions by maintaining that they had held the revised opinion all along" – constructing of memories to support the view that they have always felt the same way in a phenomenon of hindsight bias that some psychologists call the knew-it-all-along effect (Taylor, 1989: 150-151), as vividly portrayed in the title of Baruch Fischhoff and Ruth Beyth's 1975 paper, "I knew it would happen". Talking about this tendency of "creeping determinism", Fischhoff and Beyth believe that rather than reflecting some "wisdom of hindsight", the judges of events seem to reflect what might be called a "knew it all" attitude (Fischhoff and Beyth, 1975: 2).

Behold! human beings living in an underground den, which has a mouth open towards the light and reaching all along the den; here they have been from their childhood, and have their legs and necks chained so that they cannot move, and can only see before them, being prevented by the chains from turning round their heads. Above and behind them a fire is blazing at a distance [...] And do you see, I said, men passing along the wall carrying all sorts of vessels, and statues and figures [...] Like ourselves, I replied; and they see only their own shadows, or the shadows of one another, which the fire

throws on the opposite wall of the cave? [...] And of the objects which are being carried in like manner they would only see the shadows? [...] To them, I said, the truth would be literally nothing but the shadows of the images.

(Plato, *The Republic*, Book VII, §514-515;
Jowett translation, 1941/1966: 253-254)

In Plato's Socratic dialogue of the "Allegory of the cave" in his *Republic*, a group of people were chained in a cave from childhood and all that constitute their world, their reality, are the shadows on the cave wall in front of them and the sounds coming from the back outside the mouth of the cave. The impacts of symbolisms of this powerful allegory that have transcended ages have been far and wide, and in today's world facing the threat of a newly empowered totalitarian regime whose confident ruthless outreach of tentacles is going from strength to strength, it is harrowing to see how Plato's allegory from more than two thousand years ago is sounding more true for the billion of citizens at home and their millions of co-ethnics in diaspora, especially the younger generation, and myriads of otherwise respectable scholars who have continued to fall under the spell of this glistening high-tech totalitarian Utopia and swoon daily over a shadow reality like that suffered by those prisoners in "Plato's cave". What if a prisoner did by accident have a glimpse of the real world outside the cave? This is what Socrates told Glaucon over two millennia ago:

... when any of them is liberated and compelled suddenly to stand up and turn his neck round and walk and look towards the light, he will suffer sharp pains; the glare will distress him, and he will be unable to see the realities of which in his former state he had seen the shadows [...] And you may further imagine that his instructor is pointing to the

objects as they pass and requiring him to name them, – will he not be perplexed? Will he not fancy that the shadows which he formerly saw are truer than the objects which are now shown to him? [...] And if he is compelled to look straight at the light, will he not have a pain in his eyes which will make him turn away to take refuge in the objects of vision which he can see, and which he will conceive to be in reality clearer than the things which are now being shown to him? [...] Men would say of him that up he went and down he came without his eyes; and that it was better not even to think of ascending; and if any one tried to loose another and lead him up to the light, let them only catch the offender, and they would put him to death.

(Plato, *The Republic*, Book VII, §515-517;
Jowett translation, 1941/1966: 254-257)

Such was the unenviable fate of the prisoners too long encased in the shadow world of “Plato’s cave”. Such will be the macabre prospects of the billion, especially the young, too long imprisoned behind the totalitarian regime’s Great Firewall for the “closing of the Chinese mind”, and therein lies the urgency of mass liberation, the liberation of minds, like the liberation of eyes of the prisoners of “Plato’s cave”, before it is too late, before another whole generation is intellectually destroyed like in what the Party had done in its past atrocities. The prospects might be grim, for the information filter has been drastic, the educational and media brainwashing has been relentless, the memory wipe for past Party atrocities has been thorough, the Party-State’s confounding nationalistic flame-stoking has been all the rage. And not boding well is the evidence reflected in the public’s apathy or even antipathy towards the harassed, persecuted, “disappeared”, jailed, died-in-jail pro-democracy dissidents and human rights advocates, towards the image of jailed Liu Xiaobo’s emasculated body and his sealed fate of

destruction in the hands of a shameless Party-State felt so threatened by the reform suggested in *Charter 08*, and in how the Lennon-Wall pro-democracy Hong Kong students on campuses from the U.S. to Australia had been harassed and physically attacked by China students whose future to live as dignified humans freed from the shackles of a totalitarian State was ironically being championed by the former from that little corner of the PRC which was the only region of China where dissent could still be voiced, at least up to the point when that outrageous new Hong Kong national security law was slammed on the Hongkongers to choke out their voices.¹⁹⁸

31. The Closing of the Chinese Mind

“Freedom of the mind requires not only, or not even especially, the absence of legal constraints but the presence of alternative thoughts. The most successful tyranny is not the one that uses force to assure uniformity but the one that removes the awareness of other possibilities, that makes it seem inconceivable that other ways are viable, that removes the sense that there is an outside.” So says Allan Bloom in his 1987 book *The closing of the American mind* (see page 249). Bloom’s grave warning for America in the 1980s regarding the state of liberal education has acquired a renewed pertinence today with regards China under the CCP dictatorship that with unparalleled arrogance derived from economic success and global-reaching market power has heralded a new era of what can be termed, paraphrasing Bloom, “the closing of the Chinese mind” with its often uncanny extent of censorship over publications, mass media, and cyberspace with the Great Firewall that has blocked out almost all information sources overseas from *Google* search to *Wikipedia*, and social media from *Facebook* to *Youtube*, from *Instagram* to *WhatsApp*, and replaced them with homemade versions –

Baidu, *Weibo*, *WeChat/Weixin*, etc. – that are under strict State surveillance and censorship. Strict censorship has also been applied to schools and universities¹⁹⁹ where in recent years under the Xi Jinping administration there were even seven dangerous Western notions warned of in a confidential internal document known as “Document No. 9” first published in July 2012:²⁰⁰ (1) (Western) constitutionalism/constitutional democracy (with the independence of the judiciary), (2) universal values (of freedom, democracy and human rights), (3) civil society (and civil rights), (4) (pro-market) economic neo-liberalism, (5) independent mass media (“Western news values”, i.e. press freedom), (6) historical nihilism (i.e. criticisms of CCP’s past mistakes),²⁰¹ and (7) questioning the “Reform and Open” policy (with its connection to the “power elite bourgeois class”). The first six notions²⁰² that were inveighed against in Document No. 9 are those that the Party saw as ideas then circulating in China that represented a direct challenge to its rule, as “Document Number 9 warned that ‘failure in the ideological sphere can result in major disorder’ and called on leaders at all levels to face the threat posed by Western political ideas”, reflecting the worries conveyed in a unpublished speech of Xi Jinping in December 2012 that “wavering ‘ideals and convictions’ of the Soviet Communist leaders” had led to the collapse of the Union of Soviet Socialist Republics (USSR), and in a four-part video on the decline and fall of the Soviet Union disseminated in 2013 that “elaborated on Xi’s theme of the danger of following a Soviet path”²⁰³. Coverage of these dangerous “Western” values, principles or ideas in classrooms is strictly forbidden. They were also banned from the official media. As Bush (2016) correctly observes, the “irony of Document Number 9 was that at least some of these ‘threatening’ ideas were entrenched realities in the Hong Kong SAR”. The danger of these “seven no-talks” (*qi bujiang* / 七不講) lies in:²⁰⁴

- The core objective of promoting “universal values” is to get rid of the leadership position of the Chinese Communist Party.
- The suggestion of “civil society” is to establish new political forces outside the CCP’s grassroots organisations.
- The idea of “neo-liberalism” is to oppose the State’s macro-economic adjustment and control policy.
- To promote “Western news values” is to oppose party mouthpieces on which the CCP has always been insisting, to get free from the Party’s leadership of the mass media, and to practice “*glasnost*” that the Soviet Union followed during the *perestroika* period, in order to cause disorder to the Party and society through disconcerting public opinion.
- “Historical nihilism” aims to highlight the historical problems under the Party’s leadership in order to negate facts that have already been widely accepted by the people, and to derogate drastically and attack Mao Zedong and Mao thought, in order to totally negate the historical function of the CCP during Mao’s time, with the eventual purpose of weakening or even overthrowing the legitimacy of the Party’s leadership.
- Various views that aim to distort the “Reform and Open” policy point to the emergence of a “power elite bourgeois class” and State capitalism, and consider China’s reform as not thorough while economic reform can only be perfect through political reform.

In addition, there was another 16-item “Suggestions” internal document that was issued on 4th May 2013²⁰⁵ which probably contained the earlier form and source of the “seven no-talks” of Document No. 9, which clearly reveals the urgency of the need for tightening of thought control by including new topics that were previously not considered off-limits.

It is indeed baffling that university ranking exercises can again and again give so many universities in China which are all under draconian proscription of free academic enquiry and freedom of expression such high rankings. That probably says so much of the value of such exercises. Such high rankings are particularly dubious especially considering the environment of social and behavioural sciences as well as humanities because it is difficult to think that the CCP regime's extreme suppression of free academic enquiry and muzzling of freedom of expression should be thus ignored by these ranking exercises, for universities are not just high-level vocational schools to meet employers' labour market demands. Universities are much much more than that. Even for disciplines of physical sciences, the way the rankings go could be dubious too in view, for example, of the recent drastic control by the CCP regime of what academics can or cannot publish on the novel coronavirus pneumonia and the sacking or persecution of academics who do not toe the party line.

In the last days of the Trump administration, the U.S. axed five cultural interaction programmes which on the China side are plainly State orchestrated and strictly controlled. The PRC can argue, in fact it just did, that the Western countries are also promoting such propaganda to enhance influence and image. But the problem is that China is promoting the superiority of its one-party, non-electoral, dissent-suppressing, dissident-jailing governance model whose effects we have seen so clearly in regimes it has tutored – from Southeast Asia to Latin America to Africa. Whereas in Western democracies local opposition parties and pressure groups are legally protected and allowed to speak out against government propaganda and project different, non-State viewpoints out to the world, all such groups are ruthlessly suppressed in China and so all cultural interaction programmes came out from China

are State-orchestrated and strictly State-controlled even though they may be advertised as from civil society (and ironically the term “civil society” has actually been among the nine topics banned by the Xi regime, not allowed to be mentioned or discussed in classrooms and lecture halls).

As Allan Bloom says in *The closing of the American mind*, “It is not feelings or commitments that will render a man free, but thoughts, reasoned thoughts. Feelings are largely formed and informed by convention. Real differences come from difference in thought and fundamental principle.” (Bloom, 1987/1988: 249) If, as Bloom laments, there is much in democracy that “conduces to the assault on awareness of difference”, the CCP’s totalitarianism, by its nature, for its own survival which is the ultimate aim of all its policies however altruistically for-the-people its proclamations may sound, always carries the natural imperative to stem out awareness of different opinions which are potentially destabilizing for its political power monopoly.

“... one can try to re-create the world, to build up in its stead another world in which its most unbearable features are eliminated and replaced by others that are in conformity with one’s own wishes”, says Sigmund Freud in *Civilization and its discontents*, “But whoever, in desperate defiance, sets out upon this path to happiness will as a rule attain nothing. Reality is too strong for him. He becomes a madman, who for the most part finds no one to help him in carrying through his delusion. It is asserted, however, that each one of us behaves in some one respect like a paranoic, corrects some aspect of the world which is unbearable to him by the construction of a wish and introduces this delusion into reality. A special importance attaches to the case in which this attempt to procure a certainty of happiness and a protection against suffering through a delusional remoulding of reality is made by a considerable number of people in common.” (Freud, 1930/1961: 30)

Freud had in mind religion (whose “technique consists in depressing the value of life and distorting the picture of the real world in a delusional manner – which presupposes an intimidation of the intelligence”) to class among the mass-delusions of this kind, adding that no one, “needless to say, who shares a delusion ever recognizes it as such”, thus paying a price of being fixed forcibly “in a state of psychical infantilism” and being drawn “into a mass-delusion” (*ibid.*: 30-31, 34) in order to conform and to comply for personal survival. In this manner, modern totalitarian regime’s *saturnic power* does share Freud’s view of traditional religion in probably “sparing many people an individual neurosis” but instead replacing it with a mass communal neurosis.

