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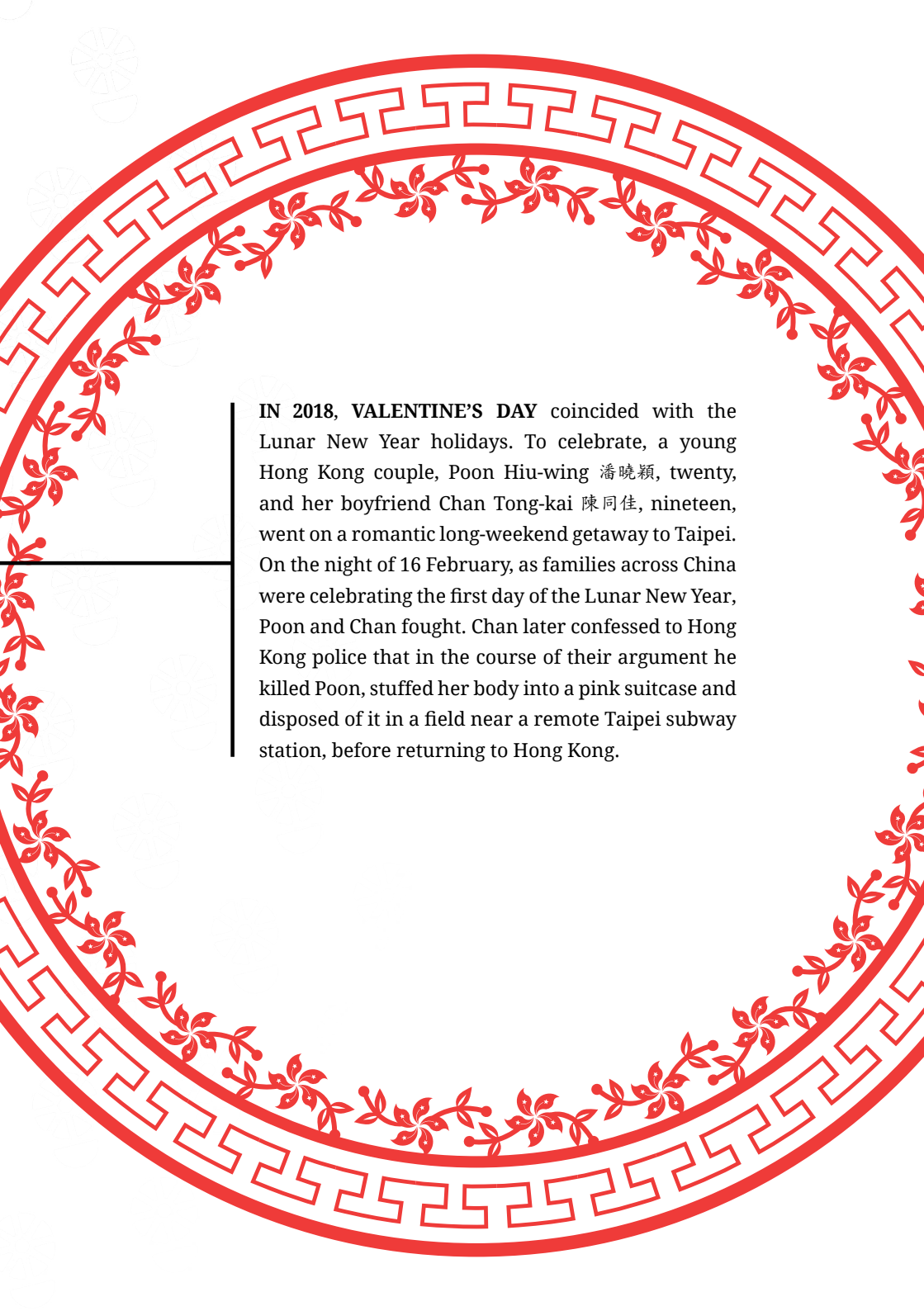
10月

