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WHEN REDLINES INTERSECT: RESISTANCE AND REPRESSION IN HONG KONG



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Synopsis:

This essay focuses on the 2019-2020 Hong Kong Protest Movement. It evaluates the origins and development of the protests and the Hong Kong SAR government's effort to repress them. It concludes with a discussion of the significance of the government's systematic attempt to suppress future pro-democracy movements and its impact on the city of Hong Kong and its people.

When Redlines Intersect: Resistance and Repression in Hong Kong

The 2019 Hong Kong protests began as a call to withdraw an extradition bill but evolved into a violent uprising against the People's Republic of China (PRC). Acting as a proxy for the PRC, the Hong Kong Special Administrative Region (HKSAR) government responded harshly to the peaceful protests. The brutal actions of its police force led to calls for investigations into police behavior, amnesty for arrested protesters, and universal suffrage for the people of Hong Kong. The insistence that universal suffrage be granted immediately changed the protest into a mass pro-democracy movement that received broad support from different segments of society, including students, professionals, and workers.

As the interface between the HKSAR and the people of Hong Kong, the police force's treatment of protesters, which deviated from its protocol and was considered illegal by many, signaled a severe erosion of the rule of law. Perhaps more than any other difference, the rule of law principle distinguished Hong Kong from the PRC. Undermining the principle would be the beginning of the end of the Hong Kongese way of life. To preserve it and its other core values, Hong Kongese called for universal suffrage, a right promised to them as part of the agreement with the British to transfer Hong Kong to the PRC.

As the protests evolved, demonstrators crossed the redline that President Xi Jinping, leader of the PRC, had implicitly drawn. Xi has prioritized the PRC's territorial integrity and national sovereignty. So, he found Hong Kong's autonomy and the 2019 protests inimical to his policy. They also threatened to tarnish his legacy since he wants to be remembered as the man who made the country whole by integrating its outlying areas, such as Hong Kong and Taiwan. At his behest, the HKSAR police force brutally quelled the demonstrations, crossing Hong Kongese tacit redline for intolerable police behavior, subverting the rule of law principle, the central pillar of Hong Kong democracy. When these redlines intersected, the 2019 protests became an out-and-out pro-democracy movement. It became an uprising

against the PRC regime, with unprecedented violence by both police and protesters, followed by full-fledged repression that continues to the present.

This essay discusses the evolution of the 2019 protests into a pro-democracy movement and the Chinese effort to suppress it. The PRC government unilaterally imposed an imprecisely worded National Security Law on the Hong Kongese and delegated its implementation to the HKSAR government. By arresting individuals and extirpating institutions at the center of Hong Kong's civil society, the PRC seeks not only to forestall future calls for democracy but to cleanse Hong Kong of democracy. The authorities have begun arresting dissidents, censoring the media, compromising the judiciary, controlling the educational system, and, perhaps most importantly, replacing the "rule of law" in Hong Kong with the "rule of men" loyal to Beijing leaders. But, as the history of the PRC and other countries has shown, loyalty is not a synonym for competence. If the PRC wins its war against democracy in Hong Kong, as it seems to be doing, it will irrevocably change the city's way of life.

Resistance with Hong Kongese characteristics

After Hong Kong was handed back to China in 1997, the Chinese Communist Party (CCP), which rules the country as a one-party dictatorship, sought to gradually erode the autonomy that Hong Kong had been granted as part of the handover agreement between Britain and the PRC. Hong Kongese activists have sought to uphold that promised autonomy through the Legislative Council (LegCo) and public protests when it proved ineffectual. There were many protests -- each a distinct event with its unique characteristics. Most notable were the demonstrations in 2003 against a proposed LegCo national security bill that would have, among other things, ended Hong Kongese right to protest, in 2012 against a proposed "patriotic" curriculum to indoctrinate Hong Kongese students, and in 2014 against proposals to reform Hong Kong's electoral system, specifically its plan to prescreen candidates running

for HKSAR chief executive and approve only those who would solemnly promise “to love the country,” that is, follow CCP directives rather than the will of the Hong Kong people. The proposals violated the spirit of the Basic Law. This mini-constitution codified the rules governing Hong Kong, which promised the people universal suffrage to elect the legislative council freely.