32. Rule *by* Law(lessness) and the Nazi Parallel in the Death of Liu Xiaobo

Noting Hitler’s hostility to the idea of law and due process, and his scorn for lawyers, Alan Bullock (1993: 461) draws our attention to the fact that the “Führer-state consisted of two different types of authority in parallel: the traditional state bureaucracy, and an alternative executive, extra-constitutional and extra-legal, to the second of which in the event of conflict between the two Hitler almost invariably gave precedence.” Such was a framework that can also help to explain the often contradictory nature of the CCP regime that keeps arguing that the PRC is where rule of law prevails and yet the politically motivated arbitrary arrests and convictions are the rule rather than exceptions and where lawyers who defend dissidents are so frequently being stripped of their licences and even arrested and tortured (Xi Jinping administration’s “709” mass arrest of civil rights lawyers still stands to remind the civil society of how ruthless the CCP dictatorship could be). As Bullock recalls, such a structure was first diagnosed in Ernst Fränkel’s book

The dual state written in exile in 1941 wherein Fränkel described the Führer-state as “a fusion between the ‘normative state’ with its established norms and rules, and the ‘prerogative state’, which expressed Hitler’s claim to an overriding authority for which he was responsible only to history.” (Bullock, 1993: 461) In today’s PRC, we see similarly such overriding authority claimed by the CCP as an embodiment of an almost divine, messianic Marxist-Leninist mission to fulfil its destiny to reclaim China’s lost glory. Same pretension, same arrogance.

After Liu Xiaobo (劉曉波) was sentenced to 11 years’ imprisonment on the charge of subversion for his role in co-authoring and distributing the 2008’s call for democratic freedoms in China, *Charter 08*, and was awarded the Nobel Peace Prize in 2010, his wife Liu Xia (劉霞) had since been kept under house arrest although she had not been charged with any crime. This lawless confinement appeared to be taking a toll as Liu Xia was admitted in 2014 to a Beijing hospital, apparently suffering from a heart ailment and depression.²⁰⁶ As though putting pressure on Liu Xiaobo through persecuting his wife was not enough, the CCP regime also brought fraud charges against Liu Xia’s brother, Liu Hui (劉暉), who also was given an 11-year prison sentence. Still fearing for her brother’s safety back in China, Liu Xia, who arrived in Berlin on 10th July 2018 having finally been released from her own four-and-a-half-year house arrest, was conspicuously absent from the memorial service in Berlin on 13th July, on the first anniversary of Liu Xiaobo’s death.²⁰⁷

Not only that what the Communist Party dictatorship is doing has rendered the PRC a close parallel to classic Fascism, a close comparison has also repeatedly been drawn, much to the chagrin of the CCP, between the death of Liu Xiaobo and the death of Carl von Ossietzky (who like Liu, also a committed pacifist) whom Adolf Hitler threw into a Nazi concentration camp and died in 1938. They are the only two Nobel

Peace Prize laureates who were awarded the prize while being imprisoned and who then died in custody. Liu was granted medical parole on 26th June 2017, apparently to spare the authorities the bad publicity of having him die in jail, and sent into closely guarded hospitalisation only seventeen days before his death. Carl von Ossietzky was sent in May 1936 to a hospital under Gestapo surveillance and died on 4th May 1938 in hospital, while still in police custody, from tuberculosis as well as illness resulted from the abuse he suffered in concentration camp. While it is a fact that the blood-soaked history of the CCP's rule parallels that of the Nazis, the bone-chilling parallel between the fate of Liu Xiaobo and that of Carl von Ossietzky is simply no less uncannily heartrending.

The parallel between the fate of Carl von Ossietzky, who was jailed and died in Adolf Hitler's 1930s Nazi Germany, and Liu Xiaobo, who was jailed and died in 21st-Century China under Communist Party dictatorship, can be seen in many aspects:²⁰⁸

- ◆ Carl von Ossietzky was awarded Nobel Peace Prize in 1935 while in Nazi concentration camp; Liu Xiaobo was awarded Nobel Peace Prize in 2010 while in Chinese prison.
- ◆ In terms of the authorities' response to the Nobel Peace Prize award:
 1. Hitler would not allow a member of Carl von Ossietzky's family to collect the award on his behalf; the Chinese Communist Party government would not let Liu Xiaobo's wife Liu Xia go to collect the award on his behalf and instead placed her under permanent house arrest.
 2. Mention of Carl von Ossietzky's 1935 Nobel Peace Prize was banned in Nazi Germany; mention of Liu Xiaobo's 2010 Nobel Peace Prize (like the 1989 June Fourth massacre during the subsequent persecution of dissidents following which Liu Xiaobo

was also jailed in his first out of four prison terms till his death) is banned in China.

3. The Nazi government protested Carl von Ossietzky's award and issued a government decree that forbade German citizens from accepting future Nobel Prizes; the Chinese government protested Liu's award (but it celebrated when State writer Mo Yan (莫言)²⁰⁹ was awarded Nobel Literature Prize two years later).
 4. The Nazi government also responded to Carl von Ossietzky's Nobel award by setting up its own "German National Arts and Science Prize"; also as a response to Liu Xiaobo's Nobel award, a "Confucius Peace Prize" was launched in China.
- ◆ In terms of circumstances of death, Carl von Ossietzky died in hospital on 4th May 1938 while still in police custody; Liu Xiaobo was granted medical parole only in the terminal stage of his illness and sent into closely guarded hospitalisation, only seventeen days before his death on 13th July 2017.

33. Toxicity of *Saturnic Power's* Slow Poisoning of Minds

The chilling examples of how the PRC now continues to treat its dissidents and political prisoners are not lost either on the PRC's exiled dissidents overseas or its new subjects in Hong Kong since 1997: for the latter the unending stream of tragedies from Cao Shunli (曹順利 , lawyer and human rights activist; victim of "death from pneumonia" while in five-month police custody for illegal assembly and *xunxin zishi* / "picking quarrels and provoking trouble") to Peng Ming (彭明 , democracy activist; victim of "death from sudden illness" while in jail), from Li Wangyang (李旺陽 , suspected to have died from the common tactic in which government critics refer to its victims as *bei-zisha* / 被自殺 – "be suicided") to Liu Xiaobo (劉曉波 , who died from

a “late-diagnosed” disease contracted while in jail), and a future grim prospect that they never had to consider when they were under British rule had been made more real when China again breached the “One Country, Two Systems” agreement to snatch Lee Bo (李波) from Hong Kong soil, and when China could even with the complicity of a client government in Bangkok snatch Gui Minhai (桂民海) from the streets of Pattaya. Such complicity brings to light an intricate nexus between domestic governance and foreign (politico-economic-military) policy, an impressive combination of *Innenpolitik* and *Außenpolitik*, with the latter inclusive of the PRC’s so-called “soft power”, or in most cases more appropriately described by the new term “sharp power” introduced in a November 2017 *Foreign Affairs* article by Christopher Walker and Jessica Ludwig of the Washington, DC-based National Endowment for Democracy, in creating more “friendly” or client states who would support or even collaborate (in the CCP’s extraterritorial actions) with the PRC in the latter’s suppression of domestic dissent and in buying off critics in the foreign academia.

However, the toxicity of the CCP regime’s influence outreach goes far beyond “soft”, “smart” or “sharp”, for it is an influence far beyond the pull of lucrative business contracts and diplomatic ties and political bandwagoning, for it is an influence across time that is corrupting a whole generation of younger people growing up, not only the nationalism-conditioned youths in the PRC, but also those huge multitude getting into age of maturity, moving into political and economic management positions across the free world outside the PRC, and also across that huge spectrum of ethnic Chinese overseas communities whose influential Chinese-language media have almost all been brought into the control by the PRC propaganda department, through the United Front – a slow poisoning of minds, most scarily the young minds, into accepting the CCP totalitarian regime’s

dissent-persecuting mode of governance as necessary, as superior, to be emulated. The long-term toxicity of this power has made it far beyond “soft”, “smart” or “sharp”, but *saturnic*.

34. CCP’s “Third Reich” in the Context of Xi Jinping’s “Great Rejuvenation of the Chinese Nation”

E.R. Huber, a leading constitutional lawyer, wrote in 1939 in his authoritative *Verfassungsrecht* (“Constitutional Law”): “All public authority both in the State and in the Movement [i.e. the National Socialist (“Nazi”) Movement] stems from that of the Führer. The correct term for political authority in the People’s Reich is therefore not ‘the authority of the State’ but ‘the authority of the Führer’. This is so because political authority is wielded not by an impersonal entity, the State, but by the Führer as executor of the united will of the people.” (Cited in Bullock, 1993: 461) Substituting today’s Chinese Communist Party for the Führer, a close parallel in structure is apparent in the CCP’s “People’s Republic”, or the CCP’s version of the “People’s Reich” to bring the analogy even closer, as the now no-term-limit *zhuxi* (主席, chairman) of the PRC, CCP general secretary Xi Jinping’s “Chinese people’s Great National Rejuvenation” slogan is smacking of symbolising the rise of an East Asian “Third Reich” after the glorious empires of the Han Chinese Han-T’ang dynasties and the Manchu aristocrats-ruled Ch’ing (Qing) dynasty in Chinese history that have long become the favourite subjects of State- and crowd-pleasing motion pictures and television series in the PRC. China’s imperial history in actuality contradicts a myth, having been perpetrated not only by the CCP’s propaganda machine but also by a great many foreign academics and politicians that colonialism had been exclusively Western and China has never been a colonial power. The past imperial conquest

of today's vast frontier regions of the country (especially Xinjiang), historical reverse colonialism (Inner Mongolia, and the northeast provinces that were formerly Manchuria), recent invasion (Tibet), and the former tributary vassal states network (Korea, Vietnam, etc.) all tell an opposite story, unless by colonialism we just mean the Western maritime version but not the land-based conquests of adjacent regions in imperial expansion including the Chinese and the Russian. Let us not forget that besides ruthless and gruesome suppression of dissent, the glorious "Prosperous Era of K'ang-hsi, Yung-cheng and Ch'ien-lung" (康雍乾盛世) was also a period of empire consolidation with military campaigns, like those of the earlier empire builders whom Mao Zedong compared himself to and aspired to surpass in his own coming imperial exploits, bordering on the genocidal. For instance, to exert full and formal control over the Ch'ing empire's "new dominions" (*Xinjiang* / 新疆), it took Emperor Ch'ien-lung a brutal campaign of ethnic genocide to deliberately exterminate the Dzungars and it has been estimated that close to a million people, about 80 per cent of the Dzungar population, were slaughtered or died from diseases in that military campaign from the year 1755 to 1757, a gruesome episode historically known as the "Dzungar genocide" (準噶爾滅族). Dzungaria (the northern half of today's Xinjiang, now known in Chinese as *Beijiang* / 北疆, i.e. "Northern Xinjiang"; the southern half being the Tarim Basin, now known in Chinese as *Nanjiang* / 南疆, i.e. "Southern Xinjiang"), after having its native population thus wiped out, was then resettled by China's Ch'ing-Dynasty government with Han, Manchu and other peoples.

CCP apologists have always been quick to point to war atrocities committed by Japan, or atrocities committed towards colonial subjects during the era of Western colonization,²¹⁰ thus using the "not holier-than-thou" argument to discredit today's Western liberal democracies'

criticisms against the CCP regime's persecution of dissent and trampling on human rights – employing a logically fallacious *tu quoque* (“you also”)-style rhetoric (or “whataboutism”) that seeks to discredit its critics' position with a *non sequitur* by charging them with hypocrisy while not directly discrediting or invalidating their criticisms. These CCP apologists also argue that the treatment of dissidents is China's internal affairs and that “China never intervenes in other countries' domestic affairs in the name of human rights” – that is in fact honest, given that “those who live in glass houses should not throw stones”, as the proverb goes. However, while Western liberal democracies have been making positive efforts not only just to apologise for past colonialist atrocities and make amends in supporting economic progress, equality and human rights of domestic minorities and democratisation of former colonies, we have never seen the CCP regime doing so even regarding its atrocities towards its own citizens and its past massacres in various forms during its seven-decade rule.

35. The Myth of “China Exceptionalism”

These two crises of 2019-2020 that this paper has so far explored have also served to debunk the myth of “China exceptionalism” (“中國與眾不同” 論), as well as that natural extension of “China exceptionalism” – that this populous country can afford to exclude foreign influences, e.g. by banning citizen's use of foreign information sources on the Internet and foreign web tools, e.g. *Wikipedia*, *Facebook*, *Google*, *Instagram*, *Twitter*, *WhatsApp*, blocking citizens' access to outside ideas with the Great Firewall, by arresting those who circumvent the Great Firewall, and by becoming self-contained with own tools like *Baidu*, *Weibo*, *Wechat/Weixin* that are strictly controlled and censored by the CCP State, leading to the virtual closing of the Chinese mind.