# 2

## HONG KONG'S RECKONING

Antony Dapiran





**IN 2018, VALENTINE'S DAY** coincided with the Lunar New Year holidays. To celebrate, a young Hong Kong couple, Poon Hiu-wing 潘曉穎, twenty, and her boyfriend Chan Tong-kai 陳同佳, nineteen, went on a romantic long-weekend getaway to Taipei. On the night of 16 February, as families across China were celebrating the first day of the Lunar New Year, Poon and Chan fought. Chan later confessed to Hong Kong police that in the course of their argument he killed Poon, stuffed her body into a pink suitcase and disposed of it in a field near a remote Taipei subway station, before returning to Hong Kong.



**Aerial view of the protests**

Source: Studio Incendo, Flickr

No-one could have expected that this tragic incident would lead to the greatest crisis Hong Kong — and possibly the People's Republic of China (PRC) — has faced since 1989, an ongoing crisis that, at the time of writing, shows no signs of fading. But there is a direct path from that hotel room in Taipei in 2018 to tear gas and bullets on the streets of Hong Kong in 2019. Although Chan confessed the murder to police in Hong Kong, his case moved into a legal lacuna. Under Hong Kong law, Chan could not be charged for committing a murder outside Hong Kong and he could only be extradited to a jurisdiction with which Hong Kong had entered into an extradition treaty. Taiwan was not one of those jurisdictions.

Facing the possibility that Poon's murderer would escape justice, Hong Kong's Chief Executive, Carrie Lam Cheng Yuet-ngor 林鄭月娥, proposed a solution that she felt would both address the injustice and please her political masters in Beijing: amending Hong Kong's Fugitive Offenders Ordinance to remove the geographic restrictions so that, provided certain procedural steps were met, fugitives could be extradited to anywhere in the world, including Taiwan — and mainland China.

At first blush, it appeared to be something of a legal technicality, not the kind of thing to arouse the passions of millions. But the proposal touched a nerve; for the first time, it established a direct link between Hong Kong's justice system — built on the common law principles of an independent judiciary and the separation of powers — and that of the mainland, which is opaque, unpredictable, and ultimately beholden to the Chinese Communist Party. Not since 2003 had the Hong Kong government — with its notorious 'Article 23' national security legislation — attempted to push a policy that was so blatantly in the interests of Beijing, and so contrary to the interests of the people of Hong Kong.

## **'Fan Song Zhong' 返送中**

The international media covered subsequent events. First came a march of one million Hong Kongers all dressed in white on Sunday, 9 June 2019, in response to which the government announced that the proposal would be proceeding regardless. Tens of thousands of protesters then laid siege to the Legislative Council ('LegCo') building on Wednesday, 12 June, preventing the LegCo from meeting and effectively putting a stop to the proposal; police violently dispersed the protesters using tear gas and rubber bullets. On the following Sunday, 16 June, there was another march, this time of two million Hong Kongers — more than one-quarter of the population — all dressed in black.

Lam seemed surprised that the extradition bill provoked such a visceral response from the Hong Kong populace. She should not have been. Nerves had already been rattled when mainland agents abducted several booksellers from Hong Kong's streets in 2015 and spirited them across the border (see the *China Story Yearbook 2016: Control*, Chapter 7 Forum 'Control and Resistance in Hong Kong', pp.269–275). It also did not help that the anti-extradition bill cause aligned the interests of Hong Kong's pan-democrats, who feared political persecution, with those of the pro-Beijing

elite, whose business dealings on the mainland left them the most exposed of all to the risks of the extradition law. More than that, the proposal also triggered anxiety about deeper issues of identity.

