

## **The Occupy Central Campaign in 2014 Hong Kong**

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### **Abstract**

The political movement in 2014 Hong Kong was unprecedented. Benny Tai advocated the Occupy Central Movement that he intended to promote democratization of the Hong Kong constitutional reform in 2014. The campaign was aimed at the Chief Executive election in 2017 and the Legislative Council election in 2020 which was the decision and promise by the Standing Committee of the National People's Congress on the proposal of Hong Kong democratization political reform. This was a civil disobedience movement in Hong Kong which started on 28th September 2014. Protestors blocked roads and expected to paralyze the Central, the financial area of Hong Kong, in order to fight for genuine universal suffrage for the elections of the Chief Executive and all members of the Legislative Council. The movement was quite successful in calling forth the consciousness of Hong Kong people and the occupation was extended to 79 days, but, as a consequence, it could not attain any constitutional democratic or political reforms in Hong Kong.

**Keywords:** *Umbrella, suffrage, democracy*

## 1. Introduction

The original proposal of the democratization movement by Benny Tai Yiu-ting 戴耀廷 was the Occupy Central issued in early 2013 which was advocated later by the name of Occupy Central with Love and Peace (讓愛與和平佔領中環 / 和平佔中). It was unusual in Hong Kong as the mode of social movement was exceptionally radical and the civil disobedience movement intended to paralyze the financial center of Hong Kong.

On the other hand, the challenge to the Hong Kong Special Administrative Region after 1st July 1997 is to build up the model of “Hong Kong people ruling Hong Kong” with a “high degree of autonomy” as it was promised by the People’s Republic of China government. On the road of democratization in terms of the electoral mechanism of the Chief Executive by universal suffrage, it went to an unexpected political deadlock in 2014. The democratic camp wished to push for public nomination of the Chief Executive candidates and the election of the Chief Executive by full universal suffrage without screening out any politically undesirable candidates by the central government. However, the proposal of Beijing and the Hong Kong government adopted the screening method and opted for a more cautious approach to political reform and democratization. The dispute gave rise to the unexpected but forecasted Umbrella Movement, which reacted strongly against the Standing Committee of National People’s Congress interpretation of the Basic Law (基本法) on 31st August 2014. The political turmoil persisted until the voting result came from the Legislative Council (立法會) on 18th June 2015, as the political reform package proposed by the Hong Kong Special Administrative Region government and supported by Beijing was vetoed and finally the political reform package was rejected by the Hong Kong people. The

dispute over political reform was temporarily halted, but profound political distrusts continue between the Hong Kong people and the government on the one hand, and the democrats and Beijing on the other.

The road to universal suffrage in Hong Kong, meaning direct election of the Chief Executive by the ordinary people, has been hindered by the Chinese central government's reluctance to implement the "genuine" universal suffrage in Hong Kong's political system. On the other hand, the pro-democracy legislators in the Hong Kong Special Administrative Region's Legislative Council voted against the government's political reform bill in the summer of 2015, showing an absence of any political will to make compromise with both Beijing and the HKSAR government. As a result, political reform in the Hong Kong Special Administrative Region has become stagnant. This paper intends to describe and explain the key issues of the Occupy Movement in Hong Kong in the winter of 2014 with the background, occurrences and consequences.

## **2. Background of the Political Reform in Hong Kong**

The starting of Hong Kong political transition appeared after the signing of Sino-British Joint Declaration in September 1984, planning the transfer of Hong Kong's sovereignty from Britain to China in July 1997. The British administration decided to democratize Hong Kong's political system from 1985 onwards, but China actually opposed the rapid pace of democratic reform. Another paradox came in 1993 when the last colonial Governor Chris Patten tried to push democratic reform to its utmost limit without violating the Basic Law<sup>1</sup>, but again Beijing opposed his rapid democratic reform.

The Hong Kong Special Administrative Region was established on 1st July 1997 and the constitutional arrangement was based on the Basic

Law of the Hong Kong Special Administrative Region of the People's Republic of China. The Basic Law was drafted by the leadership of the China government in accordance with the Sino-British Joint Declaration on the future of Hong Kong in 1984 and it was passed and enacted by the National People Congress of the People's Republic of China on 4th April 1990, and came into effect on 1st July 1997.

Owing to the agreement of China and Britain, all the legislators elected in 1995 would be able to extend their duties to 1999 and election would also be arranged for their new term of service. But Patten further democratized the election mechanism for the election of the Legislative Councilors in 1995 and its arrangement was unacceptable by China's government. Therefore, the Provisional Legislative Council was established and early intervention on Hong Kong affairs was introduced by the China Central Government before 1997. The sovereignty's change on 1st July 1997 indicated that Hong Kong should operate as a quasi-democracy under the Chinese Communist Party-led regime. Table 1 shows the brief political history in Hong Kong. Some areas will be discussed in more details in the following sections.

The political arrangement of the Chief Executive Election and the Legislative Council Election of Hong Kong was done by the Basic Law until 2007. So we could see that, even the number expanded gradually, with regard to the number of members (refer to Table 2) entitled to elect, the Chief Executives were elected by a small-circle election and their representativeness was obviously not sufficient enough. The executive-led model was preferred by China and it harmfully lacked democratic accountability and suffered from insufficient legitimacy of the Chief Executive of Hong Kong.