For all intents and purposes, “China exceptionalism” is a very dangerous, misleading, obfuscating argument not supported by empirical evidence both historical and contemporary. However, this warped argument, strongly promoted by CCP mouthpieces like *People's Daily*, *Global Times*, *CCTV*, *CGTN* and eloquent apologists like Professor Zhang Weiwei (張維維) and Eric Li (李世默), has become overwhelmingly influential not only among ethnic Chinese overseas communities who care more about the halo of a Strong China image and less about the political freedom and civil liberties of the common citizens of China or the plight of thousands of prisoners of conscience in China's jails and the million in concentration camps. It is sometimes difficult to understand how, not only people in the streets, but even top intellectuals and thinkers, can so often easily subscribe to simplistic, reductionist, groundless assumptions, and even develop a hostage mentality, except for the reason that lies in the great admiration for China's present economic achievement and the placing of perennial blame on past Western colonialism for any wrongs that they find today in the former victims of Western colonialism and exploitation. “China exceptionalism”, which ideologically has Leninist roots since the time of Mao and Stalin, while empirically baseless and morally questionable and sharing a common ideological DNA with eugenics, racism and classic Fascism, is also influential among highly regarded non-Chinese academics and top thinkers like Martin Jacques (“Now let me shock you: the Chinese state enjoys greater legitimacy than any Western state. How come? In China's case the source of the state's legitimacy lies entirely outside the history or experience of Western societies.”) or Kishore Mahbubani (“Communist rule is good for China”; “The Chinese Communist Party (CCP) should instead be called the Chinese Civilization Party”; “Be careful what you wish for ... if China had

democracy today, it would generate a stronger Chinese nationalism”; “The CCP has contained a nationalist and assertive China”).²¹¹ Such “China exceptionalism” arguments, however, tend to ignore the fact that the many populous countries in the well-functioning liberal democratic world, and the performance of not only Taiwan but also that of many Eastern European countries – and some ex-USSR states especially the Baltic states – are evidence proving the fallacy of considering the CCP’s one-party autocratic rule as being the only plausible governance system for China as a populous country, as a Chinese nation, or as a post-command transition economy.

Many in the ethnic Chinese overseas communities who are so proud of themselves due to China’s economic achievements under the CCP’s rule is trying every day with every means to prove the superiority of the CCP’s one-party dictatorship model, and to discredit and hold in contempt the multi-party liberal democratic political system wherein a ruling party is constantly held accountable for its decisions and actions by effective opposition parties’ and private civil rights groups’ checks and balances. Is it that these admirers of the CCP’s totalitarian model are really hoping that the CCP could successfully promote its one-party dictatorship model that tramples on human rights to the world to replace the multi-party liberal democratic system? Do they really hope that their next generation will live under a one-party dictatorship? Or do they really hope that with re-migration their next generation would live in countries that destroy free speech and suppress free thinking, and would face arbitrary arrest and persecution by the ruling party because of their expressions of dissent in these countries that emulate and practise the CCP’s one-party dictatorship governance model to various extents? While praising every day the superiority of the CCP’s one-party dictatorship model, thus gaining a glorious sense of ethnonationalism, and engaging themselves in daily Western liberal democracies-bashing,

these people should also think about the impact of their action on the future of their next generation, and whether this is being fair to the latter.

36. The Myth of Performance-based Legitimacy

The economic success of China under the CCP rule after the 1989 massacre has become a very powerful factor in convincing many around the world of the superiority of the CCP's one-party coercive authoritarian governance model, the justification of the 1989 massacre ("killing 2 hundred thousand to ensure 2 decades of stability for China" attributed to Deng Xiaoping), and the argument of "China exceptionalism" that China is different from others in the world and that multiparty democracy would be wrong for China. These have really served to convince not only the majority of ethnic Chinese overseas but also many prominent non-Chinese academics like those just mentioned above. China's providing academic visit opportunities and research grant money to academics outside is an important tool too in buying the latter's sympathy towards the CCP dictatorship. China money buying over directly or indirectly almost all Chinese-language media outlets around the world is also extremely effective in this all-out influence drive. In this way, the CCP dictatorship has been highly successful in maintaining its political power monopoly through this myth of economic performance-based legitimacy.

The "performance-based legitimacy" argument is not new, and cannot be used to justify totalitarianism and political repression and persecution of free speech, free press and political dissidence. Even Hitler and his Nazi movement had come to power through huge popular support in democratic elections and ruled with stellar economic performance. In the 19th August 1934 plebiscite over 38,000,000 Germans (just a fraction under 90 per cent of those voting) gave Hitler

their approval, and only 4,250,000 voted against him, with 870,000 spoiled ballot papers. (Badsey, 1991: 42)

“Certainly, the Nazis never won an outright majority in an election before 1934, but in later plebiscites and elections they always secured at least 90 percent of the vote”, observes historian Stephen Badsey, “Hitler was enormously popular in Germany until at least the middle of the Second World War, and to the very end German opposition to his rule was minimal.” (*ibid.*: 42) And behind that support was what in that bygone era qualified as an economic miracle brought about by the Nazis – a German model, to put it in similar terms as today’s so-called “China model” complete with grandiose buildings and infrastructural projects like bridges and high-speed rails that may not make economic sense or sometimes not even any other senses, glorious technological feat like the China craft that went to the dark side of the moon:

This popularity was largely due to Germany getting what it wanted and needed most, an end to the unemployment and poverty of the Weimar years. Hitler liked grandiose displays, impressive engineering, and complex technology virtually for their own sake. He had the good luck that his personal tastes, even his dreams, contained the cure for Germany’s economic ills. He was also still enough of a radical to give the new generation of unorthodox economists a chance. Restrictions on foreign imports and a massive increase in public spending, based on Nazi notions of German cultural supremacy, created jobs by the million. By 1936 unemployment had dropped to nothing and there was even a labor shortage, while the standard of living had risen dramatically. Many of the new posts were in government, to run the Nazi bureaucracy. Other jobs came from the construction of the *Autobahn* or highways, and from public building programs, a favorite of Hitler the draftsman. A particular Nazi project

was the small, cheap motor car affordable by everyone, the 'people's car' or *Volkswagen*.

(*ibid.*: 42-44)

As political satirist and journalist Patrick Jake O'Rourke once said: "Commissies love concrete" (O'Rourke, 2012: 71), grandiose architectural feats are always the beloved hallmarks of empire-builders whether Roman or Communist, be they Western autocrats or Oriental despots, ancient or modern. All that glitters is not gold. Among the so-called infrastructure miracles – roads, bridges, high-speed rail, fantastic design of hotels and other buildings – some do have practical use, while others are for pointless vaunts (a most recent example being the world's first theatre with moving, spinning audience seats, an unnecessarily glamorous tech that turned out to be a death trap)²¹². These are never projects other affluent countries cannot undertake, but it is just a matter of whether they are practical, cost-effective and the right things to spend money and resources on. But one thing is for sure: no other countries can compete with the PRC's unbelievable zeal in propagandising such achievements to promote national feel-good factor to strengthen the image of the ruling CCP regime, including circulating a myriad of video clips promoting such "amazing" feats all over the social media targeting a large captive audience, the zealous fans among the Chinese overseas, and beyond, who often misconstrue vanity as self-worth, and showmanship as glory.

There are still a great many poor regions in China, including many poor counties located in mountainous areas. The country's mega-cities can be as rich as those in Europe and the North America, while the villages could be as poor as those in economically backward countries²¹³, and the country's interpersonal and inter-regional income disparities are acute and widening, with the degree of income and wealth

inequality now exceeding most European countries' and at around the U.S.'s level, and with 70 per cent of wealth now being concentrated in the hands of the rich within the top 10 per cent of society, according to renowned French economist Thomas Piketty.²¹⁴ Moreover, there is also an increasingly acute problem of urban poverty. In an article published on 28th May 2018,²¹⁵ Xiang Songzhen (向松祚), council member and deputy director of the International Monetary Research Institute of the Renmin University of China and an advisory board member of the independent think tank Official Monetary and Financial Institutions Forum (OMFIF), warned China's academic, political, and media circles not to keep speculating that China would challenge the United States, how the renminbi would challenge the dollar's hegemony, and how China is set to replace the United States as the world's leader, how the United States has declined, how the 21st Century is China's century, and how China is standing tall now at the centre of the world stage. The fact is, Xiang pointed out, China still lags far behind the United States in many aspects, especially that many of China's major livelihood issues have reached the brink of danger. He urged those who are indulging in such wishful thinking to just leave the few megacities of Beijing, Shanghai and Guangzhou and take a look at the vast countryside, or leave the centre of Beijing and take a look outside the Sixth Ring, and see how those migrant workers are working ten hours a day, six days a week, and to take a look at those children who are unable to go to school, to witness the extent of poverty of many rural families, and to look closely at China's education and medical conditions. China's fundamental problem is not even Sino-U.S. relations. The country's fundamental goal is not to challenge and to replace the United States as leader of the world, but is to make sure that more than one billion Chinese could have access to education, to medical care and to aged care.

Xiang's warning resonates with the comments made by Liu Yadong (劉亞東), editor-in-chief of the *Keji Ribao* (科技日報, *Science and Technology Daily*) which comes under the supervision of China's Ministry of Science and Technology, at a science and technology seminar in Beijing a month later. "The large gap in science and technology between China and developed countries in the West, including the U.S., is basically common knowledge, and is not a problem." Liu said, "But it becomes problematic when the people who hype [China's achievements] ... fool the leadership, the public and even themselves."²¹⁶

Against this background, other than taking great pride in vain, grandiose deeds to strengthen personal and the Party's political grip on the nation, how does one explain why the regime's leadership under CCP secretary-general and national chairman Xi Jinping has been throwing the nation's precious reserves to scatter around in what lately in the form of Xi's signature Belt and Road project, building infrastructure projects around the world that are more often than not embroiled in local corruption and turning out to be white elephants? If this is a country with opposition parties and civil society watchdogs, it would be impossible for a ruling party and its leaders to do so as they please. In fact, the welfare of the people in rural areas and overcoming urban poverty should be the most important instead.

The priority of Xi's leadership is to strengthen the support of domestic nationalists with the CCP's global image. This is somewhat different from the Jiang Zemin (江澤民) and Hu-Wen (胡錦濤 - 溫家寶) periods. In order to consolidate its permanent one-party governance, the CCP is advocating the brilliant glory of achievements in material image (also in line with its Marxist-Leninist foundation of historical materialism), thus contributing to today's dog-eat-dog social value in this populous nation where ultra-left Maoism, with its "Cultural

Revolution”, had destroyed the morality of a whole generation. Since Deng Xiaoping’s economic reform began in 1979, the CCP’s Marxist-Leninist foundation has evolved into continuing Leninist governance while denigrating Marxism (Chen Yun (陳雲) had opposed it, and Bo Xilai (薄熙來) had tried the opposite in Chongqing with his *Chongqing model* (重慶模式), but they had all failed in their partial efforts against the change), and after the June Fourth massacre in 1989 this was transformed into a mode of governance moving from Leninism, inclining towards Stalinism. During the Hu-Wen period, there was a slight backtracking, but after the Xi Jinping faction defeated the Bo Xilai faction and came to power, the Maoist mode of governance was restored, forming a new Leninist-Maoist model, and this has inherited Mao’s extreme politics-in-command (政治掛帥) stratagem, while the Marxist economic foundation and ideology were further brushed aside.

37. Economic Miracle *Due to or Despite* Totalitarianism?

The so-called economic miracle has always been considered attributable to the stability brought about by the one-party rule of the Communist Party dictatorship, and also as confirming the rightfulness of the bloody suppression of the 1989 Beijing Tiananmen student movement and demonstrations, and thus the efficiency of the subsequent authoritarian stability maintenance policy has been widely taken for granted not only among the ethnic Chinese overseas communities, but also around academic circles in the world. But is that really true? Contrary to what those who are bent on heaping servile flattery upon the CCP regime would prefer to believe, there are many factors contributing to China’s economic miracle today, including Deng’s *coup de grâce* to remove the Maoist ban of private enterprises, the traditional Chinese merchant culture (sometimes dubbed money-chasing instinct), and most

importantly, the PRC's low-human-rights advantage (with no real labour unions or societal pressure groups permitted, thus facilitating the working of a neo-Franquist corporatist production structure). Regarding IT advancement, the "smart city" technology's testing ground of Xinjiang has little to no limits placed on it, giving companies like Huawei free rein to develop extremely invasive surveillance technology with no repercussions, resulting in China's IT companies having an advantage over European or American competitor companies who have to operate and test their technology in heavily constrained environments with vigilant governments and privacy watchdogs. As German analyst Adrian Zenz highlights, "companies like Huawei are able to develop such systems in regions like Xinjiang in tandem with the security services, and therefore with very few privacy restrictions", enabling them to gain "a problematic advantage over comparable Western companies".²¹⁷

In actuality, the economic success of the PRC should be attributed to the effort of the Chinese citizens after the dismantling of the Maoist drab collective structure, to the Chinese business acumen and traditional resilience for economic survival that have long been distinctive among the global Chinese diaspora. Hence China-watchers should be wary of over-adulation for the socialist-to-capitalist turncoat CCP regime as the architect of success. For many it is a personal choice, a personal political stance though, to insist on attributing China's economic success all to the CCP dictatorship and hence justifying its brutality but it is definitely way wrong to let the CCP dictatorship brazenly take major credit for China's present economic success over and above the Chinese people's entrepreneurial spirit (like that of the ethnic Chinese overseas). On the other hand, the traditional survival tactic of the overseas Chinese business community of attaching itself to any power-that-be for economic protection and opportunism giving rise to the notorious

phenomenon of crony capitalism, to the extent of oblivion of labour exploitation and government corruption and repression of the local populace (Chua, 2003/2004: 147-158), which could be attributed to the harsh host country environment, lack of land ownership and discrimination against latecomer immigrant communities, is equally evident in the PRC where political repression has created a similar environment of collusion-or-else scenario.