In the past, Hong Kong had distinguished itself on the basis of wealth. For decades, its people were rich compared with those in China, which from the late 1970s, began struggling to lift itself out of poverty. However, since the handover from the United Kingdom to the PRC in 1997, as Hong Kong's economy drifted and China's boomed, that distinction failed to hold. Hong Kongers replaced their pride in material success with pride in 'Hong Kong Core Values' — those rights and freedoms that distinguish life in Hong Kong from life in the rest of China. The concept of Hong Kong Core Values was first articulated by a group of pro-democracy scholars and politicians in 2004, initially as an expression of alarm that these values were being lost. However, the concept was soon coopted by the government and more widely across Hong Kong society to articulate Hong Kong's competitive advantage over the rest of China, and indeed much of Asia. Hong Kong Core Values include clean, corruption-free government, a lively and unfettered media, freedom to criticise the government, rule of law and due process, an independent judiciary, and, of course, the right to protest. Hong Kong Core Values became the answer to the question: 'What does it mean to be a Hong Konger?'

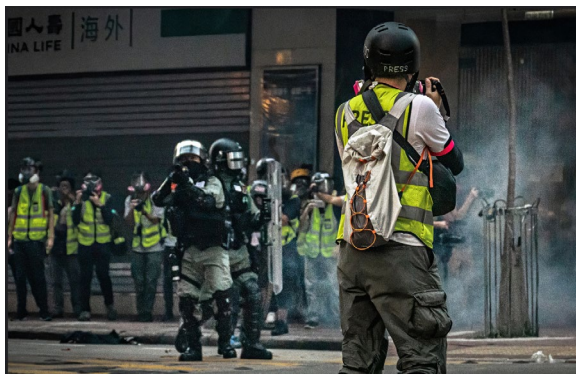
The proposed extradition law, which would have breached the legal firewall between Hong Kong and the mainland, was seen as another attack on these core values. The protesters on Hong Kong's streets were protesting against not just a theoretical risk of extradition to the opaque mainland criminal justice system, but also a threat to their very identity as Hong Kongers. And, by taking to the streets, they were expressing their dissatisfaction by exercising their key rights and freedoms. Their protest became a performance of identity.

The protesters' initial demand was summed up in a three-character slogan: '*Fan song zhong*!' A direct translation would be 'Oppose sending [accused criminals] to China', but *song zhong* 送中 is a homophone for

送終, meaning ‘to see off a dying relative’. (It is also, incidentally, a homophone for the phrase 送鐘 ‘to give a clock’, which is why the Chinese consider a clock an unlucky gift as it in effect wishes death on the recipient.) The slogan thus could be understood to mean ‘Oppose sending us to our death’ — whether by extradition to China or through the death of civil liberties in Hong Kong.

It was unfortunate that, some weeks into the protests, Lam turned to mortality-tinged metaphors when she announced that the extradition bill would not be proceeding. In her English statement to the press, she said bluntly: ‘The bill is dead.’ In Chinese, she said the bill ‘*shou zhong zheng qin*’ 壽終正寢, meaning it had ‘died a natural death from old age in its bed’. Commentators were quick to point out this did not reflect the true state of affairs for a bill that had more accurately been killed by the protests.

It mattered little to the protesters that Lam had suspended the bill indefinitely. This was in part because they demanded its formal withdrawal and did not trust Lam’s assurances that the suspended bill would not be revived. In the meantime, protesters’ demands had broadened to include, among other matters, an independent inquiry into police behaviour as well as universal suffrage. The former demand arose from numerous incidents that had damaged public trust in the police: beyond the unrestrained use by police of tear gas, rubber bullets, and other ‘less lethal’ weaponry on