**Table 1** Timeline of Hong Kong's Political Events and Institutional Democratization

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1996	The Preparatory Committee was formed by China, responsible for implementation work related to the establishment of the HKSAR.
1997	Provisional Legislative Council was set up with the handover of sovereignty; members were elected by the selection committee only.
1998	First post-handover LegCo election held in May 1998; the democrats acquired two thirds of votes.
1999	The Standing Committee of the National People's Congress issued an interpretation of right of abode issue, overturning parts of the Court of Final Appeal decision and undermining judicial independence.
2000	The LegCo was re-elected and the democrats lost 180 thousand votes compared with election results in 1998.
2001	The Chief Secretary, Anson Chan 陳方安生, resigned and stepped down and the post was taken by Donald Tsang 曾蔭權, indicating conflicts between civil servants.
2002	The legislation of anti-subversion law was introduced and two mass demonstrations were gathered in December, one supported and the other opposed the legislation.
2003	More than 500 thousand people joined historic march against proposed legislation of anti-subversion law on 1st July and it triggered new democratic movement.
2004	The Standing Committee of the National People's Congress ruled out the implementation of universal suffrage before 2012 on 26th April.
2005	Tung Chee-hwa 董建華 stepped down and Donald Tsang gained the position of the Chief Executive but his political reform package could not gain enough support from the LegCo.

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**Table 1** (continued)

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2006	The consultation of Goods and Services Tax was introduced and the positive non-intervention policy no longer adopted was announced, but these were unwelcome policies and the government gave these up later.
2007	Following the movement for conservation of Star Ferry Pier, Protecting Queen's Pier as the conservation movement for cultural heritages and collective memories.
2008	Newly appointed undersecretaries and political assistants with the disclosure of foreign passports and salaries, and Employees' Retaining Levy waiver controversy questioned the administrative credibility and competence.
2009	Consultation on Methods for Selecting the Chief Executive and Forming the LegCo in 2012; the democrats continuously fought for universal suffrage and started to discuss the Five Constituencies' Resignation movement.
2010	In the by-election 17.1% of voters cast ballots but 24% of voters who were under 30 years of age actively participated and finally they were dubbed the Five Constituencies Referendum movement.
2011	Pro-Beijing camp won largest number of seats in the District Councils elections in November amidst major splitting within the pan-democracy camp.
2012	Leung Chun-ying 梁振英 was elected as the Chief Executive with doubtful leadership and governance, leading to fiercely increased social turmoil and political dispute.
2013	Occupy Central with Love and Peace was formed on 27th March but the society was experiencing antagonism with more pro-Communist Party or government groups being established to mobilize counteracting forces to attack civil society

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**Table 1** (continued)

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| 2014 | The NPCSC decided on 31st August that the nomination of the Chief Executive election by so-called universal suffrage should be done by a small circle of nomination committee and the Occupy Movement was started on 28th September with the protests causing strong differences in Hong Kong society. |
| 2015 | The political reform package was tabled to the LegCo and vetoed as 8 legislators voted in favour of and 28 voted against it on 18th June. The protesting march on 1st July had the Hong Kong Independence Party participated but the enthusiasm of participation declined.                             |
| 2016 | The incident dubbed the “Fishball Revolution” escalated from the Hong Kong government’s crackdown on unlicensed street hawkers during Chinese New Year holidays and violent clashes broke out between protesters and police.   |
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**Table 2** Number of Members of Election Committee for the Chief Executive Election in Hong Kong in Different Years

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Year	Number of members
1997	400
2002	800
2007	800
2012	1200
2017	1200

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On the other side, the members of the Legislative Council are elected by a different mechanism, called Geographical Direct Elections, Electoral College and Functional constituencies; observing its transformations can help us cast lights on the various political actors and their considerations, including the China factor, the HKSAR government and the pro-democracy camp. In other words, these institutionalized reforms of the Legislative Council reflect the extent of democratization of the Hong Kong political system. Table 3 shows the development of democratic elements of the Legislative Council by introducing elections to the organization. Democratization should be correctly understood by the ratio of members directly elected. It will further be elaborated about the history of democratizing process in Hong Kong.

The Legislative Council was in the past composed of the Electoral College, functional constituencies and geographical directly elected members. In fact, the only genuine democratic elections can be done by geographical constituencies and the legislators are directly elected by people based on the “one man one vote” principle.

For the democratization process of Hong Kong political system, Article 45 of the Basic Law states that:

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.

And Article 68 asserts that “The ultimate aim is the election of all the members of the Legislative Council by universal suffrage.”

These stipulations are widely interpreted as saying that the election by universal suffrage of Hong Kong’s Chief Executives must be achieved in the coming future. In order to gain the support of Hong Kong people, Lu Ping 魯平, the late director of the Hong Kong and



**Table 3** The Ways of Forming Legislative Council Members after Elections Adopted

Years	Official or appointed	Electoral college	Functional constituencies	Directly elected
1985	32	12	12	0
1988	31	12	14	0
1991	16	12	14	18
1995	0	10 <sup>a</sup>	21 + 9 <sup>b</sup>	20
1998	0	10	30	20
2000	0	6	30	24
2004	0	0	30	30
2008	0	0	30	30
2012	0	0	30 + 5 <sup>c</sup>	35

Notes: (a) 10 members of Electoral College were elected by all directly elected District Boards' members, so it was characterized as a way of indirect democracy which is something like the Prime Minister elected by the election results of the Parliament in Britain.

(b) The nine functional constituencies contained members to be elected by all working labours in Hong Kong and 10 members of Electoral College were elected by all directly elected District Boards' members.

(c) The five members to be elected were elected district councilors and all voters, except if they owned the other votes of functional constituencies, were enabled to vote. Based on the situation nowadays, the 2016 LegCo election mechanism will not be changed and will follow the mechanism adopted in 2012.