Also, history has shown us that most young South Koreans and Taiwanese took that risk to fight against brutal one-party / military dictatorship in the 1980s (with between one to two thousand protesters killed in Gwangju (광주 / 光州) alone in a pro-democracy uprising there that involved close to a quarter of a million people)²¹⁸ even though both South Korea and Taiwan (the former under the dictatorships from Park Chung-hee (박정희 / 朴正熙) to Chun Doo-hwan (전두환 / 全斗煥) and the latter under the Kuomintang's martial law *de facto* dictatorship²¹⁹) had already achieved economic miracle and become two of the four Asian Tigers (亞洲四小龍). The situation in Hong Kong of 2019 indeed reminds us very much of the 1980 uprising by Gwangju's Chonnam (전남 / 全南) National University students that ended in a massacre by government troops of at least more than 600 but possibly up to 1000-2000 Chonnam University students and other civilians, before it took another seven years with U.S. pressure for South Korea to turn from a repressive dictatorship into a human rights-respecting liberal democracy. In the 1987 student demonstrations a student activist leader was hit on head by a tear gas canister and in critical condition. He became a symbol of further protests that represented the catalyst which helped lead to South Korea's definitive final democratisation. Following his death, that Yonsei (연세 / 延世) University student Lee Han-yeol (이한열 / 李韓烈)'s July 1987 funeral participated by more than one and a half million people became one of the most important days in

South Korea's modern history of bringing down a dictatorship. While the situation in Hong Kong of 2019 – the struggle, deaths, and anguish – bears much similarity to that period of South Korean history, the comparison cannot be stretched too far between the sovereign country of South Korea, or Taiwan, and the Hong Kong Special Administrative Region under the PRC's jurisdiction since 1997. The Chun Doo-hwan administration of the Republic of Korea (like the Chiang Ching-kuo (蔣經國) administration of Taiwan, Republic of China) was under the U.S. and Western pressure to democratise especially when situations in the streets were turning ugly. With China's present strength, the CCP regime and the Xi administration definitely need not have similar concerns regarding any external pressure for domestic political reform.

For China's citizens, it is of course a personal choice (with personal peril to consider if a dissident course is chosen) whether to dissent or to conform. It is also a personal choice for many CCP apologists among ethnic Chinese overseas to support the argument that all Chinese should happily accept the CCP dictatorship's brutal crushing of political dissent just because China's economy is going well and China is growing stronger in its global clout and as a result they, the ethnic Chinese overseas, are perceiving themselves as a people prouder and safer. But are they sure that their perceived greater pride and safety are not simply a misconceived illusion fed by the CCP's United Front propaganda? It was said that sometimes one has got to go through hell to get to heaven.²²⁰ Ironically, for the many among the ethnic Chinese overseas who are misguided to bathe in the glory of a misconceived notion of a CCP heaven, that illusory heaven could eventually turn out to be just a transfer station on the road to hell, albeit probably paved with good intentions.

38. Perpetual Nightmare of Bureaucratic Totalitarianism and the Stockholm Syndrome

There is an interesting description of the Tiananmen Square, the centre of the 1989 demonstrations and the ultimate target of the brutal crackdown after the massacres elsewhere in Beijing of valiant citizens who went to the streets to block the advancing tanks and armoured vehicles of the so-called “People’s Liberation” Army (PLA), in *Chinese whispers* (2013) by Ben Chu, the economics editor of *The Independent*:

To stand at the north end of Tiananmen Square in Beijing is to straddle the historical fault line that separates two Chinas. To the north is the opulent and vermilion-walled Forbidden City, the enormous palace complex constructed by the Ming emperors in the fifteenth century. To the south lies the almost equally vast concrete expanse of Tiananmen Square, one of the largest public spaces in the world, commissioned by Mao Zedong. The architecture comes from two profoundly different eras, one imperial, the other Communist, and yet the sensation for the individual as he gazes north, and then south, is rather similar. The scale of both the square and the palace is intimidating. Both, in their own ways, project a cold and ruthless power. Both plant a feeling of insignificance into the soul of the individual. On this spot the Wittfogel proposition, that Chinese political history is one long and seamless story of autocracy, feels plausible.

(Chu, 2013: 82-83)

Chu is referring to the historian Karl Wittfogel who identified a connection between ancient “hydraulic empires” and modern China’s (and Russia’s) bureaucratic totalitarianism, and saw Mao’s CCP, despite

all its modern trappings, as merely the latest imperial dynasty to rule China through the same technique he termed “oriental despotism”²²¹ as practised by the former emperors. Chu notes that Wittfogel, himself a refugee from Nazi Germany, was following a long dismal tradition which can be traced back to the Enlightenment political philosopher Montesquieu and the Victorians and had hence projected a perpetual nightmare (Chu, 2013: 231).

And today still the portrait of Mao Zedong – the “Great Helmsman” of the CCP that during its rule for almost a century directly caused the death of at least 40 million people through man-made starvation, through political purges, through persecution of dissent, thus claiming the largest number of victims among 20th-Century totalitarian regimes, as compared to Hitler’s 11 million, and Stalin’s 6 to 9 million – hung high on the Tiananmen Gate. During the height of the Tiananmen protests, on May 23, 1989, three young protesters posted banners on the wall of the Tiananmen gate’s passway, with one of the banners reading “五千年专制到此告一段落” [the time has come to end the five thousand years of autocracy], and shortly after, threw eggs filled with pigment onto Mao’s portrait. These brave souls were speaking the minds not only of their own but those of the great majority of China’s citizens from students to workers to triad mobs, and of the ethnic Chinese overseas too, at that time, which was evidenced by the outpouring of support for the protests and by the outrage at the subsequent June Fourth massacre, reflecting a human dignity that sadly we no longer see today. To protect the protest movement from the mortal danger of being branded as anti-CCP, the other protesters caught the three, made them apologise at a press conference, and handed them to the Beijing Municipal Public Security Bureau. That cautious action looked wise at that moment, but alas, facing a ruthless totalitarian regime, it did not succeed in protecting the thousands of protesters, as well as the brave Beijing residents who tried

to protect the students, from their dire fate came the night of 3rd-4th June.

The fact is that so many Germans decades ago also so heartily supported the Nazis and Third Reich of Adolf Hitler – a ruthless but “feel-good dictator” who, while being dangerous to challenge, did restore to them the feeling of self-importance and bring back not only lost glory and national pride but also long-awaited economic improvement and security²²², and instill in them a higher feeling of external efficacy, like what Italians said about the effect of Benito Mussolini’s Fascist reign on improving Italian trains’ punctuality or what Mussolini did convince many of them about: “Mussolini may have done many brutal and tyrannical things; he may have destroyed human freedom in Italy; he may have murdered and tortured citizens whose only crime was to oppose Mussolini; but ‘one had to admit’ one thing about the Dictator: he ‘made the trains run on time.’”²²³

And like Beijing of 2008, Berlin hosted the 1936 Summer Olympics (*Olympische Sommerspiele 1936*). Outdoing the Los Angeles Olympics of 1932, a new 100,000-seat track and field stadium and six gymnasiums plus other smaller arenas were built for the Berlin Games which also became the first Olympics ever to be televised, with radio broadcasts reaching 41 countries. A grand world event that, unfortunately, like the 2008 Beijing Olympics as against the whimsical hope of many over-idealistic China-watchers, failed to usher in a new era of democratic reform in the host country (which occurred in South Korea at the time leading to the Seoul Olympics of 1988) but instead served as a tool used by the host regime to consolidate its repressive rule, to exploit nationalistic fervour, to raise its undeserved world stature and to further strengthen its totalitarian grip on the country. History tends to repeat, and it does repeat.

Apologists for the CCP dictatorship usually go along lines like progress is paramount, and whether a governance model is democratic or authoritarian is irrelevant. Suppression of dissent is justified in the name of progress; just too bad. This position is not difficult to understand. It refers to performance-based legitimacy – the end justifies the means. But isn't Western colonialism and imperialism as bad? They ask. Democracy is a joke. They say. Hasn't China supported Hong Kong's economy? Cinderella treatment, many comment. Why aren't Hongkies happy? They scratch their heads. Human rights are a Western ruse employed to intervene. They scoff. If not for CCP's repressive rule, there will be chaos. Should we support prospects of chaos? They ask.

It is true that a great many in electoral democracies continue to vote for increasingly repressive regimes (though not as brutal as the CCP) based on similar fear for possible chaos. A manifestation of Stockholm syndrome?

39. Total Surveillance under Totalism: The Making of a Perfect Police State

Of course it could be argued that the conglomerates, the IT tech giants, like Huawei, SenseTime, Megvii and Alibaba (Yeoh, 2018: 692-703) as well as others that entered the sanction list of the U.S.'s Trump administration, have no choice but to obey the Party-State's demand for collusion in political repression and citizen surveillance, from the smart cities in the ultra-modern first-world China to the million-inmate "re-education" concentration camps in Xinjiang – an enforced relationship between business and State more recently spelled out in a new regulation stipulating businesses' unquestioned obedience to State's demand for collusion²²⁴, as it has been said "live is evil spelt backward". However, such rationalization does not absolve businesses of the sins of partaking

in political repression whether in IT-tracking and surveillance of dissidents from the eastern provinces to the frontier regions of Xinjiang, Tibet and Inner Mongolia, and stemming buds of potential activities against the totalitarian State or in building and maintaining the Great Internet Firewall or diligently deleting messages critical of the CCP in cyberspace and shutting down offending accounts from *Weibo* to *Weixin/Wechat* and tracing their IP addresses for State persecution, or in using forced labour in Xinjiang factories or cotton fields.

The U.S.'s and India's banning of China apps,²²⁵ including the U.S.'s initiating action to propose banning *WeChat* etc., represents an important move, though many in the U.S. oppose such actions including Fareed Zakaria, citing the importance of free flow of information. What they seem to ignore is the heavy censorship the CCP regime imposes on such home-grown media outlets and instruments, thus restricting their function, whether overtly or covertly, to being the CCP regime's propaganda tools; and how Chinese citizens' access to outside media or Internet apps like *Google*, *Facebook*, *Wikipedia*, *Instagram*, etc. are outlawed by the CCP regime.²²⁶

Honestly can one really trust Huawei to dominate the 5G technology?²²⁷ – especially after the CCP regime introduced the National Intelligence Law in 2017 that in effect obligates all private companies to provide all information they have collected to the government in supporting, cooperating with, and collaborating in national intelligence work and obey and carry out whatever tasks the government asks them to do in the name of patriotism (that would of course be for surveillance on dissidents and espionage). In return, the new law says that the government is obligated to protect these companies. China companies like Huawei are promoting 5G as part of their smart & safe city project. Somehow one should feel scary if this technology is in the hands of the CCP regime (which in its Leninist

corporatist governance structure effectively controls these companies, despite the latter's declaring otherwise to the outside world).²²⁸ One tracked and arrested with the use of 5G technology could be a criminal (as a popular China 5G promotional video shows), but in the case of China the person could also just be a political dissident.

China had planned to implement such surveillance nationwide beginning 2020, after experimenting in several pilot cities as well as Xinjiang over a few years. The surveillance system would include surveillance cameras,²²⁹ hi-tech spectacles worn by security officers, as well as detailed Internet surveillance. China's citizens would be classified into four categories, A, B, C and D, based on personal and behavioural information collected. Class A people could get fast track to loan, credit, children's education. Class D people would be blocked from even buying train or plane tickets. Even spouse of girl/boyfriend criticising the CCP on the web could land a person in class D. It is not sure yet how far the government could carry out this "social credit" plan,²³⁰ but the prospect is truly scary. Alibaba and its Ant Group affiliate are prominent players in this plan in constructing a governance model the world has never witnessed before that some refer to as "digital Leninism" (Funabashi, 2018) or the world's first "digital dictatorship"²³¹, and besides Alibaba, and just like Alibaba willingly or forced, tech companies like Huawei, Hikvision and Megvii are all involved in this grand Orwellian-Huxleyan surveillance project, within which this "social credit" plan is a main component, unseen before in human history (Yeoh, 2018: 691-709)²³².