The 2019 protests were the apex of these demonstrations. Though they had similarities to the 2014 protest (also known as the “Umbrella Movement” for protesters' use of umbrellas to shield themselves from police tear gas), the 2019 protests were not a direct continuation of it. While both protests clamored for political reform and expressed opposition to the PRC’s interference in the HKSAR government’s policies and practices, they differed in size, scope, and strategy. The 2019 protests were more prominent, with marches and rallies that attracted millions of Hong Kong residents from a cross-section of Hong Kong society, including business community members. They encompassed the entire city, with demonstrations happening in all eighteen of its districts rather than just occupying a few critical areas of the city and its major thoroughfares. They were led by ad hoc leaders rather than a coterie of identifiable individuals, making it difficult for the authorities to arrest or negotiate with them. The absence of known leaders also made it difficult to control the demonstrations and deal with the HKSAR. The 2019 protests differed in another significant way – the PRC government’s ongoing purge of pro-democracy advocates and institutions after the demonstrations ended.

A proposed extradition bill sparked the 2019 protests. The bill was perceived as the PRC’s latest attempt to extend its authoritarian political system into Hong Kong. The demonstrations were the latest effort to counter the PRC’s creeping authoritarianism. While the protests initially focused on opposing this bill, they quickly evolved into a broader social

movement with calls for greater democracy, police accountability, and protection of civil liberties.

At the instigation of the PRC, the HKSAR government attempted to amend its criminal ordinances with an extradition bill (formally called “The Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation” Bill) in February 2019 to allow for the transfer of the alleged murderer Chan Tong-kai from Taiwan to Hong Kong and the PRC. Enactment of the extradition bill should have been a simple legal matter but became complicated for including the PRC in the amendment. In effect, it integrated Hong Kong’s legal system into the PRC’s and allowed criminals (including political dissidents) to be extradited to the PRC for trial and punishment. Hong Kongese objected because the PRC’s criminal justice system was highly suspect, with a long history of prosecuting political opponents. It would have also undermined the “one country, two systems” principle agreed upon when Britain returned Hong Kong to China in June 1997.

The crux of the matter was the Hong Kongese distrust of the PRC and its intent to govern Hong Kong before 2047. They could hardly be faulted for suspicions of the PRC’s judicial administration as a political arm of the state. The legal system was deliberately nebulous to facilitate subjective judgments against adversaries, especially those labeled “enemies of the state,” and was patently unfair, especially toward dissidents. Hong Kongese remembered that in 2015, the Chinese authorities sanctioned the extrajudicial kidnapping of five Causeway Bay booksellers and publishers from various locations, including Hong Kong, Thailand, and the PRC, for selling works critical of the PRC.¹ Among them were those who discussed sensitive topics such as corruption, human rights abuses, and the personal lives of President Xi Jinping and other Chinese leaders. These works were banned in the PRC, but that was deemed insufficient, so booksellers and publishers were abducted and detained for months without access to lawyers or contact with their families. The kidnappings sparked

worldwide outrage and were perceived as an attempt to silence dissent and suppress free speech in Hong Kong.

This was a blatant instance of the Chinese authorities violating Hong Kongese civil liberties. It proved to Hong Kongese that “PRC justice is to justice what military music is to music,” to paraphrase Georges Clemenceau. Hong Kongese knew the difference between PRC justice and real justice. The imposition of the National Security Law following the 2019 protests vindicated their earlier suspicions of the PRC’s judicial administration, though that was of cold comfort.