Macau Office of the People's Republic of China government, said that, as quoted in the *People's Daily* on 18th March 1993, "How Hong Kong develops democracy in the future is a matter entirely within the sphere of Hong Kong's autonomy, and the central government cannot intervene." (in Chinese) And again, the Ministry of Foreign Affairs of the People's Republic of China made a similar statement in 1994, saying that: "The democratic election of all Legislative Councilors is a question to be decided by the Hong Kong Special Administrative Region and it needs no guarantee by the Chinese government." (in Chinese)

The intention of the legislation of anti-subversion law was to implement the so-called responsibility of the Hong Kong special Administrative Region in helping to protect the national security. On the contrary, the civil society questions the institutional limitation of the political opportunity. Democracy is not guaranteed. It further politicalizes the Hong Kong society. The public outrage towards the anti-subversion bill changed an urge for universal suffrage in 2004. More demonstrations were organized fighting for democracy. And since the anti-subvention law was shelved in 2003, Hong Kong people started to commemorate the First of July – supposed for the founding of the Chinese Communist Party in 1921 and also the establishment of the Hong Kong Special Administrative Region in 1997 – instead as the day of demonstration with marches and protests in an annual political action led by the Civil Human Rights Front (see Table 4).

Hong Kong's political development had obviously lagged in the face of well-documented China's efforts to impede progress toward direction of universal suffrage. On the topic of double direct elections, Beijing and the HKSAR government adopted a go-slow approach in order to stem the tide of the pro-democracy movement. A policy statement was suddenly issued in 2011. Three principles regarding the

**Table 4** Headline Themes of 1st July Marches with Numbers of Participants Estimated by Different Organizations

Year	Headline theme	Frontier	HKU	Police
2003	To oppose the anti-subvention law, power to the people	500000	429000-502000	350000
2004	Striving for universal suffrage in '07 and '08 for the Chief Executive and legislators	530000	180000-207000	200000
2005	To oppose government collusion, striving for universal suffrage	21000	20000-24000	11000
2006	Creating hopes for universal suffrage and democracy with equality and justice in Hong Kong	58000	33000-39000	28000
2007	Achieving universal suffrage, improving livelihood	68000	30000-34000	20000
2008	The same dreams, the same rights, power to the people, improve people's livelihood	47000	16000-19000	15500
2009	Administrative blunders and disparity, power to the people, improve people livelihood	76000	32000-37000	26000
2010	July 1st move forward, Hong Kong's future in my hands	52000	22000-26000	20000
2011	Give us universal suffrage, overthrow landlord hegemony, Donald Tsang to step down	218000	59000-67000	54000

**Table 4** (continued)

Year	Headline theme	Frontier	HKU	Police
2012	Kick off collusion, defend freedom and fight for democracy	400000	90000-100000	63000
2013	People's autonomous, immediate universal suffrage, ready for the Occupy Central	430000	92000-103000	66000
2014	Direct civic nomination, repealing functional constituencies, defend Hong Kong's autonomy, not worried about intimidation	510000	154000-172000	98600
2015	Restart the process of electoral overhauls, Leung Chun-ying to step down	48000	27000-30000	19650

institutional development were set by both Beijing and the HKSAR government. They were: (1) one country should be the first priority; (2) Hong Kong should continue to be executive-led and (3) the political leader should be patriotic. (Hui, 2013: 223) They generated a discourse on whether the future Chief Executive candidates who were elected would really be patriotic enough to govern Hong Kong. Patriotism and political correctness loomed as the criteria of political reforms in the Hong Kong Special Administrative Region. The Standing Committee of the National People's Congress made a decision ruling out universal suffrage in Hong Kong before 2012. As the promise of democratization was postponed, the procrastination policy adopted by Beijing and the Hong Kong government caused a further rise of contentious politics in

Hong Kong (*ibid.*: 240).

It is, to a certain extent, an unescapable politicization scenario in Hong Kong. As a matter of fact, the conflicts between the Hong Kong people and China have been triggered by the tensions of divergence and convergence (Lo 2009: 179). The struggles are whether the political system can really be democratically institutionalized. Hong Kong's democratization started from direct elections of the Legislative Council for the first time in 1991 where the proportion of directly elected members was only 30%. When 50% of the members of the Legislative Council were directly elected in 2004, there were basically no further steps for democratization of Hong Kong's political system. The reason was that both Beijing and the HKSAR government wished to keep the other half of the legislators being returned from functional groups in which political control could be exerted more easily. The political spectrum of Hong Kong was orchestrated by these tensions of requesting institutionalization and democratization process.

In fact, this political genealogy of Hong Kong was changed due to the beginning of de-colonization in the territory in 1985, when some elected seats were introduced to the Legislative Council. The controversial focus always remains the degree of democratization. The period from 1985 to 2016 has indicated that the prominent political changes in Hong Kong both stimulated but also ironically limited democratization. The Basic Law is a Chinese legislation deriving its authority from the Constitution of the People's Republic of China. The National People's Congress owns its decision and interpretation of the implementation of the Basic Law. So, basically, it serves as the instrument on domestic common law and the legal jurisdiction of the Hong Kong Special Administrative Region's government by the authorization of the National People's Congress of the People's Republic of China.