40. State-Industry Collusion in Repression

In his seven-year study of the Krupp family business empire, published in the book *The arms of Krupp: 1587-1968*, William Manchester notes

that in the post-Nazi era, “virtually all Germans and a majority abroad believe that German industrialists had no choice, that the Nazis forced them to use slaves of all ages and sexes, that the industrialists themselves would have been exterminated had they behaved otherwise.” “This is untrue”, says Manchester, as the “forgotten mountains of Nuremberg documents [...] reveal that the Reich’s manufacturers not only had a choice; most of them took advantage of it” (Manchester, 1968/1970: 3-4). Even if these Chinese corporate giants were initially unwilling to, or just apathetic towards, collusion in State repression, there is no evidence that if given a choice these conglomerates would have actively resisted the pull of nationalistic “stability” rhetoric and lucrative government contracts. This is what Peter Hayes observes in his study of IG Farben, the largest corporation in Nazi Germany. As Hayes shows in his book *Industry and ideology: IG Farben in the Nazi era*, although the most infamous aspects of Nazi policy including the exploitation of slave and conscript labour, and the persecution and eventual massacre of the Jews, actually occurred despite IG Farben’s advocacy of alternative courses of action, IG Farben did grow rich under the Nazi regime and was directly involved in some of its greatest crimes against humanity. As Hayes observes:

Thus, after 1933 as well as before, Nazi economic doctrine served as both a blueprint and a billboard, a blend of half-revealed ideological goals and political blandishments. By presupposing conquest, the führer knew that he presupposed the combined best efforts of the Reich’s deeply divided social and economic classes. Therefore, while propaganda, *Gleichschaltung*, terror, and Hitler’s charisma kept the populace in line and the Nazi movement together, the regime also contrived to spread employment and nearly restore the living standards of most citizens to pre-Depression levels. After a slow start

in 1933, Germany accomplished within the next three years the most rapid and sustained economic recovery in the industrialized world.

(Hayes, 1987: 74)

Giving due consideration to inter-era standards, similar world visions, similar propaganda, similar State-promoted nationalistic fervour and similar economic miracles cut across the Nazi movement and the CCP dictatorship's "socialism with Chinese characteristics", and across the Third Reich's rise like the phoenix from the ashes and the continued rise of the CCP's PRC now newly embroidered with Xi Jinping's "Great Rejuvenation of the Chinese Nation".

As regards what the people have been bargaining for, Hayes tell us:

As compensation for forgone monetary gains and lost political freedom, workers, peasants, and the long discontented lower middle classes got a reborn sense of national might, large doses of official flattery, and assorted and relatively inexpensive social innovations designed to betoken the establishment of a classless society. The Third Reich enticed businessmen, on the whole, with less praise and more wealth than any other social group, but deceived them similarly nonetheless.

(*ibid.*)

A Faustian bargain, now and then.

In his 1997 book *The power of identity*, Manuel Castells looks at the link between the power of the State and the pervasiveness of new information technologies in a section titled "The state, violence, and surveillance: from Big Brother to little sisters" (pp. 299-303) in "Chapter 5: A powerless state?", and the question of how the State could be "powerless when mastering a formidable technological capacity, and

controlling an unprecedented stock of information” as claimed by various researchers. While admitting that “powerful information technologies might indeed be put to the service of surveillance, control, and repression by state apparatuses (police, tax collection, censorship, suppression of political dissidence, and the like)”, Castells positively remarks that so might they be used for citizens to enhance their control over the State – in the same way China’s dissident artist Ai Weiwei (艾未未) once remarked, “The Internet is the best gift to China – this kind of technology will end this kind of dictatorship”, before IT has actually turned into an ugliest tool in the hands of the CCP State²³³ – and also that new technologies may enable citizens to video-record events²³⁴ and thus provide visual evidence of abuses (as in the cases of citizen camera-witnessing which has been evidenced in recording possible police brutalities in the Hong Kong protests²³⁵ and Mainland China’s much persecuted citizen-reporters). And so Castells declares with emphasis:

Rather than an oppressive “Big Brother,” it is a myriad of well-wishing “little sisters,” relating to each one of us on a personal basis because they know who we are, who have invaded all realms of life.

(Castells, 1997: 301)

But as Castells emphasises too, he is talking about a liberal, capitalist state when he empirically dismisses the Big Brother imagery, while admitting that: “Indeed, George Orwell could well have been right, *vis-à-vis* the object of his prophecy, Stalinism, not the liberal, capitalist state, if political history and technology had followed a different trajectory in the past half-century, something that was certainly within the realm of possibility.” (*ibid.*: 299) However, what have apparently been missing from Castells’s analysis are the cases of several

East Asian states, in particular the case of China, for the book's focus is on capitalist liberal democracies. Unlike the American, Western European and other "Western" capitalist liberal democracies, and unlike the Eastern European countries and Mongolia that had overthrown the Communist Party dictatorship in the first instance when made possible by Mikhail Gorbachev's new politics and embraced whole-heartedly liberal democracy and market capitalism, as well as most former constituent republics of the now defunct Soviet Union which did the same once having wrested independence from the former USSR (including even the Russian Federation that had backpedalled so much in its democratic reform into a Putin-centred autocracy but where hope for moving back on the path of democratic reform can hardly be said to have been extinguished as it still retains its parliamentary electoral democracy structure installed at the fall of the Communist Party dictatorship in 1990), the so-called "People's Republic" of China remains the odd man out untouched by the Fukuyaman "end of history" *fin de siècle* revolution, after having violently suppressed the 1989 popular protests with a massacre that claimed thousands or tens of thousands of innocent lives.

But as an almost lone major survivor out of an earlier whole pack of Leninist totalitarian regimes, the CCP regime has its anxiety, and hence it became more and more ruthless in guarding against "colour revolutions" penetrating from outside and a Gorbachev rising from inside. Like the Nobel Literature Prize laureate Elias Canetti says in the epilogue in *Crowds and power*, "Whether there is any way of dealing with the survivor, who has grown to such monstrous stature, is the most important question today [...] Today the survivor is himself afraid. He has always been afraid, but with his vast new potentialities his fear has grown too, until it is almost unendurable" (Canetti, 1960/1984: 469), it is a fear of being dethroned from absolute power like in the former

USSR and its Eastern European satellite states, or even like in Mongolia, in its institutional conflict with the dissident movement supported by foreign forces in the shifting strategic actions and change mechanisms between State domination and NVA (nonviolent action) assertion (Yeoh, 2012: 425-461)²³⁶. In this process, for this great survivor, as Canetti describes, his own “greatness and his invulnerability have become incompatible. He has over-reached himself. Rulers tremble today, not, as formerly, because they are rulers, but as the equals of everybody else. The ancient mainspring of power, the safe-guarding of the ruler at the cost of all other lives, has been broken.” Whether that mainspring be the divine right of the monarch or the messianic promise of the Marxist dogma (Russell, 1946/1961: 361)²³⁷, it is now broken, and while power “is greater than it has ever been, [it has become] also more precarious.” And hence, the “most unquestioned and therefore the most dangerous thing he does is to give commands” and the command, “even in the domesticated form found in any community, is no less than a suspended death sentence; and we know that strict and effective systems of commands are in force everywhere” (Canetti, 1960/1984: 469) in this “spectacular vision of a happy hell” (Ryan, 1988/1990: 136)²³⁸.

If allowed to go down that road of unchecked power of repression and nationalistic, militaristic external sabre-rattling to maintain domestic support – for a regime that perpetuates its political power monopoly through maintaining mass hatred against some specific historical nemeses – history has shown us the grim prospect for all, for whether or not this great survivor “is actually in danger from enemies [from without or within], he always feels himself menaced” and the “ultimate means of deliverance, which he never wholly renounces (though he may hesitate to use it), is the sudden command for mass death” (Canetti, 1960/1984: 469) – whether that be war across the Taiwan Strait or in the East and South China Seas or across the Himalayas or across the oceans against

allies of its perceived enemies, whether by devious intermestic²³⁹ design or by way of a “Thucydides trap” (Allison, 2015, 2017). In what can be taken as a grim warning to a world that indulges itself in a *Danse Macabre* for lucrative gains to appease the burgeoning totalitarian behemoth, the almost sole great survivor from among its earlier *league of totalitarian gentlemen*, Conetti’s words sound truly harrowing: “The forest of his fears has grown so dense that he cannot breathe and he longs for it to be thinned. If he waits too long his vision becomes blurred and he may do something which will seriously weaken his position. The anxiety of command increases in him until it results in catastrophe. But before catastrophe overtakes *him* it will have engulfed innumerable others.” (Canetti, 1960/1984: 470)

41. Big Brother and Little Sisters: From Collusion to Self-censorship

I was not alone [...] There was something about them that made me uneasy, some longing and at the same time some deadly fear [...] They whispered together, and then they all three laughed – such a silvery, musical laugh, but as hard as though the sound never could have come through the softness of human lips. It was like the intolerable, tingling sweetness of water-glasses when played on by a cunning hand [...] but with a bitter underlying the sweet, a bitter offensiveness, as one smells in blood [...] They simply seemed to fade into the rays of the moonlight and pass out through the window, for I could see outside the dim, shadowy forms for a moment before they entirely faded away.

(Stoker, 1897/2000: 32-35)

In today’s context, it is simply not applicable to the PRC when Manuel Castells talks about how “statism disintegrated in contact with new

information technologies, instead of being capable of mastering them [...] and new information technologies unleashed the power of networking and decentralization, actually undermining the centralizing logic of one-way instructions and vertical, bureaucratic surveillance” (Castells, 1997: 299-300). For the largest dictatorship on Earth today, the opposite is true. If liberal democratic capitalist societies today indeed, as Castells describes, “are not orderly prisons, but disorderly jungles” (*ibid.*: 300), the PRC society today represents an ominous dark forest, crisscross wired from every corner where predators are ready to pounce upon anyone stepping out of the State-designated path threatening to destabilise the political monopoly equilibrium of the CCP regime. In this self-designated “market socialism”, the IT tech firms, the “little sisters” Castells refers to, like the Brides of Dracula in Bram Stoker’s 1897 novel *Dracula*, like it or not, when called upon by the State, have to support the latter’s surveillance of citizens and persecution of dissidents – an obligation, unthinkable in liberal democracies, under the PRC’s Leninist corporatist governance model that dictates the State-private sector relationship, which in recent years was formalised by the ratification of the country’s “National Intelligence Law” (2017) that codifies the obligation of PRC-based entities to assist in intelligence gathering: “*All organizations and citizens shall, in accordance with the law, support, cooperate with, and collaborate in national intelligence work, and guard the secrecy of national intelligence work they are aware of. The state will protect individuals and organizations that support, cooperate with, and collaborate in national intelligence work.*”²⁴⁰

After all, whether within the PRC, in Hong Kong,²⁴¹ or extending market power overseas including into Hollywood, private business interests are particularly vulnerable in resisting pecuniary enticement from a totalitarian power,²⁴² as Hayes observes in his study of IG Farben: “One common answer stresses tendencies inherent in the

capitalist system, and it is partially correct. In a sense, Nazi economic policy rested on the recognition that so long as a state displays its determination but permits businessmen to make money, they will let themselves be manipulated as to how. The Nazis knew that commercial interests are not immutable objects, but definitions capable of restatement according to context.” As Hitler once remarked, “Experts can always think differently than they did at first”, Hayes notes that in order to induce them to do so, the Führer “monopolized the instruments of power in the state, subordinated the protections of law to the demands of ideology, built an arbitrary and confusing political edifice in which influence mattered far more than office, and extended his sway to most of Europe.” (Hayes, 1987: 379-380) Having ascended the throne of the world’s engine of growth, the PRC’s sway is today reaching further across the globe, which would be much envied by Hitler if he were still alive today, that is serving excellently in maintaining the totalitarian hold of the CCP dictatorship over its country without even having to start a hot war.

Take the example of the film industry. The controversy over the Disney film *Mulan* is just the latest among a whole long series of accusations against the Hollywood film industry’s self-censorship and kowtowing to the CCP dictatorship for the sake of accessing China’s market or due to China studios’ investment in Hollywood films (though in the case of *Mulan* it was because of the disparaging comments on Hong Kong’s pro-democracy anti-extradition bill protests from the lead actress, who is now an American citizen but originally from China, and more pertinently the end credits that thank Xinjiang’s public security, the provincial arm of the CCP-State’s version of the Nazi secret police *Geheime Staatspolizei* (Gestapo), at a time when the revelation of the territory’s million-inmate concentration camps was reminiscent of the Nazis’ torture and death camps).