Hong Kongese fears were succinctly expressed in a demonstrator’s sign that said, “Extradiction [sic] to China = Extradiction [sic] to Black Hole.”² The extradition law would further erode Hong Kong’s autonomy guaranteed under the “one country, two systems” principle. Hong Kong’s independent judicial system based on the “rule of law” was in danger of being replaced by the “rule of men,” meaning the law was whatever CCP leaders decided it was. Since government officials called demonstrators enemies of the state and had unleashed what has been called a “white terror,” the people of Hong Kong had every reason to be worried about the enactment of the extradition law, which was part and parcel of a creeping authoritarianism that was encroaching upon Hong Kong.³

Resistance to the proposed extradition law began with a sit-in at government headquarters on March 15, 2019. There were only minor demonstrations against the extradition bill between March and September. However, major demonstrations were organized in response to Security Secretary John Lee Ka-chiu’s attempt to move the bill along with a second reading by Hong Kong’s Legislative Council on June 12, 2019. (Later, Lee would be appointed Hong Kong’s Chief Executive.) These demonstrations attracted millions of demonstrators and set the stage for a summer of civil unrest.⁴ They were mainly peaceful processions, though some became increasingly violent due to police brutality.

- On June 9, the Civil Human Rights Front, a pro-democracy group, organized a demonstration against the extradition bill. It attracted an estimated one million people, making it one of the largest demonstrations in Hong Kong's history at the time.
- On June 10, the Hong Kong government announced that it would proceed with the proposed extradition bill despite the massive demonstrations that had taken place the previous day. Thousands of people gathered outside the government headquarters to insist the bill be withdrawn. The demonstrators accused the government of ignoring the will of the people and continued to call for greater democracy in Hong Kong.
- On June 11, protesters in Hong Kong surrounded the LegCo building to prevent lawmakers from entering and debating the proposed extradition bill. The protesters used metal barriers and other objects to block the entrances to the building, and they called for the government to withdraw the bill. The police responded with pepper spray and batons to disperse the protesters, but they could not regain control of the area. The standoff between the protesters and the police continued throughout the day and into the night, with protesters using umbrellas and other objects to protect themselves from the police's attempts to drive them away.
- On June 12, a massive demonstration occurred in Hong Kong against the proposed extradition bill. An estimated one million people took to the streets to call for the government to withdraw the bill. Hundreds of protesters stormed the LegCo building in the early hours of June 12 before the second reading and debate began. They smashed windows, vandalized offices, and spray-painted messages on the walls. The action prevented lawmakers from entering

the building and forced the authorities to postpone the debate. A violent confrontation between protesters and police took place outside the LegCo building. The police used tear gas, rubber bullets, and batons to disperse the protesters, who responded with bricks, bottles, and other objects. The clashes continued throughout the night, with both sides using increasingly violent tactics. More than 80 people reported injuries; many who sought medical care were arrested at hospitals.⁵

- On June 13, the HKSAR government issued a statement saying it would suspend the proposed extradition bill. The announcement was seen as a significant victory for the demonstrators. However, the demonstrators demanded that the bill be withdrawn altogether. They also called for an independent inquiry into police conduct during the demonstrations and greater democracy in the city.
- On June 14, protesters in Hong Kong continued to clamor for the complete withdrawal of the proposed extradition bill. Thousands of demonstrators gathered outside the police headquarters in Wan Chai, calling for an independent inquiry into police conduct during the demonstrations and the release of those who had been arrested. They also called for the resignation of the Chief Executive of Hong Kong, Carrie Lam Yuet-ngor, who had been a proponent of the extradition bill. (Later, the United States sanctioned Lam and ten other officials for restricting freedoms and undermining Hong Kong's autonomy.)⁶
- On June 15, an estimated 2 million demonstrators took to the streets to protest the extradition bill. It was a massive demonstration, the largest in Hong Kong's history, and marked a turning point in the pro-democracy movement.

Chief Executive Carrie Lam announced that the controversial extradition bill would be suspended indefinitely. Lam's decision to suspend the bill was considered a significant concession to the demonstrators, but many continued to call for its complete withdrawal and her resignation.