**Table 5** Direct election results of the LegCo (seats gained, % shares and votes) for years 1998-2012

	1998 (20 seats)	2000 (24 seats)	2004 (30 seats)	2008 (30 seats)	2012 (35 seats)
DAB	5 (25.2%) 373428	7 (28.4%) 374780	8 (22.7%) 402420	7 (20.1%) 347373	9 (20.2%) 366140
FTU			1 (3.0%) 52565	2 (5.7%) 86311	3 (7.1%) 127857
New People's Party				1 (4.1%) 61073	2 (3.8%) 68097
Liberal Party	0 (3.4%) 50335	0 (1.9%) 24858	2 (6.7%) 118997	0 (4.3%) 65622	1 (2.7%) 48702
Establish- ment individuals		1 (2.0%) 25773	1 (4.9%) 86071	1 (1.6%) 19914	2 (5.0%) 97084
Establish- ment others	0 (1.8%) 35905	0 (2.7%) 35637	0 (1.1%) 18685	0 (1.7%) 20455	0 (1.3%) 22484
Establish- ment overall	5 (30.4%) 449668	8 (36.6%) 461048	12 (37.5%) 660052	11 (39.8%) 602468	17 (40.3%) 730363

**Table 5** (continued)

	1998 (20 seats)	2000 (24 seats)	2004 (30 seats)	2008 (30 seats)	2012 (35 seats)
Civic Party			3 (6.6%) 149375	4 (13.7%) 207000	5 (14.1%) 255007
Democratic Party	9 (42.9%) 634635	9 (31.6%) 417873	7 (25.2%) 445988	7 (20.6%) 312692	4 (13.7%) 247220
The Frontier	3 (10.0%) 148507	2 (6.8%) 89529	1 (6.9%) 93200	1 (2.0%) 33205	
Labour Party		2 (7.3%) 96752	2 (5.0%) 89185	2 (2.8%) 73253	3 (6.2%) 112140
NWSC	1 (%) 38627	1 (4.5%) 59348	1 (3.3%) 59033	1 (2.8%) 42441	1 (2.4%) 43799
ADPL	0 (4.0%) 59034	1 (4.8%) 62717	1 (4.2%) 74671	1 (2.8%) 42211	0 (1.7%) 3634
People Power					3 (9.7%) 176250
LSD		0 (1.4%) 18235	2 (5.5%) 97203	3 (10.1%) 15339	1 (4.9%) 87997
New Democrats					1 (1.6%) 28621
Democrats others	2 (6.6%) 98440	1 (4.2%) 54795	1 (4.2%) 73549	0 (2.5%) 37515	0 (3.1%) 55330
Democrats overall	15 (66.2%) 979199	16 (60.6%) 799240	18 (61.9%) 1096272	19 (59.5%) 901707	18 (57.3%) 1036998

**Table 5** (continued)

Remarks: DAB: The Democratic Alliance for the Betterment and Progress of Hong Kong ( 民主建港協進聯盟 ); FTU: the Hong Kong Federation of Trade Unions ( 香港工會聯合會 ), started to separate with DAB from 2004; New People's Party ( 新民黨 ) formed in 2011 and counted Regina Ip Lau Shukye 葉劉淑儀 before it; Civic Party ( 公民黨 ) formed in 2005 and counted by shares in 2004 election; NWSC: Neighbourhood and Workers' Service Center; ADPL: Association for Democracy and People's Livelihood ( 香港民主民生協進會 ); LSD: League of Social Democrats ( 社會民主連線 ) formed in 2006 and counted Leung Kwok-hung 梁國雄 and Albert Chan Wai-yip 陳偉業 before it.

Legally, although the Hong Kong Special Administrative Region retains the common law system which operates smoothly as before, the role of the Standing Committee of the National People's Congress remains controversial. It interpreted the Hong Kong Basic Law in mid-1999 over the right of abode issue, and most controversially, in mid-2014 over the method of the selection of the Chief Executive in 2007, thus arousing huge debate and outcry over the Standing Committee's proper role in Hong Kong's constitutional and political framework. Although Article 158 of the Hong Kong Basic Law empowers the Standing Committee of the National People's Congress to interpret the contents of the Basic Law, its exercise of power of interpretation has become a political act giving rise to endless socio-political and legal debates.

However, the election results were generally obvious that the pan-democratic blocs could win the election on direct elections, even though the establishment camp approached the marginal recently (see Table 5). These election results, of course, could not guarantee Beijing's control



on Hong Kong affairs. The implementation of universal suffrage may make the central government lose the control of Hong Kong. Therefore, the mechanism of elections adopted may be the way of controlling the election results by the central government of the People's Republic of China.

Based on the understanding of the Basic Law, the selection mechanism of Chief Executive and all members of the Legislative Council must be ultimately done by ways of universal suffrage. The Standing Committee of the National People's Congress resolved this political deadlock exactly on 29th December 2007 by expressing that:

The election of the 5th Chief Executive of the HKSAR in 2017 may be implemented by the method of universal suffrage; that after the Chief Executive is selected by universal suffrage, the election of the Legislative Council of the HKSAR may be implemented by the method of electing all members by universal suffrage.

The Standing Committee of the National People's Congress allowed for possible direct election of the Chief Executive in 2017 and the full direct election for the legislature in 2020. However, there would be uncertainties about any of these promises because they would be subject to further discussions, negotiations, amendments to electoral ordinances, and agreement on how to implement these universal suffrages (Tan, 2008). Tan could observe that:

People have begun to wake up to realization that the Basic Law, Hong Kong mini-constitution, has been worded in such a way that full democracy as the world understands it will remain a pipe dream long after the Basic Law has outlived its usefulness.

(Tan, 2008)

As the central government agreed that Hong Kong would implement universal suffrage for the Chief Executive's election in 2017, the realities and technicalities of the implementation of political reform become the focal point of disputes.

Leung Chun-ying took up duty as the Chief Executive on 1st July 2012. Yet, the first day for him on duty was characterized by a hundred thousand protestors calling for him to step down (refer to Table 5). His governorship is so questionable as the legitimacy crisis and image problem become a political burden that jeopardizes his government and governance.

The Hong Kong Special Administrative Region experienced three Chief Executives' governance in these nineteen years – Tung Chee-hwa (1997-2005), Donald Tsang (2005-2012), Leung Chun-ying (2012-now). Basically, the controversial governance of the three Chief Executives has made the Hong Kong people generally feel more politically powerless. The Tung regime was characterized by reforms without much consultation with the participations of the public; the Tsang administration focused on the status quo without drastic measures taken to tackle the huge income gap between the rich and the poor and other housing and livelihood issues; and the Leung administration has been seen as relatively hardline toward political opponents. The most important task of his term of governance is obviously the implementation of political reform based on the decision of the China government in 2012. Even though the mechanism of electing the Chief Executive by universal suffrage is doubtful, the government does execute its planning on the implementation of the Beijing-designed universal suffrage.