**Tension between police and protesters on the streets of Hong Kong**  
Source: Studio Incendo, Flickr

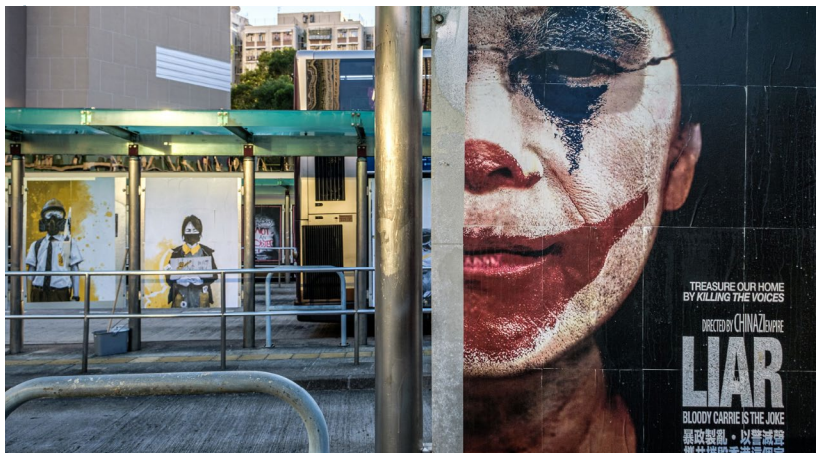
the citizenry, Hong Kongers were particularly incensed when Triad gang members attacked young protesters and other commuters at Yuen Long Mass Transit Railway (MTR) station as they returned home after a protest on the night of 21 July, savagely beating them with bamboo canes. Police were slow to respond and were later photographed casually chatting with the armed thugs. The latter demand was the unfinished business of 2014's Umbrella Movement. The contrast between that utopian movement and the dystopia of the 2019 protests marked this movement as something more desperate.

## From Dream to Nightmare

Many recall the 'occupied' sites of the Umbrella Movement as mini-utopias that reflected the hopes of the movement itself, which agitated for a 'more perfect' democracy for Hong Kong. Rows of rainbow-coloured tents lined the roads while cultural expression flourished: banners, posters, chalk drawings, and sculptures adorned the sites. Thousands flocked with their families to visit on sunny weekends, when the mood felt like a community arts festival, with movie screenings, musical performances, and arts and crafts activities. The Umbrella Movement became performative of the kind of society it hoped Hong Kong would become — a peaceful, self-regulating community, built on mutual support and sharing, a gift economy of donated goods and services, all of which were a far cry from the self-interested rampant capitalism for which Hong Kong was known.

Like the Umbrella Movement, the 2019 protest movement had a lively and prolific visual culture. Vast amounts of graphics, cartoons, posters, and memes were generated, many responding to events on a daily basis. These circulated online and were also posted on 'Lennon Walls' — sites for public expression that expanded from one single site in Admiralty during the Umbrella Movement to multiple sites blossoming across the city throughout the year. However, in 2019, the tone changed. Far from the



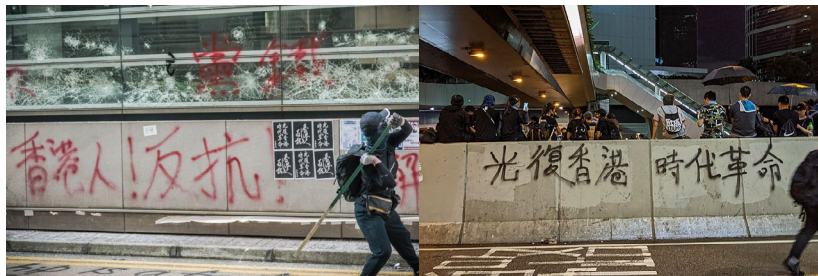


**Protest posters at bus stops**

Source: Studio Incendo, Flickr

utopian ideals of the Umbrella Movement, demonstrators in 2019 were fighting against their city sliding into what they saw as a dystopian nightmare of police brutality, arbitrary detention, and extrajudicial punishment. Not only was this something they feared if extradition to the mainland became a reality; they also saw it increasingly unfolding on the streets of their own city, as police began using arrest as a method of crowd control, with innocent passers-by arrested for ‘unlawful assembly’, and many arrestees complaining of beatings and other mistreatment at the hands of police while in detention. The initially peaceful protest movement became mired in an escalating cycle of violence; police deployed tear gas on the streets of Hong Kong every week for months. Police also used rubber bullets, pepper pellets, beanbag rounds, water cannons loaded with ‘tear water’ (a skin irritant), an indelible blue dye to help them locate the protesters they had hit, and — finally — live ammunition. Protesters responded in kind, arming themselves with clubs, shields, and slingshots, and throwing bricks and petrol bombs.