David Denby in his 2013 *The New Yorker* article “Hitler in Hollywood: Did the studios collaborate?” relates how Hollywood studios of the 1930s repeatedly cancelled “explicitly anti-Nazi films planned for production, and deleted from several other movies anything that could be construed as critical of the Nazis”. Referring to two newly published books that year, *The collaboration: Hollywood’s pact with Hitler* by Ben Urwand, a junior fellow of the Society of Fellows at Harvard, and *Hollywood and Hitler, 1933-1939* by Thomas Doherty, a professor of American studies at Brandeis, Denby points out that Doherty attributes the studios’ craven behaviour more to both greed and fear in studio practice and disagrees with Urwand’s use of the word “collaboration”. Urwand, on the other hand, in his book speaks of Hitler’s victory “on the other side of the globe”, meaning Hollywood, while claiming to see “the great mark that Hitler left on American culture” (Denby, 2013). An obvious reason for such self-censorship, “which both Doherty and Urwand give, is that the studios wanted to hold on to the German market [...] No doubt the studio bosses accommodated the Nazis because they hoped for a more amenable regime in the future; they were businessmen, and acted as businessmen.” Besides the market, Denby also brings up the issue regarding the less known Production Code that the Hollywood studios imposed on themselves since the 1920s that contributed to pressure on the studios not to mention Nazism right up to the outbreak of war:

The pattern was clear: no matter how vicious Nazi conduct was, any representation of it could be deemed a violation of the code’s demand that foreign countries be treated “fairly.” In practice, the more cruel and irrational the Nazis got, the safer they were from any Hollywood dramatization of their actions. [The then Motion Picture Producers and Distributors of America censor-in-chief Joseph I.] Breen warned

the studios of the danger to their German earnings, but his real intent was probably to remind the men running Hollywood that they should never feel safe.

(*ibid.*)

This Nazi-era parallel with the self-censorship trend of today's film studios, game producers and musical and entertainment companies and artistes around the world from the U.S. to South Korea or even Taiwan to please the China market is all too obvious. Red Candle's recent pulling its *Devotion* game from Steam in all territories and CD Projekt's reversing the decision to release it on GOG.com²⁴³ represent not the first case of such self-censorship in recent years under the PRC's market power pressure. That is the same pressure under which Hollywood and other film-makers have also usually chosen to self-censor. Like the infamous flag incident involving the South Korean girl group Twice's Taiwanese member Chou Tzu-yu (周子瑜) five years ago (Yeoh, 2016a: 53-60)²⁴⁴, this kind of kowtowing to the market power of a totalitarian regime deserves indeed induction into the entertainment industry's Hall of Shame. Such self-censorship shows clearly the full force of the global threat from the PRC's market power today,²⁴⁵ and the *saturnic* effects of such global creeping authoritarian influence emanating from the PRC, like a devastating politico-cultural version of the nCoV disease spreading from a China outbreak, pressingly need to be stopped.²⁴⁶

42. Coda: Between Scylla and Charybdis

At the time when Hong Kong's anti-extradition bill protest movement was entering the transition stage from 2019 to 2020, an earth-shattering event erupted in Mainland China that was soon going to have a far-

reaching impact not only on Mainland China itself, but also on Hong Kong and the rest of the world: the outbreak of a novel coronavirus pneumonia at a macabre plague level in the city of Wuhan in China's Hubei province. From that critical moment, we saw that after the horrific virus was exported from Wuhan, China, through millions of people who continued to travel abroad, an unprecedented massacre by disease has been unfolding throughout the globe.

We have also seen how this massacre has evolved into a killing battlefield where the world's superpowers wrestled. Just like the 1989 Beijing massacre, but only that the scope of this time's killings derived from the totalitarian governance of the Chinese Communist Party has expanded to the whole world. Just like the death of Liu Xiaobo who "contracted and was late diagnosed with" a disease while in jail, but only this time it is the death of Liu Xiaobo multiplied by millions. The connection between the large-scale violent clashes between the Hong Kong people and the government police suppression forces triggered by the anti-extradition bill protests and the global mass killing by the nCoV pneumonia spreading from China's Wuhan across the world has been rarely mentioned; however, the two are actually inextricably linked to the CCP's totalitarian rule, a connection that has been explored in this paper.

"We are such stuff / As dreams are made on", says Prospero in William Shakespeare's *The tempest*. For the central CCP State, Hong Kong does not represent a people with honour and dignity whose demand for self-determination deserves consideration. It never did. It was, is and will always be a piece of soulless rock as money is made on. After introducing by force the "Hong Kong national security law" followed by the unprecedented sacking of pro-democracy university academics (Shiu Ka-chun / 邵家臻 ; Benny Tai / 戴耀廷), large-scale arrest of pan-democrats and dissident activists, and police raiding the

dissident *Apple Daily* office, the U.S. slapped sanction on Hong Kong and China officials involved in the implementation of the repression and demanded that within 45 days goods exported from Hong Kong to the U.S. had to be henceforth re-labelled as “Made in China”, and no longer “Made in Hong Kong”, since the repression under the new draconian law had practically killed Hong Kong’s freedom and autonomy that had so far distinguished it from the CCP-dictatorship-ruled PRC and hence justified a different preferential tariff-treatment for the city’s exports. As a response, the Hong Kong SAR government is objecting vehemently to having to re-label its exports “Made in China”. Strangely, when it comes to political control, the CCP regime would say that Hong Kong is China’s and hence nobody outside in the world can interfere in the way the PRC government wants to rule Hong Kong – in whichever format including suppressing dissent, arresting dissidents, firing academics, and muzzling free press – but when it comes to business and money matters and exports, the CCP regime and Hong Kong SAR government are practically saying that China is China, Hong Kong is Hong Kong – they are different, and the world must not treat Hong Kong as part of China. How ironic ... During the weeks of political repression under the new “Hong Kong national security law” including mass arrests and the raid on media office, the CCP regime’s and Hong Kong SAR government’s official line has always been “Hong Kong *is* China’s, *is* a part of China, *belongs* to China” and the outside world has no right to intervene in China’s internal affairs or to condemn whatever that happens there, but when it comes to business, money and exports, the CCP regime and Hong Kong SAR government are complaining and protesting that henceforth Hong Kong’s exports to the U.S. would have to be labelled “Made in China”. And Hong Kong officials even more incredibly condemned the “Made in Hong Kong” to “Made in China” re-labelling as a barbarous American action of “describing what is white as black”

(指白為黑).²⁴⁷ No, they say. These exports are “Made in Hong Kong”, not “Made in China”. So, money-wise, Hong Kong is Hong Kong, China is China. But when it comes to political repression, they say: Hong Kong *is* China’s, *is* a part of China, *belongs* to China.

As the government responses to Hong Kong’s anti-extradition protests, and previously the Occupy Campaign, show, it is still a long harsh winter for China’s pro-democracy movement, not only for its domestic and exiled political dissidents but also for its foreign supporters and contributors working in various ways in its advocacy. When the heavy hand of the State descends, when a subservient SAR government happily and enthusiastically flexes its muscles newly empowered by a national security law, dissident voices are crushed and conscientious people are silenced in the territory²⁴⁸ and become what Margaret Atwood called “the people who were not in the papers” (except when they are arrested and brought to court in metal chains) but people who still “lived in the blank white spaces at the edges of print” and “in the gaps between the stories.” (Atwood, 1985/1987: 66-67) Nevertheless, the desire for freedom and democracy and the struggle against totalitarian oppression of political freedom and civil liberties will not be extinguished, just like in Mainland China over the past seven decades, like the garden of the Commander’s wife as Atwood describes in her feminist dystopian masterpiece *The handmaid’s tale*: “There is something subversive about this garden of Serena’s, a sense of buried things bursting upwards, wordlessly, into the light, as if to point, to say: Whatever is silenced will clamour to be heard, though silently.” (*ibid.*: 161)

“Give China time. It will change,” many would say, and it is “in the greater global interest to allow the ruling party in China to evolve and let China focus on its economic growth”, as Kishore Mahbubani has advised us.²⁴⁹ Such are the popular echoes of the CCP regime’s own

narrative. While such caution that is anchored mainly on safety and stability is well-intentioned, it nevertheless also smacks of a hostage mentality, reflecting the helplessness of a world held hostage by an unstoppable rising power that thrives on domestic repression and is increasingly projecting its seemingly chillingly efficient autocratic governance model across the globe. But does anyone care for the aspirations for freedom and democracy of the Chinese citizens whose nation's transition to liberal democracy after toppling imperial despotism in 1911 was unfortunately disrupted by a foreign invasion, a civil war and the subsequent Communist Party conquest that installed a new autocratic dynasty that is even more chillingly efficient and thorough in dissent repression than any of the past imperial dynasties and that has since lasted over seven decades? Already seventy years of repressive rule. How many generations? Yes, leadership has been evolving, as Mahbubani has advised us to wait out patiently, from Mao to Xi. But after Mao, in which direction is the CCP leadership evolving? The Hu-Wen and Jiang administrations have indisputably paled in comparison with Xi's degree of domestic repression. How many more generations? How many more Wei Jingshengs, Li Wangyangs, Liu Xiaobos, Nurmuhammad Tohtis, Lei Yangs, Tenzing Delegs, Abdurehim Heyits, Peng Mings, Ilham Tohtis, Gao Zhishengs, Hadas, Yang Tianshuis, and thousands and thousands more need to face torture, to rot or die in jail for criticising the ruling party or for just suggesting replacing the one-party dictatorship with a human-rights-respecting liberal democratic system? How many more need to go into Xinjiang's now already million-strong concentration camps for brainwashing?

To the people who are willing to accept the CCP's promised offer of economic prosperity and physical wellbeing at a price of complete conformity, accepting happily State-enforced mass amnesia on past massacres and other State-perpetrated atrocities and avoiding

questioning the State's wrongdoings, while just indulging themselves in trivial consumerism and mundane money-making and avoiding serious discourse with potential political risks, this Huxleyan glimpse of a future is the CCP's promised Utopia. To those who are unwilling, continue your course of action at your own peril. It is a personal choice like the divergence of paths taken respectively between Mo Yan and Liu Xiaobo, between the PRC's myriad of conforming professors and Ilham Tohti, and between Hong Kong's conventional "apolitical" money-chasing tycoons and Jimmy Lai who has opted for not a life of conformist opulence a Hong Kong tycoon is expected to choose but has instead put his personal wealth and comfort at expected great risk to stand with Hong Kong's young and the rest of the conscientious majority to tell the CCP regime that enough is enough and that we shall no longer be cowed,²⁵⁰ knowing perfectly the full horror they would be facing when a ruthless totalitarian regime finally responds also with "enough and enough" and unleashes its scorching wrath upon the dissenting people. Political stances are personal choices. Mo Yan chose to conform and survive. Liu Xiaobo chose to defy and die. One may say that Mo Yan's is a more normal choice, or to take a cue from one of Richard Dawkins's catchy book titles (Dawkins, 1976), a natural response to the dictates of our selfish gene. It is a personal existential choice to make and each has one's own line to draw in the sand.

"The best lack all conviction, while the worst / Are full of passionate intensity", so lamented William Butler Yeats in his poem *The second coming*, written in 1919 just at the close of the First World War. Lamentable for us today too, the mood prevails with the continued rise of the totalitarian behemoth of PRC and the increasing feebleness of a free world in disarray, a situation that lately seems to have worsened with the continued carnage brought to the liberal democratic Europe and America by the novel coronavirus pneumonia pandemic and a PRC,

wherefrom the plague has spread across the globe from the initial Wuhan outbreak, that is unmistakably rebounding after having contained domestically the deadly epidemic with draconian measures that the free world can hardly imagine to take.

Odysseus had Circe's warning. On the one hand he would encounter the monster Scylla, the beast with six heads and six gaping mouths, each mouth set thick and close with triple rows of teeth. On the other, he would pass the whirlpool Charybdis, who three times each day sucked the waters down and spewed them up again. Charybdis seethed like a cauldron on a fire, and the spray she flung rained down on every side. When she gulped the salty sea the whole interior of her vortex was revealed, and the dark sands at the bottom came into view. Odysseus made his choice. He steered near to Scylla, and when the six-headed monster snatched the six best men from the deck of his ship he counted himself fortunate to have escaped with the rest past terrible Charybdis.

(Raymo, 1985/1988: 109)

Like Odysseus in the Homeric epic, the free world is facing a choice, a tough one, sailing between Scylla and Charybdis,²⁵¹ either carrying on appeasing a totalitarian regime for the sake of lucrative business contracts and investments and trade while having not only the civil liberties and political freedom of one fifth of humanity continue to be snatched away but also long-term global liberal democratic values sacrificed at the altar of the regime's *saturnic power*, or facing up to the creeping evil at the price of savouring the dark sands of an economic abyss in the aftermath of the devastating pandemic from the PRC.

A spectre is haunting the liberal democratic world: the spectre of a rising PRC. The rise of China is not a disaster for the world – the rise of

any nation *per se* to prosperity should never be considered a disaster. But the rise of a PRC still under the boot of a strengthening CCP dictatorship is not merely a disaster for the liberal democratic world, but a calamity. And the struggle against the global *saturnic power* of this totalitarian regime that still has a fifth of humanity directly under its boot is in the main an ideational battle, like that between rationalist humanism and religious obscurantism from the Renaissance to the Enlightenment, and that between liberal democratic values and Nazism/Fascism and Soviet totalitarianism from the Second World War to the disintegration of the “prison of nations” Soviet Union and the fall of Communist Party dictatorships from Eastern Europe to Mongolia.