- On June 16, 2019, demonstrations continued despite Chief Executive Carrie Lam's announcement that the extradition bill would be suspended indefinitely. Demonstrators gathered in several parts of the city, including outside the government headquarters and the LegCo building. Some demonstrators set up barricades and blocked vital roads, while others held peaceful sit-ins and marches.

It is important to note that the June 12th protest was a pivotal moment in the unrest in Hong Kong because of the large-scale violence that had broken out between protesters and police. Though the June 12, 2019, march and rally were legal, the police sought to thwart the protesters by arresting them indiscriminately and using tear gas to disperse them. It was reported that “Over four hours, 150 rounds of tear gas were fired into what had been a largely peaceful crowd . . . Police additionally fired 20 beanbag rounds and rubber bullets. No tear gas warnings were given.”⁷ Civil rights groups and the international community widely criticized these police tactics. The protest also received widespread international attention, leading to calls for the Hong Kong government to withdraw the extradition bill and engage in dialogue with the demonstrators.

Stephen Lo Wai-chung, appointed Hong Kong's Commissioner of Police by the PRC's State Council, declared these clashes a “riot.” (He was right; it was a riot, a police riot.) Lo was criticized for his handling of the demonstrators and later retired as Commissioner of Police. It is unclear whether Lo took it upon himself to declare the clashes between police and protesters a riot or whether he was ordered to by his superiors. What is

clear is that the declaration criminalizes peaceful dissent to deter further protests. Those deemed “rioters” could be sentenced to ten years imprisonment. The demonstrators were undeterred, taking umbrage at this mischaracterization, and insisted on a retraction.

In May 2020, the Independent Police Complaints Council reported that the police should have internal guidelines for officers on how to “differentiate rioters from non-rioters” and setting out what level of force should be used in a riot situation.⁸ In August 2020, Lo, along with ten other officials, was sanctioned by the United States Department of the Treasury for undermining Hong Kong's autonomy.

To protesters, the HKSAR government was taking a hardline approach toward them and was unwilling to consider their entreaties. Their response to the government and its police force’s actions toward the June 12th demonstrations was to expand their original aim of withdrawing the extradition bill to include four additional appeals, changing the protest into a movement for democracy. Under the slogan “Five demands, not one less,” they asked for:

1. Complete withdrawal of the extradition bill from the legislative process.
2. Retraction of the “riot” characterization of the protests.
3. Release and exoneration of arrested protesters.
4. Establishment of an independent commission of inquiry into police conduct and use of force during protests.
5. Resignation of Carrie Lam and the implementation of universal suffrage for Legislative Council elections and the election of the chief executive.

These requests received broad support from different sectors of Hong Kong society. On August 5, 2019, workers from various industries called for a general strike that lasted for several days. The strike caused widespread disruption to public transportation and other services and was seen as a significant escalation of the protest movement. This did not bode

well for the HKSAR government and, by extension, the PRC, which was always anxious about the involvement of workers in political protests.

HKSAR officials would ultimately make a concession, but it was too little, too late. Chief Executive Carrie Lam would formally withdraw the extradition bill on September 4, 2019, but was unwilling to concede to the other demands. Arguably, the 2019 protests would have been stillborn if she had withdrawn the bill earlier. Instead, she waited several months to withdraw the bill. By then, the protesters had additional claims stemming from how the police had manhandled them and abused their authority. They continued to protest even after the withdrawal of the extradition bill to force the authorities to meet their other demands. Given how the 2019 protests ended, they would have been better advised to settle simply for the withdrawal of the extradition bill.

Believing that the HKSAR government was a PRC surrogate and that Hong Kong leaders took their cues from CCP officials, some protesters began to take their anger out on PRC facilities and symbols. On July 21, protesters besieged the PRC's Central Liaison Office on Hong Kong Island. Some activists, dubbed "violent radicals," engaged in vandalism, painted graffiti on the building, threw eggs and ink on the Chinese national seal over the entrance, and used the provocative slogan "Hong Kong independence."