'Hong Kongers, resist!' (left); 'Restore Hong Kong, Revolution of Our Times!' (right)  
Source: Studio Incendo, Flickr

The darker shadows of history have hung heavily over the 2019 protests. These are the shadows of Hong Kong's 1967 riots — which lasted longer, and featured much more violence and greater loss of life — and 1989's Tiananmen Square protests and 3–4 June crackdown, the ghosts of which were summoned by Beijing in mid-August when it conspicuously stationed People's Armed Police forces in a sports arena across the border in Shenzhen (see Chapter 8 'Hong Kong and the Tiananmen Playbook', pp.223–235). The troops were shown on television carrying out crowd control exercises in which the police shouted in Cantonese and their antagonists were attired strikingly like the Hong Kong protesters.

The protesters' slogans evolved to reflect the darkening mood. In the early stages of the movement, the rallying cry was 'Hong Kongers, add oil!' 香港人加油, reflecting the identity-centric nature of the movement. After Lam used emergency powers to implement a ban on face masks on 4 October, that chant became 'Hong Kongers, resist!' 香港人反抗. And, following the death on 8 November of a young student protester who fell from a multistorey car park, reportedly while trying to evade police, the chants became 'Hong Kongers, revenge!' 香港人報仇.

To describe their protest strategy, the protesters adopted the slogan: 'Be water!' The Umbrella Movement had followed the 'occupation' logic of worldwide protest movements such as the Occupy Wall Street movement. This time around, Hong Kong's protesters took their inspiration from a

source closer to home: local hero and kung-fu-movie star Bruce Lee, who famously advised: ‘Be water!’ The protesters adopted a highly mobile, agile style of protest, flowing like water. A rally would turn into a march; a march would begin in one direction and abruptly change to another direction; and protesters carried out targeted ‘wildcat’ occupations of roads or buildings. With no entrenched positions and an unpredictable and mobile presence, the protesters effectively rendered themselves immune to clearance and arrest. If they met police resistance, they would immediately disperse — flowing away like water.

Another notable and hugely popular slogan has been: ‘Restore Hong Kong, revolution of our times!’ 光復香港，時代革命. It was originally the campaign slogan of Hong Kong independence advocate Edward Leung Tin-kei 梁天琦 in a January 2016 LegCo by-election. Leung was subsequently jailed for his role in the Mong Kok ‘Fishball Riot’ of 2016 (see the *China Story Yearbook 2016: Control*, Chapter 7 Forum ‘Control and Resistance in Hong Kong’, pp.270). In 2019, the slogan became a rallying cry as a more radical and political expression of Hong Kong identity. The protestors began to use the slogan around the same time they began to target the symbols of PRC state power in Hong Kong: it was graffitied on the walls of the LegCo when that building was stormed by protesters on 1 July, and was first noticeably taken up as a rallying cry by the crowds on the night of 21 July, when protesters attacked and vandalised the Liaison Office of the Central People’s Government 中聯辦, Beijing’s official representative office in Hong Kong. All of these actions can be seen as part of the struggle for what political scientist Dr Brian C.H. Fong 方志恆 calls the ‘stateless nation’ of Hong Kong.<sup>1</sup> Fong argues that Hong Kong — like Quebec, Catalonia, and Kurdistan — is a nation trying to establish its autonomy under the rule of a strong centralist state.

Nations — or ‘imagined communities’ as theorised by Benedict Anderson — are built just as much with politics as with cultural moments or icons, and the 2019 protest movement has also provided plenty of those. Private chat groups in messaging apps such as Telegram, as well as the

online forum LIHKG (lihkg.com), a local Hong Kong website operating a low-fi discussion board, have provided means of collective communication and discussion beyond official control. In addition to the wide proliferation of strikingly creative and sometimes darkly humorous artwork, posters and slogans have often made use of the Cantonese language — a key aspect of Hong Kong identity. For example, when a police officer swore at a journalist ‘*Gei nei lou mou!*’ 記你老母 (roughly, ‘Journalist, your Mum!’), the phrase was taken up as a protest slogan and weapon of political satire. In another example of the creation of national cultural symbols, a pseudonymous local Hong Kong composer wrote a song, ‘Glory to Hong Kong’ 願榮光歸香港, that many called Hong Kong’s ‘national anthem’. With lyrics posted and workshopped on LIHKG, the song has a stirring, martial feel. Within a week or two of the song making its first appearance online, protesters and sympathisers sang it at rallies, soccer matches, and at pop-up protests in shopping malls.