The crux of Hong Kong's political and constitutional debate was the electoral method of the Chief Executive and of the members of the

Legislative Council, both of which represent the extent of democratization and institutionalization of Hong Kong's political system. Up to now, the Chief Executive of Hong Kong can only be elected by 1,200 electing members and 50% (35 seats) of the Legislative Council's members could be elected by direct elections, whereas the rest of legislators are elected by functional constituencies in which most occupational groups tend to be either pro-government or pro-Beijing. And the mechanism of electing 30% of the members of Legislative Council had been started from 1991.

Democratization in Hong Kong indicates the degree of decolonization under the British governance and, in fact, a highly autonomous governance system is promised under the China regime. The degree of political institutionalization and democratization can be defined as an extent of peaceful, legal and regularized transfers of power from the executive-led administration to the ordinary people. Indeed, this vision is hampered by the Hong Kong government elites and Beijing officials responsible for Hong Kong, for they see the executive-led administration as a virtue without surrendering power to the legislative branch, unfortunately, not to mention the marginalized civil society and the ignored ordinary citizens.

Under these circumstances, democratization is a long process in Hong Kong in which the governmental authorities from both the Hong Kong leadership and Beijing attempt to limit its pace and scope, while social movements have been initiated by the pro-democracy forces to fight for a more extensive realm and reasonable and rational pace of democratic change. Hence, the fight for democracy symbolizes Hong Kong's social movement and mass participation. The social movement in Hong Kong has been triggering mass mobilization of the Hong Kong people to an unprecedented extent, as in the anti-national education policy campaign in the summer of 2012 and then the Umbrella

Movement in September-December 2014. That is to say, if the issues mobilized are suitable enough, the democratic social movement obviously can acquire sufficient support by the Hong Kong people.

The international wave of democratization that swept over the world at the last quarter of the twentieth century, during which the number of democratic countries increased from less than 40 to more than 120, did provide an impetus for Hong Kong's democracy movement. This figure represented more than 62% of the earth's population at the end of the twentieth century. Many Hong Kong democrats believe that, as the people of Hong Kong have in general a high level of education and high-ranked economic background, they should enjoy the political right of nominating their Chief Executive candidates and then directly electing the one they prefer in the coming future. In the nearby Chinese society of Taiwan the transition from an authoritarian regime to a fully democratized constitution was attained within 15 years from 1982 to 1996, which was also the period of the beginning of Hong Kong's political transition.

After the Standing Committee of the National People's Congress of the People's Republic of China had a decision regarding political reforms proposed to the electoral system of the Hong Kong Special Administrative Region on 31st August 2014, the planned and organized protests were triggered. The decision was premeditatedly designed to be extra-ordinarily restrictive and tantamount to the prescreening process of any candidates for the Hong Kong Chief Executive election in 2017 before the candidates are capable of being presented to the Hong Kong electorate.

The students of Hong Kong expect a genuine universal suffrage for Hong Kong political leaders. There was an unreasonable imbalance in the nominating committee for the 2017 Chief Executive election. The Occupy Movement of Hong Kong in 2014 was triggered and became

extra-ordinarily radical. The following section will elaborate this event in detail.

### **3. The Initiation of the “Occupy” Social Movement**

The prediction that “real” universal suffrage would not be implemented was made on 16th January 2013, when Benny Tai issued his article in *Hong Kong Economic Journal* (信報財經新聞), a prominent political and economic newspaper in Hong Kong. It was titled 〈公民抗命的最大殺傷力武器〉 [the greatest destruction weapons of civil disobedience]. The first sentences expressed that:

C.Y. Leung will not give any specific commitments for the 2017 and 2020 universal suffrage at his Policy Address. The fight for real universal suffrage is really being looked forward to by many Hong Kong people for decades to come. The next round of political reform discussion about this question cannot be procrastinated further. However, based on the current situation, the opportunity that Beijing will let Hong Kong have truly universal suffrage is very slim.

The three advocates are Rev. Chu Yiu-ming 朱耀明, Benny Tai Yiu-ting and Chan Kin-man 陳健民. They mobilized this campaign and believed that a truly harmonious society in Hong Kong could only be built upon a just and fair political system. The society of Hong Kong must be democratic enough for the election of the Chief Executive by universal and equal suffrage. The success of the campaign relies on the initiatives of individuals in different communities. Whoever participating in the campaign should uphold its three fundamental convictions as follows:

- (1) The electoral system of Hong Kong must satisfy the international standards in relation to universal suffrage. They consist of the political rights to equal number of vote, equal weight for each vote and no unreasonable restrictions on the right to stand for election.
- (2) The concrete proposal of the electoral system of Hong Kong should be decided by means of a democratic process, which should consist of deliberation and authorization by citizens.
- (3) Any act of the civil disobedience, which aims to fight for realizing a democratic universal and equal suffrage in Hong Kong though illegal, has to be absolutely non-violent.

Tai presented his proposal of the “Occupy Central” movement and suggested that the actions would only be non-violent with civil disobedience. The idea was that the protestors would occupy the main passages of the Central District illegally and aim to paralyze the economic and political center and to force Beijing to change its political standpoint (Tai, 2013). However, he thought that the actions would be notified beforehand. If more than ten thousand people could participate in an oath of common action, the organizers would be able to exert tremendous political pressure on the opponent (Tai, 2013). Hereafter, “Occupy Central with Love and Peace” was formed as a political and social movement on 27th March 2013. The organizers announced that the protest would begin in 2014 if the government’s political reform proposals for universal suffrage failed to meet the required international standards.