Some Hong Kongese condemned the defacement as vandalism and disavowed the call for an independent Hong Kong. For them, this was an aberration rather than typifying the true sentiments of the Hong Kong people. Pro-Beijing supporters condemned the protests at the liaison office, as did former Hong Kong SAR Chief Executives C. Y. Leung and Tung Chee-hwa. Leung called those responsible for throwing paint at the emblem "scum" and said they would "be severely punished by the law, and be spurned by history." Tung noted that the "national emblem was a symbol for the country and its people, and any act to deface it is an open challenge to national sovereignty and the authority of the central government." Bernard

Charnwut Chan, convenor of Hong Kong's Executive Council, HKSAR government cabinet, pointed out that these actions and the demonstrations, in general, had become a national issue that the Hong Kongese must take seriously. Indeed, the PRC's senior leadership perceived the protests as more than a local issue but "as a threat on a national level."⁹ For them, it was a sovereignty issue.

The vandals had violated a cardinal PRC taboo. Understandably, PRC officials interpreted the slogan as a call for a self-governing Hong Kong, which was treasonous. From their perspective, it confirmed their suspicion that the protest over the extradition law was really about attaining independence for Hong Kong. To repress this call for independence, PRC officials and pro-Beijing supporters in Hong Kong were willing to take the law into their own hands. They employed triads – allegedly the 14K, Wo Shing Wo, and the Shui Fong triads -- to do their dirty work.

On the evening of July 21, 2019, an estimated 100 triad thugs wearing white T-shirts wielding bamboo poles and metal batons indiscriminately attacked black-clad demonstrators returning from a massive Civil Human Rights Front rally against the extradition bill, train passengers, innocent bystanders, journalists, and the Democratic Party lawmaker Lam Cheuk-ting. Lam tried unsuccessfully to stop the attacks on the people at the Yuen Long Mass Transit Railway station. At least forty-five individuals were hurt and treated at the hospital, including Lam, who received stitches to his injured mouth.

It was widely believed that even before the siege of the liaison office, PRC officials, in collaboration with pro-Beijing supporters, had conspired to attack protesters and civilians at the Yuen Long MTR station on the evening of July 21st, where a public protest was to be held. It was also believed that the police knew of the planned attack beforehand and decided to allow it to happen, leading to accusations of collusion. It is said that relatives of police

warned Yuen Long residents not to wear black shirts, the color associated with the protest movement, on the day of the assault. Lam Cheuk-ting thought that “there was enough proof to suggest that law enforcers in Yuen Long had neglected their duty and deliberately allowed the attackers to go on a rampage.”¹⁰ In a joint statement, 24 pro-democracy lawmakers denounced the police as “colluding” with Triads and “condoning” the assault. An Independent Police Complaint Council (IPCC) study of how the police handled the “social unrest” in the summer of 2019, however, concluded that while the police failed to respond quickly and to arrest the perpetrators the night of the incident, there was no collusion between them and the perpetrators.¹¹

Hong Kongese became alienated from the Hong Kong police force, once considered a model in Asia and a bulwark of the rule of law. A survey conducted between November 30 and December 2, 2019, found that 73 percent of the Hong Kongese surveyed lost trust in the police.¹² It was widely believed that the police had engaged in lawless behavior, coordinated with violent counter-demonstrators to suppress the demonstrations, and colluded with criminals to intimidate demonstrators. More pointedly, they distrusted the police because it had used disproportionate force against demonstrators exercising their right to free assembly and speech.¹³ But the IPCC mentioned above report attributed the loss of trust to a “consistent and continuing message of hatred against the police,” calling for a better communication strategy to “restore and rebuild public trust.” The report considered it a public relations problem rather than the behavior of the police itself. Not incidentally, Amnesty International Hong Kong labeled the report “misleading,” saying that it made “no attempt to establish accountability for the gross police misconduct seen on the streets since last summer” and demonstrated “the Hong Kong government’s effective refusal to address the widespread and systemic human rights violations that have taken place during protests since last June.”¹⁴ The Hong Kongese became convinced that governmental accountability was needed. The rub was

expecting it from an increasingly ineffectual and morally bankrupt HKSAR government headed by a chief executive appointed by the PRC government and whose only purpose seemed to be to do its bidding. Accountability would only come with the democratic government that had been promised them.