It is time for the world’s liberal democracies to make a clear choice – whether to accept a post-pandemic world even more dependent on trade, investment and technological, especially IT, relations with a PRC that continues to be ruled by a one-party dictatorship – a dictatorship that has taken advantage of the pandemic crisis caused by its very brutal dissent-crushing governance model in handling the original Wuhan outbreak to further its regional and global influence,²⁵² to continue strengthening its extra-territorial surveillance of dissidents and control of global discourse through inducing foreign self-censorship with its immense consumer market power, and to strengthen its repressive, dissent-intolerant governance model that has become even more and more attractive to friendly nations with increasing authoritarian tendencies, thus further challenging the global appeal of liberal democratic values. Otherwise, would countries in the liberal democratic world pluck up the courage to stand up to protect the very foundation of the liberal democratic values even at the cost of sacrificing a certain percentage of their respective GDPs?²⁵³ Unfortunately, while it is easy to say that sometimes it might be worth it to stand up for a principle, even if that action comes with a cost, reality is often more cruel than that, and

like Odysseus sailing between Scylla and Charybdis, neither of the choices is enviable, and in most of such situations what is available will just be nothing better than a Hobson's choice. "I had no choice," as Mo Yan once put it bluntly, in response to critics who said that he had toed the State line too closely, "A lot of people are now saying about me, 'Mo Yan is a state writer.' It's true, insofar as [...] I get a salary from the Ministry of Culture, and get my social and health insurance from them too. That's the reality in China. Overseas, people all have their own insurance, but without a position, I can't afford to get sick in China."²⁵⁴ Economic cost could be a life-and-death matter for an individual, and the sad reality is that when that fact affects votes in a liberal democracy, to what extent one can expect a democratically elected ruling party to hold dear to a value, a principle, before it finally cracks under the pressure of economic coercion from the PRC, the present global trade and investment juggernaut?

Notes

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Sociales y Humanidades, Universidad de Guadalajara, México). He holds a Ph.D. on ethnopolitics in socioeconomic development from the University of Bradford, West Yorkshire, England (1998), was an associate professor at the University of Malaya, department head of the Department of Administrative Studies and Politics, Faculty of Economics and Administration, University of Malaya, from 1st August 2016 to 31st July 2018, director of the Institute of China Studies, University of Malaya, from 13th March 2008 to 1st January 2014, and the founder and editor of the institute's then SJR top-tier Scopus-indexed triannual academic journal, *International Journal of China Studies* (Volume 1, 2010 – Volume 5, 2014). His latest publications include “Between Scylla and Charybdis? – Emerging *New Malaysia* and its enigmatic relations with China” (journal article, *Bandung: Journal of the Global South*, 2020), “Malaysia: Perception of contemporary China and its economic, political and societal determinants” (journal article, *The Pacific Review*, 2019), “China-Malaysia trade, investment, and cooperation in the contexts of China-ASEAN integration and the 21st Century Maritime Silk Road construction” (journal article, *The Chinese Economy*, 2018), “Environmental policy in Malaysia with reference to Taiwan’s New Southbound Policy” (book chapter, Wenzao University Press, 2018), “マレーシア——親中心理を支える構造” [Malaysia: the fundamental structure of pro-China sentiment]” (book chapter, University of Tokyo Press, 2018), “Malaysia-Taiwan relations and Taiwan’s New Southbound Policy” (journal article, *Malaysian Journal of International Relations*, 2018). <Website: <http://emileyeo5.wix.com/emileyeoh> / Email: yeohkk@um.edu.my, emileyeo@gmail.com>

1. Or officially the “Communist Party of China” (CPC, 中國共產黨). A note on notes: in the rest of the notes, besides for indicating the English title of a book, journal or media, and a website address (between opposite chevrons), italicisation is also applied to the English translation placed

before and separated with a virgule from a Chinese-language article title between inverted commas.

2. *A million people marching in anti-extradition bill protest, Hong Kong launches biggest challenge to Beijing's governance* / “称百万人反送中游行 香港对北京管治发起最大挑战”, *Oriental Daily News* (ODN, 東方日報) (Malaysia), 10th June 2019 <<https://www.orientaldaily.com.my/news/international/2019/06/10/293701>>; *1.03 million Hong Kong people took to the streets and roared. Why is China's "rule of law" unpopular?* / “103 万港人上街怒吼 中共法治为何不得人心?”, 看中國 (*Vision Times*), 10th June 2019 <<https://www.secrechina.com/news/gb/2019/06/10/896457.html>>; “As many as two million protesters hit Hong Kong streets”, Bloomberg, 16th June 2019 (updated 17th June 2019) <<https://www.bloomberg.com/news/articles/2019-06-16/protests-swell-as-hong-kong-rejects-leader-s-compromise>>.
3. “Wuhan pneumonia: what we know about the new virus and how you can stop yourself getting sick”, *South China Morning Post* (Hong Kong), 9th January 2020 (updated 22 January 2020) <<https://www.scmp.com/news/hong-kong/health-environment/article/3045310/china-pneumonia-what-we-know-about-new-virus-and>>; “Wuhan pneumonia: First suspected case reported in Singapore”, *The Straits Times* (Singapore), 4th January 2020 <<https://www.straitstimes.com/singapore/health/wuhan-pneumonia-first-suspect-case-identified-here>>. After the WHO's official naming of the Wuhan pneumonia as “COVID-19”, probably triggered by disgust at political manipulation, a joke began to circulate in cyberspace that “COVID-19” actually stands for “China Output Virus In Dec - 2019”. That reminds us of Ai Weiwei's calling this novel coronavirus PRC's most resounding “Made in China” brand that is spreading across the globe due to the repressive CCP regime's penchant for cover-ups (*Ai Weiwei: The novel coronavirus is the most resounding brand in “Made in China”* / “艾未未：新型冠狀病毒是「中國製造」裏最響亮的牌子”, *BBC News* 中

- 文, 13th February 2020 <<https://www.bbc.com/zhongwen/trad/chinese-news-51485043>>; «Wuhan pneumonia» Ai Weiwei criticizes the WHO for committing huge blunder, thus tantamount to helping China to conceal information of the epidemic / “武漢肺炎：艾未未批評世衛犯大錯 變相助中國隱瞞疫情”, Youtube (posted by BBC News 中文), 5th February 2020 <<https://www.youtube.com/watch?v=Q4ulxPYRRjo>>).
4. Referring to the Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 (2019 年逃犯及刑事事宜相互法律協助法例 (修訂) 條例草案). The protest against the bill has been referred to as the anti-extradition bill or anti-ELAB (i.e. Anti-Extradition Law Amendment Bill) movement. It is called *fansongzhong* (反送中) in Chinese, i.e. “against extradition to China”, which actually captures the essence of the protest movement more accurately.
 5. «Hong Kong People’s Anti-extradition Bill Protest» Civil servants are no longer silent, taking to the streets on Friday to walk with the people / “【香港人反送中】公務員不再沉默 週五上街與民同行”, ODN, 29th July 2019 <<https://www.orientaldaily.com.my/news/international/2019/07/29/300172>>; «Anti-extradition Bill Protest» Hong Kong Government’s information directors jointly signed an open letter “To be neutral and silent is tantamount to be an accomplice to a villain in its evil deeds” / “【反送中】港府新聞主任聯署公開信 “中立沉默等于为虎作倀””, Nanyang Siang Pau / Nanyang Business Daily (NYSP, 南洋商報) (Malaysia) 29th July 2019 <<http://www.enanyang.my/news/20190729/>【反送中】港府新聞主任聯署公開信 - 中立沉默等 />.
 6. “Tiananmen Square protest death toll ‘was 10,000’”, BBC News, 23rd December 2017 <<https://www.bbc.com/news/world-asia-china-42465516>>.
 7. The Chinese proverbial phrase “官逼民反” originated from the late Ch’ing (Qing, 清) Dynasty’s social critique novel 《官場現形記》 serialised in 1903-1905.

8. *Hong Kong version of the National Security Law – one can be imprisoned for life on 4 types of charges* / “港版国安法 4类罪可囚终身”, *China Press (CP, 中國報)* (Malaysia), 1st July 2020 <<https://www.chinapress.com.my/20200701/港版国安法-4类罪可囚终身/>>.
9. “Hong Kong: Oppose China-sponsored national security law; respect the right to dissent”, *Suara Rakyat Malaysia (SUARAM) – Working for Human Rights*, 28th May 2020 <<https://www.suaram.net/repressivelaw/media/>>; 20 *Malaysia, Hong Kong and Taiwan student movement organizations jointly sign to condemn the Hong Kong version of the National Security Law* / “港版国安法 20 马港台学运组织联署 谴责港版国安法”, *CP*, 29th May 2020 <<https://www.chinapress.com.my/20200529/港版国安法-20马港台学运组织联署-谴责港版国安法/>>.
10. *Hong Kong legal profession opposes extradition amendment, 3000 people march in black* / “港法律界反对引渡修例 三千人士黑衣游行”, *看中國 (Vision Times)*, 7th June 2019 <<https://www.secrechina.com/news/gb/2019/06/07/896073.html>>; *Airport rally by aviation industry in Hong Kong, publicizing the demonstrations' demands to international passengers* / “港航空界机场集会向国际旅客宣导示威诉求”, *Sin Chew Daily / Sin Chew Jit Poh (SCJP, 星洲日報)* (Malaysia), 26th July 2019 <https://www.sinchew.com.my/content/content_2090393.html>.
11. “Hong Kong doesn't have a pro-China 'silent majority': Voters overwhelmingly chose pro-democracy candidates in local elections, putting an end to the notion that a large chunk of the population was against months of protests.” *The Atlantic*, 25th November 2019 <<https://www.theatlantic.com/international/archive/2019/11/hong-kong-election-silent-majority/602551/>>.
12. *China reportedly strictly prohibits 65 types of contents of publications* / “传华严禁 65 项出版内容”, *ODN*, 16th July 2019 <<https://www.orientaldaily.com.my/news/international/2019/07/16/298449>>.

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對公平正義的渴望，對合理制度的追求，對人民參政的要求，是普遍性的。

在中華人民共和國九百多萬平方公里的領土上，卻只有香港人站了出來。

今天香港人扯破了喉嚨吶喊，很多人是抱著犧牲的決心在吶喊的。你可以說，他們在替那廣大的、無法出聲的人，吶喊出來。換一個角度看，大陸人完全可以對今天的香港人輕聲說一句：「謝謝你，請保重，願青山常在」……

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







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














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



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









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



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



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
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
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在地球上其他地方，每一分鐘就有 60 秒過去。
可是在中國，每一年卻只有 364 個日子，有一天被遺忘掉了。
過去在台灣，我們也曾經有許多日子，不能出現在日曆上面，但我們一個一個把它們找回來了。因為我們不必再隱匿歷史，所以我們可以共同思索未來。
希望這世界上每一個角落、每一片土地，都不要再有消失的日子。也祝福香港。
自由的台灣撐香港的自由
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4000 people died (almost equals to zero according to him) of #COVID19 #CCPVirus in China, while 220,000 died in the US. As the result, China is now the only economy that is doing well in the world, China can catch up with the US ahead of time, and China will push America out of existence. Li Yi is a visiting scholar in the US, and former researcher at Chongyang Institute, Renmin University of China, former Director of the Taiwan Institute at Fuzhou University in China. He made this speech on Oct 16, 2020, at Shenzhenwan Forum in Shenzhen, China. 中共學者李毅是在2020年10月16日的“對話深圳灣”論壇上發表這段言論的。4000人的死亡數字，在他眼裏等於是零，他笑得很開心。”)

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204. Xi Jinping’s “New Deal”: After “7 Can’t-Says” there are also the “16 Items” / “習近平新政：七不講後又有十六條”, BBC 中文, 28th May 2013. <http://www.bbc.com/zhongwen/trad/china/2013/05/130528_china_thought_control_youth.shtml?print=1> (宣揚“普世價值”的核心目的是排除黨的領導；“公民社會”主張是要在基層黨組織外建立新的政治勢力；“新自由主義”理念反對國家進行宏觀調控；提倡

“西方新聞觀念”，是反對黨一貫堅持的“喉舌論”，要擺脫黨對媒體領導，搞蘇聯當年改革時推行的“公開化”，用搞亂輿論來搞亂黨、搞亂社會；“歷史虛無主義”的要害是針對黨領導下的歷史問題，否認人們已普遍接受的事實，極力貶損和攻擊毛澤東及毛澤東思想，全盤否定毛澤東時期中國共產黨的歷史作用，目的是削弱甚至推翻黨的領導的合法性；歪曲改革開放的種種說法則認為，改革中出現了官僚資產階級、國家資本主義，認為中國改革不徹底，只有進行政治改革才能完善經濟改革等等。)

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237. Here referring to the similarities Bertrand Russell drew between Judeo-Christian eschatology and Marxist socialism: Dialectical Materialism / Yahweh, Marx / the Messiah, Proletariat / the Elect, Communist Party / Church, the Communist Revolution / the Second Coming, Punishment of the Capitalists / Hell, and the Communist Commonwealth / the Millennium – a messianic legacy that the present post-Maoist CCP has retained in a modernised and improvised format: Mao remains on the messianic pantheon; a rejuvenated, increasingly catch-all and technocratic Communist Party continues to be the umbrella Church to all societal groups religious or otherwise; and a CCP-ruled, stability-above-all-else, high-growth economic and military leviathan constitutes the centre of the imminent *Pax Sinica*.
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Commentary

Commentary

**Civil Liberties Eroding in the Aftermath of
Hong Kong's Socio-political Unrest (2019-20):
A Discussion on the City's
Financial (Un)Sustainability**

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University of Cambridge

Abstract

In this article, the author will discuss how the presence of civil liberties and autonomy in Hong Kong, compared to mainland China, is a distinct feature of the territory that has driven Hong Kong's economic success in recent decades. The article will then explore how the implementation of the National Security Law (NSL) is an encroachment upon Hong Kong's civil liberties and democracy. Next, it will assess whether Hong Kong, losing such values, is still economically sustainable, especially when Hong Kong is increasingly facing competitions with neighbouring regions, such as Taiwan and Singapore.