The advantages of the campaign are that it could help to call forth social consciousness and awareness concerning the importance of the political reform for Hong Kong’s people and future. On the other hand, it would give the justification for the Chinese central government of being menaced to implement the policy that the democrats want.

Unfortunately, the society of Hong Kong was dislocated as to whether the campaign would make the economic situation degenerate since it is commonly agreed that it is the people's livelihood that matters most.

Qiao Xiaoyang 喬曉陽 served as the chairman of the Basic Law Committee and expressed on 24th March 2013 that the Chief Executive candidates must love China and Hong Kong and do not confront the Chinese central government. Li Fei 李飛 worked as Qiao's successor of the Basic Law Committee's chairman and stressed again on 22nd November 2013 that the Chief Executive must be accountable (in fact, more acceptable) to the central government as well as Hong Kong. The statements revealed the fact that the central government was making an election mechanism which can guarantee the expected election's result.

On the other hand, Leung Chun-ying announced on 17th October 2013 and established the Task Force on Constitutional Development. It was navigated by the Chief Secretary for Administration Carrie Lam 林鄭月娥, Secretary for Justice Rimsky Yuen 袁國強, and Secretary for Constitutional and China Affairs Raymond Tam 譚志源. *The Consultation Document for the Methods for Selecting the Chief Executive in 2017 and for Forming the Legislative Council in 2016* was then issued on 4th December 2013 and entitled "Let's Talk and Achieve Universal Suffrage". It started a five-month public consultation. The consultation ended with heated debates over the rights or wrongs on the issue of the Occupy Central Movement. Furthermore, Leung escaped himself from directly participation of the political reform cleverly and it was obviously the contentious center which Donald Tsang, the former Chief Executive, ever actively and foolishly chose to take part in. The consultation just ended with heated debates on support for or against the issues of the Occupy Central campaign.

*The Practice of the "One Country, Two Systems" Policy in the Hong Kong Special Administrative System* which was issued by the State

Council of People's Republic of China on 10th June 2014 was not common. It could be seen as the most important document after 1997 on Beijing's hardline policy toward Hong Kong, especially acting against the Occupy Central Movement. It expressed again that:

All those who administrate Hong Kong ... have on their shoulders the responsibility of correctly understanding and implementing the Basic Law, of safeguarding the country's sovereignty, security and development interests, and of ensuring the long-term prosperity and stability of Hong Kong. In a word, loving the country is the basic political requirement for Hong Kong's administrators ... The chief executive must be accountable to the central government and the HKSAR with respect to implementing the Basic Law. All this is necessary for displaying sovereignty, ensuring loyalty to the country by the mainstay of Hong Kong administrators and helping them to subject to oversight by the central government and Hong Kong society, while taking their responsibility for the country, the HKSAR and Hong Kong's residents.

The public opinions were gathered by a civil referendum. It was preformed from 20th to 29th June 2014 and ended with 792,808 votes representing the opinion of requesting more democratic universal suffrage and calling for the public to be allowed to nominate candidates for the Chief Executive election. Also, 691,972 voters voted to express the ideas that the Legislative Council should veto any political reform proposal if the election mechanism actually failed to meet the international standards. During these days, the website was attacked by organized hackers who were mainly coming from China. On the contrary, the American firm CloudFlare helped to counteract this unique and sophisticated attack (Kaiman, 2014) in making the referendum



process run smoothly. On the other side, the mock polling station was attacked by a pro-China group and chaos was created but it was stopped by citizens. Michael DeGolyer said that it was very clear from the surveys that the vast majority of the people voting in this referendum were doing it as a reaction to this white paper (cited in Kaiman, 2014). And the action was followed with a hundred thousand people's march for democracy on 1st July 2014. However, Hong Kong's society was so highly politicized. Political actions among Hong Kong people were extremely frequent and massively mobilized.

On the contrary, the pro-Beijing forces launched the Alliance for Peace and Democracy (保普選保和平大聯盟, formerly the Protect-Universal Suffrage and Anti-Occupy Central Alliance / 保普選反佔中大聯盟) which was founded on 3rd July 2014, countering the influence from the pro-democracy blocs. They gathered to confront the supporters of the Occupy Central Movement and a month-long signature campaign was launched. The action was for the pro-government and pro-Beijing citizens to oppose violence, especially the Occupy Central Movement.

Convener Robert Chow 周融 said that it was necessary to build up an organization in which citizens could express their views as to whether they support peaceful universal suffrage or a violent Occupy Central (Siu, 2014). Finally, the Alliance claimed that it collected over 1.5 million signatures. Viewing by the website of Alliance for Peace and Democracy, there were 1528 organizations that signed for the movement. Culminating the petition campaign, an anti-Occupy Central parade was held on 17th August 2014. The organizer claimed that there were 200 thousand participants. Even though the media discovered that people were employed to participate in the march, the mobilization counteracted the democrats' social movement and caused media attention and reporting very much. The mobilization from both sides demonstrated a severe societal split and the fragmentation of political

forces into pro-Occupy Central Movement and anti-Occupy campaign.