The Yuen Long Incident was widely considered a watershed in the 2019 Protest Movement. The incident was considered by many to be an act of government-sponsored lawlessness and even terrorism. The police, however, accused the protesters of engaging in terrorism.¹⁵ If the Yuen Long attack was intended to deter further protests, it had backfired. Instead of intimidating protesters, the Yuan Long Incident sparked outrage and condemnation, alienating the average Hong Kongese from the authorities and encouraging some of them to retaliate with “retributive violence.” Protesters, especially hard-liners, consider it morally justified in the face of the HKSAR government’s failure to hold the thugs and police accountable. The IPCC report argued that, on the contrary, the police’s use of force was in reaction to the violence of protesters who had caused the destruction of public and private property. Though it appeared to some as a chicken-and-egg situation, for the majority of Hong Kongese, it was the police force that started the cycle of violence.

The Hong Kongese public’s willingness to uphold the principle of nonviolence was waning. A Chinese University of Hong Kong survey “found that the proportion of people who believe that protesters should uphold the principle of nonviolence had fallen to 70 percent in early September from 83 percent the month before. More than half of the respondents said that they could understand the use of extreme tactics by protesters when the government was seen as having failed to respond to public demands.”¹⁶

The Yuen Long Incident notwithstanding, about a month later, demonstrators launched the peaceful “Hong Kong Way” campaign. On August 19, 2019, the idea for the

campaign was posted on the LIHKG forum, which had become one of the leading online websites for discussing how to conduct the 2019 protests. The campaign's objectives were to call attention to police violence, oppose the extradition law, and seek international support for the protests. It was held on August 23, on the 30th Anniversary of the Baltic Way, which inspired it. On August 23, 1989, two million people from the Baltic states formed a human chain linking the capitals of Estonia, Latvia, and Lithuania to call for independence from the Soviet Union.

Although they feared reprisals from the police and risked losing their jobs, an estimated 200,000 Hong Kongese formed three human chains across Hong Kong Island, Kowloon, and the New Territories that evening. At 9:00 pm, they collectively covered their right eye to honor a fellow protester who had lost an eye to a bean bag round fired by the police. Another group of activists scaled Lion Rock, lighting their way with torches. Upon reaching the top, they lit up the hilltop and sang “Glorious Years,” a song about Nelson Mandela’s struggle against South African Apartheid.¹⁷ Lion Rock has come to symbolize the spirit of the Hong Kong people and their attributes of perseverance and solidarity. Hong Kongese believed this spirit and these attributes would enable them to attain the universal suffrage that the Chinese had promised them.

Together, the “Hong Kong Way” constituted a 31-mile human chain stretching from Victoria Harbor across the top of Lion Rock, a dramatic display of community support for the democracy movement. It was a peaceful protest. Even without the required permission from the authorities to hold the event, the police stayed out of the way, exercising the sort of restraint that they should have displayed earlier.

For protesters, the “Hong Kong Way” proved to be a peaceful interlude in what became an increasingly violent protest as they met police violence with violence, hurling

bricks and gasoline bombs at them. It became a vicious cycle, with protesters using more and more aggressive tactics to compel the government to concede to their demands and the government citing these tactics to justify increased repression. As the number of allegations against police abuse of power increased, violence escalated as events spiraled out of control.