The online forums and chat groups also enabled a protest movement that some have referred to as ‘leaderless’ — and others have called ‘leaderful’. Unlike the Umbrella Movement, the 2019 protest movement had no discernible leaders, with everyone contributing what they were willing and able in a networked ‘hive mind’ of activists, operating in the virtual world and on the ground during protests. This was partly an effective protest strategy and partly driven by necessity — few were willing to risk being a visible leader, knowing that many of the Umbrella Movement leaders had been jailed for their roles in those protests.

## ‘Lawfare’ Continues

The Hong Kong government’s aggressive prosecution and jailing of Umbrella Movement leaders formed part of a campaign of what I called ‘lawfare’ in the 2017 edition of this *Yearbook* (see the *China Story Yearbook 2017: Prosperity*, Chapter 9 ‘Prosperity and Freedom: Hong Kong’s Dilemma’, pp.295–307). Lawfare is the use of Hong Kong’s legal system



**Protesters wearing face masks**

Source: Studio Incendo, Flickr

to manage or silence political opponents and/or achieve political objectives. The lawfare campaign has been politically astute, as it enables the authorities to appeal to the need to uphold Hong Kong's rule of law — universally recognised as a Hong Kong Core

Value — while using that same legal system to target the actions of dissenting politicians and activists.

In 2019, the Hong Kong government pursued the ongoing lawfare campaign with renewed vigour in response to the ongoing protests. The Umbrella Movement ended after taxi, minibus, and tour bus companies who claimed their businesses had been affected by the road closures obtained injunctions in the Hong Kong courts requiring the roads to be cleared. Injunctions were weaponised against protests again in 2019. In October and November, Hong Kong courts, at the request of the government, granted injunctions to bar the public from discussing online the use of violence against persons or property, to prevent the disclosure of personal information or photographs of police officers and their families, to prohibit the public from inspecting the registry of voters, and to stop people damaging or obstructing the residences of police. What is more, Lam invoked emergency powers not used since the oil crisis of 1973 to bypass the LegCo and introduce a new law banning the wearing of face masks — a law that Hong Kong's High Court declared unconstitutional in late November. The day after the ruling, a spokesman for China's National People's Congress (NPC) said only the NPC had the right to make such a judgement — a comment that threw Hong Kong's legal community into

disarray as it appeared to repudiate the entire separation of powers doctrine on which Hong Kong's common law legal system is based. At the time of writing, the NPC has not made any further statements on the subject and the Hong Kong government is in the process of appealing the decision in the courts.

Meanwhile, police used mass arrests as a crowd control tool. As with the Umbrella Movement, we should expect aggressive prosecutions of those arrested, and heavy sentences pursued by prosecutors in a process that will be dragged out over years, calculated to wear down the opposition and tie up their leaders and supporters in the courts.

## Hong Kong in the World

At the same time, Beijing has sought to impose its narrative on the events in Hong Kong, both inside China and globally. From the beginning of the protests in June, Beijing's spokespeople blamed the protests on 'foreign interference'. In mid-July, after the protesters attacked the central government Liaison Office, Beijing began referring to the protesters as 'separatists' and said the protests were an attempted 'colour revolution';



Foreign companies and prominent individuals are becoming accustomed to dealing with Chinese efforts to police their speech on a growing list of 'sensitive' topics

Source: Studio Incendo, Flickr

and, from August, as protests took a more violent turn, they equated the movement with ‘terrorism’ — a chilling description given the same charge has been used as the basis for the internment of Xinjiang’s Uyghur population.