The political bargaining power between the Hong Kong people and the China government was asymmetric in that the decision of the Standing Committee of the National People's Congress made the nomination procedure relatively paternalistic on 31st August 2014. The decision stated that a nomination committee would be similar to the previous Election Committee in nominating two or three candidates in the final round for citizens to directly elect their Chief Executive. Moreover, each of these final candidates would have acquired the support of more than half of all members of this nominating committee. The decision was widely seen as extremely restrictive because the candidates should be screened by the nomination committee. From the perspective of Beijing, however, this model of electing the Chief Executive shall be the most democratic one with the element of centralism being emphasized. Moreover, the mechanism of forming the Legislative Council in 2016 cannot change. Nevertheless, following any new mechanism for the election of the Chief Executive, the method of electing the Legislative Council by universal suffrage would perhaps be adopted with the approval of the State Council. In other words, the reform of the Chief Executive election must precede that of the Legislative Council election.

The Standing Committee of the National People's Congress decided the proposed reforms to the Hong Kong electoral system, and then protests began almost immediately. The democrats only promised to veto the revolting proposal. It was planning the civil disobedience protests. Students led the strike and school boycott beginning on 22nd September 2014. The pro-democracy Hong Kong Federation of Students and Scholarism<sup>2</sup> protested outside the government headquarters on 26 September. They maintained class boycotts during this period and participants were mainly tertiary students. The class strike of secondary

students attracted only about 1,000 on 26 September. Observers doubted about whether the Occupy Central Movement had sufficient participants. However, the over-reaction of police force to the students triggered more citizens to support the action, especially after the arrest of student leaders like Joshua Wong Chi-fung 黃之鋒 and Alex Chow 周永康.

Moreover, the protesters blocked the roads to stop the reinforcement of the police from reaching the Government Headquarter Office overnight. So, the police used pepper spray and the protesters defended themselves with their umbrellas. Hereafter, Umbrella became a symbol of the occupation movement. In the afternoon of the 28th September 2014, people flooded to Admiralty (金鐘) in support of students and the police blockaded all accesses to the Government Headquarters. Police responded by tear gas. Unpredictably, after the tear gas canisters were used on the late afternoon of 28th September, the crowd became out of control until the morning of 29th September. The excessive use of force and violence in dispersion of protestors by the Hong Kong Police force antagonized and frustrated public feelings. Thousands more people started to join with the social movement and occupied major thoroughfares of Hong Kong.

The conflicts between participating citizens and the police escalated into a 79-day large-scale Occupy Central Movement. The original plan of the Occupy Central with Love and Peace was actually not implemented but it was re-directed or transformed as the Occupy Movement or the Umbrella Movement. The protestors did not choose to occupy the Central District but they chose to occupy Admiralty, Causeway Bay (銅鑼灣), Mong Kok (旺角) and Tsim Sha Tsui 尖沙嘴. The actions were convened through Internet and the crowd could gather thousand people within an hour on that night. Police could not control the occupation. Demonstrations continued outside the Hong Kong Government Headquarters and eventually triggered more citizens

to occupy the districts.

These were the unprecedented scale of demonstrations and multiple locations and changed the Umbrella Movement into such a self-managed and non-centralized occupation. These areas remained closed to traffic for almost 80 days. The Occupy Movement maintained in the streets from 28th September to 15th December exactly. Moreover, the activists of the movement were intimidated with threats, put under surveillance or tailed, subjected to invasions and became victims of hacking. They also received hate mails and nuisance telephone calls. Some evidences showed that the intimidation was from official sources.

Furthermore, groups of anti-Occupy movement actions attacked suffragists. They included triad members. The barricades and tents of the protesters were torn down and damaged by illegal forces. Some protesters suffered different injuries during conflicts. The police were accused of inaction when protesters were under these illegal attacks, while numerous instances of excessive violence by police were reported as well. Apparently pro-government mobs or triads were used to attack protesters so that the Hong Kong government did not have to assume responsibility, and such action can help to demonstrate the contemptibility, despicability and filthiness of the Communist Party governance.

#### **4. The End of Democratic Movement**

After the end of the Occupy Central Movement in December 2014, the government issued *The Consultation Document on the Method for Selecting Chief Executive by Universal Suffrage* on 7th January 2015. They still insisted on the validity and applicability of the Standing Committee of the National People's Congress's decision and so the democrats boycotted this consultation in protest of the decision.

Pro-democracy activists protested fiercely against such an election framework set by the government. They pointed out that it would hardly be a truly democratic and open election. The two month's consultation ended on 7th March and later, the government released *The Report on the Recent Community and Political Situation in Hong Kong*. The report expressed the official standpoints about the Occupy Movement. Needless to say, the democrats reacted negatively to the report.

This is according to the Appendix I and II of the Basic Law that the bills on the amendments to the method for selecting the Chief Executive and the proposed amendments to such bills should be introduced by the Government of the Hong Kong Special Administrative Region to the Legislative Council. Amendments must be made with the endorsement of a two-thirds majority of all the members of the Legislative Council and the consent of the Chief Executive. The recent most crucial political outcome was the voting result of the Hong Kong LegCo on the decision of political reform on 18th June 2015. The decision of the Standing Committee of the Chinese People's Congress and the controversial political reform proposal of the HKSAR's government could not be passed. After the voting result in LegCo, both sides remain profoundly distrustful of each other. Fingers-pointing and political accusations abound.

Basically, the constitutional settings during this period were British-designed as well as result of negotiation with the Chinese government. If we were wise enough, we should know that the HKSAR's government could not give any democratization improvement on Hong Kong's political reform after the transfer of sovereignty. The political election reforms had been voted down as, on the one hand, the pro-democracy politicians actually united to resist and refuse the Beijing-dominated political reform packages, and on the other hand, most pro-Communist Party politicians walked out to give up voting. As a result, the crucial

and critical moment of voting just ended up with eight casting their votes in support of the political reform package and twenty-eight voting against it. According to Appendix One of the Basic Law, the political reform of the election of the Chief Executive should gain not less than two thirds of legislators to vote for passing this reform mechanism. With 70 legislators, the political reform decision should have more than or equal to 47 supporters of the Legislative Council.