Keywords: *civil liberties, autonomy, democracy, financial sustainability, Hong Kong, China, National Security Law*

1. Introduction

Geographically, Hong Kong and mainland China are separated by the Frontier Closed Area – a border zone area in Hong Kong that the city's Lo Wu Immigration Control Point is situated. The two lands separated by the Frontier Closed Area had undergone different trajectories since the mid-19th century, with Hong Kong being colonised by the UK and mainland China becoming a communist country in 1949. Although the former British colony was returned to its motherland in July 1997, the 1984's *Sino-British Joint Declaration* signed by former British Prime Minister Margaret Thatcher and then Chinese premier Zhao Ziyang indicates that the prosperous Pearl of the Orient would be given some degree of political, social, legal and otherwise autonomy by China at least until the end of June 2047.

1.1. China

Persistently, “[t]he Chinese Communist Party has been making use of “sharp power” – penetrating the political and information environments in Western democracies to manipulate debate and suppress dissenters living both inside and outside China – in order to strengthen its domestic position,” writes Associate Professor Andreas Fulda from the University of Nottingham in his book entitled *The struggle for democracy in Mainland China, Taiwan and Hong Kong*. In China, the government would muzzle dissenters and critics by making them disappear, put their families under house arrest based on ungrounded charges, threaten to kill their families and forbid them to flee away from China. Among all the political victims, Chinese government's persecution against Wang Quanzhang, a human rights lawyer who defended Chinese political activists, and Liu Xiaobo, a Nobel Peace Prize-awarded human rights activist, were among the few incidents that sparked the most

international attention. Here Wang was arrested in August 2015 and made disappear since then. Liu was imprisoned from December 2009 for “inciting subversion” with his protests (Ma, 2018). Capitalising on law enforcement to impede any incidents of subversion by, for example, arresting rioters, if any, may ostensibly be seen as a sound approach to maintain a stable, appealing environment for domestic and foreign investment, business operation and alternative corporate, financial activities.

However, dissenters and rioters represent distinct features. Dissenters simply refer to the cohorts which differ in opinion from the majority due to, for example, their different moral values and socioeconomic characteristics. Rioters, however, imply individuals applying violent disturbance, jeopardising the peace of a given space. When the rulers of a given space cannot accept individuals making any dissent, they offer little confidence for, foreign or not, investors to deliver business or otherwise projects as investors themselves, under such a circumstance, will always be forced to comply with the expectations and interests of the rulers. Otherwise, any disobedience from the investors can result in arbitrary arrest, assault and blackmail. The investment, corporate environment, as such, terrifies investors and businessmen to a large extent.

Alternatively, rioters are notoriously known as those employing violence to disturb the peace of a given space, increasing residents’ fear of crime and dropping their sense of security. Proper, evidence-oriented arrest and prosecution against rioters would therefore be seen as a necessary law enforcement means to stabilise the space for the sake of maintaining a trustworthy business, corporate and social environment. Supporting evidence includes the fact that, civil unrest in the US, such as the Black Lives Matter (BLM) civil disobedience, has disincentivised small business operations, depressed local property prices and

discouraged economic activities (Garver, 2020; *Forbes*, 22nd December 2010). Law enforcement agencies therefore used pepper balls and smoke canisters to clear spaces with riots as a needed approach to recover local economies.

1.2. Hong Kong

Compared with mainland China, residents and citizens of Hong Kong, now known as a special administrative region of China, traditionally were entitled to substantial civil liberties, an independent legal system and some extent of democratic rights (e.g. freedom of speech and freedom of assembly) under the city's own mini-constitution – the *Basic Law*. However, in recent years, mainland Chinese authorities bypassed Hong Kong law enforcement system and kidnapped and smuggled Hong Kong bookstore owners, who sold books criticising the Chinese Communist Party (CCP), back to the mainland for political investigation between October and December of 2015. Pro-Beijing Hong Kong lawmakers denounced the subject of Liberal Studies – a core subject in the Hong Kong Diploma of Secondary Education (HKDSE) curriculum – as a political instrument that purportedly propelled civil disobedience and supported the Education Bureau's "voluntary" vetting scheme which engendered local publishers to delete political sensitive content against the CCP in their textbooks in August 2020. These incidents all demonstrate that, like the mainland, Hong Kong citizens' civil liberties have been stripped off, an independent legal system has been voided and any presence of democratic-minded expression has been politically repressed.

In Hong Kong, law enforcement was deployed to combat the mass-scale riots. However, peaceful demonstrations were seen citywide when the extradition bill was first proposed. Not until police brutality was witnessed and reported that peaceful demonstrations began to turn into

riots. Therefore, police brutality and violence should not be justified as a means to confront civil unrest, as the presence of police brutality *per se* was one of the, if not the only, vehicles for the development of rioting citywide. Pro-Beijing camps' claim that the use of "necessary" police violence to combat civil unrest was needed to reassure local and foreign businesses that Hong Kong has always been one of the most reliable cities for business-related activities was misleading. Without police brutality, mass demonstrations might not turn into civil unrest, a circumstance that triggered the development of an unfavourable business environment for investors.

2. Aims

In this article, the author will discuss how the presence of civil liberties and autonomy in Hong Kong is a distinct feature of the territory that has driven Hong Kong's economic success in recent decades. The article will then explore how the implementation of the NSL is an encroachment upon Hong Kong's civil liberties and democracy. Next, it will assess whether Hong Kong, losing such values, is still economically sustainable.

3. Why Civil Liberties and Autonomy Are the Cornerstone of Hong Kong's Economic Success and How the NSL Jeopardises Hong Kong's Civil Liberties

3.1. Freedom

Civil liberties that Hong Kong citizens were entitled to included freedom of press, freedom of expression, freedom of assembly, freedom of speech and the right to equal treatment under the law. In recent years, especially after the outbreak of civil unrest in 2019, however, civil

liberties within the city have significantly been eroding. Such a claim is backed by evidence, including the World Press Freedom Index. Hong Kong ranked 34th in 2010, 70th in 2015 and only 80th in 2020 in such an Index (Reporters Without Borders, 2010, 2015, 2020). The Human Freedom Index is a more comprehensive ranking that, in part, measures regions' freedom of expression and assembly and the rule of law; and where Hong Kong reached 3rd in 2020. However, it is noteworthy that the 2020 Human Freedom Index ranking was analysed based on data collected in 2018, which was prior to the CCP's unprecedented interventions in the territory from 2019 onwards. Therefore, such a holistic ranking fails to indicate the most up-to-date denial of entitling civil liberties to Hong Kong citizens, particularly after the implementation of the NSL. That being said, however, the Index highlights that the city enjoyed a high degree of civil liberties in the pre-civil unrest epoch.

Freedom of speech and expression represents individuals' ability to speak and also to listen to others and allow other individuals or cohorts to voice their opinion. To ensure that corporations from different countries are willing to establish their Asian bases in Hong Kong, it is crucial to establish an inclusive environment where corporations can express freely as per their interests, especially when a collective international business environment inevitably encompasses ample conflicts of interest. Hong Kong's regression in freedom of press in the past decade hints that local businesses have been encountering more barriers to the free flow of, and timely access to, information. Businessmen's decision-making will likely delay to a somewhat inefficient fashion. Local talents are also considering emigration under the climate of socio-political divide in Hong Kong, especially when many local young professionals are still democratic-minded, despite the implementation of the NSL.

3.2. Competitions

Comparatively, with minimal Beijing's political restriction and interference in neighbouring regions, including Taiwan and Singapore, Hong Kong's values as an international financial hub have been depreciating. For example, after the implementation of the NSL in Hong Kong, Google decided to establish an Asia's data centre in Taiwan, in lieu of Hong Kong, on 3rd September 2020 (*Taiwan News*, 3rd September 2020). The Pacific Light Cable Network (PLCN), an underwater data cable construction project, in part owned by Facebook and Google, decided to deny their initial plan of building a submarine communications cable that connects Los Angeles of the US and Hong Kong due to security concerns (*ZD Net*, 1st September 2020). These incidents indicate that leading multinational corporations (MNCs) have been dropping their plans to establish significant business collaborations between Western powers and Hong Kong, as such powers are able to find better, less politically intervened alternatives in Asia to form partnerships. Hong Kong's business competitiveness has therefore been persistently threatened, or surpassed, by Taiwan, Singapore and perhaps more.

3.3. The Rule of Law

It is noteworthy that Hong Kong's common law system, inherited from the UK, remains more reliable and pragmatic than Taiwan's and mainland China's civil law system, as Hong Kong judges are given the right to form case laws – legal decisions can be determined by rulings on legal precedents. In Taiwan, under a civil law jurisdiction, although legal decisions can still be made by reference to judicial interpretation of precedents, the extent of reliance on case law is relatively less than common law jurisdictions (Chang and Chao, 2004). Common law

countries are inclined to be more responsive to inventor's interests and Hong Kong's common law system is more familiar to leading Western investors. Any conflicts or issues occurred in the financial market can be handled legally in a more efficient manner (Yeung and Huang, 2020). As such, Hong Kong, relative to the mainland, remains having a highly favorable jurisdiction that supports transparent, efficient business activities. Data backing up such a claim includes the outcomes of the World Justice Project (WJP) Rule of Law Index 2020. The Index measures the degree of the rule of law practiced by 128 countries and jurisdictions in the fields of, for example, absence of corruption, constraints on government powers and openness of the government. Here Hong Kong, Singapore and China ranked 16th, 12th and 88th respectively (note: Taiwan was excluded from the study) (The World Justice Project, 2020). The Index reflects that each of Hong Kong and Singapore preserves a highly sound legal system that welcomes international investors to develop business projects in the host Asian region. When China fails to maintain a transparent, open and reliable legal system, Hong Kong and Singapore continue to serve as better alternatives for business development in Asia and as gateways to carrying out businesses with China. However, with a heightened degree of Beijing's interference against Hong Kong dissents, the erosion of the rule of law in Hong Kong shall compound. HSBC bank accounts of Ted Hui, former Hong Kong legislator who was self-exiled to Europe to flee from CCP's political persecution, were frozen in December 2020. HSBC representatives informed that the bank received a police notification to legally freeze his accounts (*The Guardian*, 7th December 2020). More similar politicised legal actions will plausibly be taken as local police have been endeavouring to arrest active members of the pro-democracy camp in the city and more Hong Kong dissenters self-exiling and seeking political asylum overseas shall be expected. If Beijing continues

to politically interfere in Hong Kong's judicial independence, the rule of law of the territory will be rotten. By then, international investors will seek Asia's alternatives with more transparent, open and reliable jurisdictions, such as Singapore, to run their businesses.

4. Conclusions

Under the implementation of the NSL, professionals from many sectors, including the corporate, media and education sectors, are still learning to adapt to the new political, legal settings in Hong Kong. With the uncertainty, it is reasonable for businesses and citizens to cast doubt on Hong Kong's financial sustainability. The NSL is explicitly an institutional barrier to the maximisation of civil liberties in Hong Kong. Such a barrier shall discourage Hong Kong from offering as many favourable terms for international investors to undertake business activities in the city as in the pre-civil unrest epoch. However, such a legislation can, alternatively, bar individuals from attempting to paralyse Hong Kong economy again, like what happened during the Umbrella Movement in 2014. Either an unduly restricted or unrestricted economy is not sustainable. It is essential for Beijing to occupy the middle ground and maintain a reasonable level of political restrictions on Hong Kong's economic, legal activities. Hong Kong still enjoys a far higher degree of civil liberties than the mainland. Even if Beijing will continue using the NSL as an instrument to arrest dissenters, it is crucial for the Chinese government to limit their use of the legislation to arresting and prosecuting political oppositions who incite subversion rather than arbitrarily sanctioning anyone with different political, economic and social interests or views. In doing so, Beijing can assure that Hong Kong is still a favourable economy for international business, trade and investment.

Note

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