Through a propaganda push in official state media as well as by manipulating the conversation on social media inside China’s ‘Great Firewall’, Beijing has ensured that domestic sentiment is hostile to the Hong Kong protests. Attacks on mainlanders, such as an incident in which two mainlanders suspected of being PRC agents during a protest at Hong Kong Airport were detained and beaten by protesters, were given prominence in mainland media coverage, further stoking anger there. This hostility spilled on to university campuses and streets worldwide, as pro-China supporters clashed with Hong Kong protesters, often encouraged — if not organised — by Beijing’s diplomatic representatives abroad, one of whom lauded the ‘patriotism’ of the pro-China demonstrators following clashes at the University of Queensland (see Chapter 9 ‘Campus Conundrums: Clashes and Collaborations’, pp.255–267).

The pro-China protesters often sought to prevent others exercising their freedom of speech in relation to Hong Kong, or other issues relating to China, on foreign soil. Twitter and Facebook identified and terminated hundreds of accounts that Twitter called part of a ‘coordinated state-backed operation’ that was ‘deliberately and specifically attempting to sow political discord in Hong Kong’. Twitter also said it would no longer accept advertising by ‘state-controlled news media entities’ after PRC news outlets extensively advertised anti-Hong Kong messages on the platform.

Foreign companies and prominent individuals are becoming accustomed to dealing with Chinese efforts to police their speech on a growing list of ‘sensitive’ topics, from the ‘three Ts’ (Tibet, Taiwan, and Tiananmen) to Xinjiang and the South China Sea. This year, Hong Kong joined that list of sensitive topics. Beijing pressured Hong Kong businesses to ‘take a stand’ 表個態 — to publicly support Carrie Lam’s government and fire employees who participated in the protests. The Hong Kong-based

airline Cathay Pacific's CEO Rupert Hogg and a key deputy were forced to resign in August 2019 under pressure from Beijing after it was discovered that some of Cathay's staff had been involved in the protests or had simply voiced messages of support. In the same week, following the publication of a crowd-funded advertisement supporting the demonstrations in the name of 'a group of Big Four accounting firm employees', the *Global Times* called on the Big Four to 'fire employees found to have the wrong stance on the current Hong Kong situation'.

Companies, cowed by fear of provoking the Chinese government — or the Chinese consumer — believe if they do not self-censor, Beijing will quickly make its displeasure known, with serious financial consequences. One week in October saw four different examples of this:

- Darrel Morey, Manager of the Houston Rockets NBA basketball team, tweeted the Hong Kong protesters' international rallying cry: 'Fight for freedom; stand with Hong Kong.' He quickly deleted the tweet, but not before it was caught by the Beijing outrage machine and blown into an international incident. The NBA initially rebuked, but then stood behind, Morey, in the face of a China-wide government-led boycott of the NBA, which included cancelling all match broadcasts and withdrawing merchandise from sale.
- Video game company Blizzard (a subsidiary of American gaming giant Activision Blizzard, in which PRC Internet titan Tencent owns a five percent stake) penalised a Hong Kong player who shouted the protest slogan 'Restore Hong Kong, revolution of our times!' during a video game livestream.
- Apple withdrew from sale on its App Store the 'HKMaps' app after complaints from China. The app revealed the locations of Hong Kong police in real time.
- Jeweller Tiffany & Co. withdrew an advertisement that showed a model covering one eye. This resembled the 'covered eye' gesture adopted by Hong Kong protesters after a young female first-aid provider was shot in the eye and blinded by a police beanbag round.