The annual rally of the 1st July is about democracy and human right struggles in Hong Kong. As the Beijing-dominated electoral reform was rejected by the LegCo on 18th June 2015, the democracy advocates hope that a strong show of new public support on the streets that can help to re-activate a new reform agenda back on the social movement. Thirty thousand Hong Kong protesters still flocked to Victoria Park for the pro-democracy march in July 2015 but other people dismissed the march as pointless.

The Hong Kong government announced in August 2015 that it would initiate legal proceedings on a few student leaders. The incessant political disputes were unfortunately spreading to university campuses, where the University of Hong Kong was embroiled in the dispute over whether a pro-democracy professor should be appointed by the council members as a pro vice-chancellor. Even after the Umbrella Movement ended, its legacy appeared to be felt at the university campuses where councils usually have members appointed by the Chief Executive, Leung Chun-ying. The role of the Chief Executive in the university councils was so controversial that some democrats have pointed to future debates over the democratization of university councils in the coming years.

The night of the Chinese Lunar New Year on 8th February 2016 witnessed a civil unrest incident. It was very uncommon that young activists attacked police suddenly. Batons and pepper spray were applied by the police and two warning shots were fired. After these, protesters

threw bricks, glass bottles, flower pots and trash bins toward the police. At last, they set fires in the street. This was the worst outbreak of rioting since the 1960s. As a consequence, the university student unions issued statements condemning police violence and expressing their support for those who took part in the protest. They always express that, between the high wall and the egg, they must stand on the side of the egg.

## **5. Discussion and Conclusion**

Hong Kong was made a famous international city-state by Britain before July 1, 1997. Hong Kong under the British rule could be seen as a successful model of colonialism in which a capitalist society was combined with an international monetary, financial and trading center. It also became a window for the People's Republic of China's economic modernization starting from the mid-1980s onwards. The features of Hong Kong under British rule were marked by economic prosperity, relative socio-political stability, and cultural tolerance. All these have faded nowadays.

When its sovereignty was reverted to the People's Republic of China, Hong Kong is under the governance of neo-colonialism. Hong Kong people fought for the interest of the populace. Matters of concern range from reaching the Joint Declaration with China without consultation with the Hong Kong people to the British reluctance of democratizing Hong Kong's colonial polity much earlier and faster (cited in Lo 1997: 139). They were further frustrated by the conservative reforms proposal on the road to achieve democracy after the establishment of the Hong Kong Special Administrative Region under Chinese rule.

Even the re-colonization project was started earlier by Britain; the democratizing transition was not begun at the last minute of

decolonization. This Hong Kong democratization was begun under the British sunset regime only which helped to arrange the democratizing steps from 30% of the LegCo seats directly elected in 1991 to 50% of these seats directly elected in 2004. The changing circumstances inside both Hong Kong and the People's Republic of China, especially with the rise of China since the early 2000s, have made the "one country, two systems" principle more complex and challenging in social, political, economic and cultural aspects. While the central government promised the so-called universal suffrage, Hong Kong people can clearly see that the officials will only allow "patriotic" candidates to run in the Chief Executive election. There were frustrations over such a slow or retrograde democratizing process in Hong Kong. Many people feel that their autonomy is eroded in Hong Kong as China's influence is enhanced. The Occupy Movement was spectacular but not successful.

Democratization cannot help the democratic blocs to develop. The development and maintenance of Hong Kong democrats actually represent a slow democratization process because democracy is still demanding. We cannot claim that the politicization of Hong Kong was a result of political reforms. We can conclude that the institutionalization process of Hong Kong politics do make the fluctuation of Hong Kong political scenes. That is to say that the struggles and conflicts entertain Hong Kong politics very much.

Ironically enough, the supporting figures showed public opinion so diversified by two large blocs nowadays. We may re-consider what politics make or what makes politics. Generally speaking, politics are going to deal with people's livelihood. Politics may be made by political competitions among political parties or blocs. But it cannot help to explain the political spectrum of Hong Kong. The democratic movement took a halt but the Hong Kong people have to be patient as "hasty men do not get hot tofu". China is in political struggles and power conflicts



among the Communist Party leaders. Hong Kong cannot be independent.

The democratic road is quite uncertain after the political reform package was vetoed. The central government can stick to their decision on setting such limits for the Chief Executive and LegCo elections. The democrats can continuously express the idea of fighting for genuine universal suffrage. Democracy was, is and will be undeveloped or underdeveloped in Hong Kong.

Politically, the HKSAR has entered a stage of incessant political disputes over the proper method, pace and directions of political reform. With a centralized and relatively paternalistic and authoritarian regime in the PRC, democratization in the HKSAR has since 1997 been undergoing a turbulent path. The emergence of the Umbrella Movement from September to December 2014 illustrated a severe clash of two different political cultures between the central government in Beijing and many Hong Kong democrats, with Beijing being a paternalistic actor seeing Western-style democratic change as undesirable and threatening its national security, whereas the younger Hong Kong democrats envisioning a political system in which the ordinary people would be empowered to nominate and directly elect their Chief Executive candidates.

Development in Hong Kong nowadays is cold and ruthless. The execution of the capitalistic ideology is completely lacking any feeling or sense of social justice in the Hong Kong Special Administrative Region. This kind of economic development is not for the wellbeing of Hong Kong citizens but for the monopolization of Hong Kong by authoritarian tycoons. We, of course, doubt whether such hegemony is sustainable.

## Notes

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1. It is the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China and serves as the constitutional document of Hong Kong under the China's sovereignty.
2. Scholarism is a pro-democracy student activist group in Hong Kong. The students are very active in the fields of Hong Kong social movement. The group became famous due to the protest against the Moral and National Education curriculum in 2012.

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