All of these developments heightened international awareness of the impact of President Xi Jinping's ambitious program to extend China's global influence. The Hong Kong protesters seemed to be at the vanguard of what author Richard McGregor has called the 'backlash' against Xi's ambitions for a global China Dream.<sup>2</sup>

Another example of that backlash came when the US Congress enacted the *Hong Kong Human Rights and Democracy Act* in a rare display of bipartisanship; the bill had sponsors from both sides of the aisle and was passed unanimously by the Senate. President Donald Trump signed the bill into law in November. The Act provides for sanctions against individuals suppressing human rights and freedoms in Hong Kong and, importantly, creates a mechanism whereby the Secretary of State will need to issue an annual certification of Hong Kong's autonomy, thereby ensuring the issue of Hong Kong will be raised annually in Congress. China was predictably incensed by the Act, which it said amounted to interference in its internal affairs, and retaliated with sanctions on a number of US-based nongovernmental organisations that it said were fomenting the Hong Kong protests.



**Winnie the Pooh**  
Source: Studio Incendo, Flickr

## The Silent Majority Speaks

As the protests raged on — with increasing vandalism, violence, and disruption to daily life — Carrie Lam and the pro-Beijing politicians in Hong Kong spoke of a 'Silent Majority': patriotic Hong Kongers who opposed the protests but were afraid to speak out. The district council elections, on 24 November, would give them a chance to speak. The election was seen as a referendum pitting the protest movement against Lam's government

and Beijing. And speak the people did, although they did not say what Lam and Beijing had hoped they would.

In a day that saw Hong Kong's highest ever election turnout — with 2.9 million people, representing seventy-one percent of eligible voters, casting a vote — the pan-democrats won in a landslide. Pan-democrat candidates won 385 seats; pro-Beijing ('establishment', pro-government) candidates won only fifty-nine seats; eight seats went to independents.<sup>3</sup> (For comparison, in the 2015 district council elections, pan-democrats won 126 seats, pro-Beijing candidates won 298 seats, and independents won seven seats.) Pan-democrats won control of seventeen of the eighteen district councils; previously, they had controlled none. (For the remaining council, Outer Islands, pan-democrats won a majority of the seats open to popular vote but pro-Beijing parties retained control due to ex officio positions given to rural chiefs.) The results were unequivocal: a clear majority of Hong Kongers supported the protest movement and placed the blame for the ongoing chaos at the feet of Lam, her government, and the pro-Beijing politicians who support her.

Beyond this objective and indisputable measure of public opinion, the district councils themselves enjoy little real power. However, the pan-democrats' win came with a bonus prize: control of the district councils effectively entitles them to appoint a 117-person bloc of representatives to the 1,200-member Chief Executive Election Committee, which will select the next Chief Executive, in 2022.

## China in Hong Kong

The district council elections ushered in a period of relative calm, but it is unlikely the protests have ended entirely. Indeed, it is difficult not to wonder whether this represents a 'new normal' for Hong Kong: a constant background level of discontent and civil unrest occasionally bursting into violent confrontation. Meanwhile, Hong Kong sank into recession in the



**Closed shop fronts  
during the protests**  
Source: Studio Incendo,  
Flickr

third quarter of 2019, with the economy shrinking 3.2 percent. Retail and hospitality industries were particularly hard hit, with retail sales in August 2019 falling twenty-three percent from a year earlier to the worst level on record, and visitor numbers fell thirty-seven percent year-on-year for the third quarter of 2019.

Some have openly begun to speculate about a ‘Belfastisation’ of Hong Kong, as some among the protesters pushed closer to extremism (including with more violent attacks on police and government targets), deepening social and political divisions. All of this might suit Beijing’s interests in demonstrating to the rest of China the ‘chaos’ unleashed by popular pro-democracy movements, emphasising the need for the steadying hand of the Party, while justifying tightened control over Hong Kong.

The Party’s Fourth Plenum meeting in October confirmed that Beijing intends to use all of the tools of China’s state power necessary to bring Hong Kong to heel: the propaganda campaign, pressure on businesses in Hong Kong and abroad to toe the party line, demands that Hong Kong government leaders and the civil service demonstrate their patriotism and loyalty to Beijing, with appointments closely scrutinised for political acceptability, the promotion of ‘patriotic education’, and extensive United Front activities. The year 2019 will go down as the one that defined post-handover Hong Kong; perhaps it will be remembered as the last year of Hong Kong as it once was.

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