For the PRC government, the “Hong Kong Way” symbolized something sinister. Government authorities perceived it as challenging the PRC’s sovereignty over Hong Kong and advocating for a separate Hong Kong, which was unacceptable. The fact that the “Hong Kong Way” was inspired by the Baltic Way had ominous implications for the PRC leaders since it had led to the collapse of the Soviet Union and had given rise to the Color Revolutions that had swept Europe 30 years earlier. Even before the “Hong Kong Way” event, Hu Xijin, *Global Times* editor-in-chief, in mid-June characterized the demonstrations as a “Color Revolution.”¹⁸ Zhang Xiaoming, Director of the State Council’s Hong Kong and Macau Affairs Office (HKMAO), also saw signs of a “Color Revolution” and feared that Hong Kong might become a base for a similar revolution in the PRC.¹⁹ The HKMAO accused the Civil Human Rights Front, which had organized some of the mass demonstrations of colluding with foreign forces to stage a “Color Revolution.”²⁰ Thus far, there is no evidence to substantiate this accusation.

Given such an understanding, it is little wonder PRC leaders were adamantly opposed to demonstrators’ demands. They believed that the Color Revolutions were sponsored by Western nations, most notably the United States, with its recent history of engaging in regime change and promoting American-style democracy, rather than the result of internal calls for democracy. They were convinced that American diplomatic agents, the so-called “Black hand,” were responsible for the outbreak of demonstrations. Wu Xinbo, Center for American Studies at Fudan University, said they believed the United States was the “mastermind”

behind the protests.²¹ It was an assertion that resonated with the Chinese in the mainland, whose history was replete with instances of foreign interference in their internal affairs, and it appealed to their nationalistic sentiments. For that reason, the authorities would make collusion with foreign forces a crime.²²

Among the PRC leaders who opposed the 2019 protests, the most important was, of course, Xi Jinping, who had risen to political power in 2012, when he became the General Secretary of the Communist Party of China, and in 2013, when he became the President of the People's Republic of China. As the country's new leader, his professed aim was to realize his “Chinese Dream” or Zhongguo Meng (中国梦). His “dream” was to attain the great rejuvenation of the Chinese nation and to improve the standard of living of the Chinese people. Supporters believe it is an aspirational vision for national development and progress. Critics consider it merely a political slogan to consolidate power or promote specific policies.

Unlike his predecessors (Deng Xiaoping, Jiang Zemin, Hu Jintao), who had a more restrained policy toward Hong Kong, Xi has an aggressive attitude towards it. His predecessors emphasized the “two systems” part of the “one country, two systems” principle and wanted Hong Kong to set an example for peaceful reunification with Taiwan. Xi emphasized the “one country” part, invoking nationalism and calling for unity “to convey the message that he would get tough on his enemies, both inside and outside China” and vowed, “to crush any attempt to divide China.”²³ In spring 2017, he carried out his pledge by imprisoning an estimated one million Uyghurs and members of other minorities in “re-education centers,” a euphemism for concentration camps. Later, on July 1, 2017, after inaugurating the newly appointed Carrie Lam Che Yuet-ngor as Hong Kong’s Chief Executive, Xi delivered a stern speech directed at those in Hong Kong who dared to challenge the PRC’s (and his) supreme power over the city. He said, “Any attempt to

endanger China's sovereignty and security, challenge the power of the central government and the authority of the Basic Law of the HKSAR, or use Hong Kong to carry out infiltration and sabotage activities against the mainland is an act that crosses the red line, and is absolutely impermissible."²⁴ Clearly, there was "a new sheriff in town" determined to pacify Hong Kong's would-be rebels.

Given Xi's attitude toward anything that smacked of separatism, it is hardly surprising that the HKSAR authorities responded the way they did to the 2019 protests, especially as they began to spread throughout the city. Besides sit-ins and marches, Hong Kongese showed their support by participating in various strikes – work stoppages, school walkouts, and business boycotts. In an homage to a hometown martial arts hero, protesters adopted Bruce Lee's philosophy of "Be formless. Shapeless like water." They avoided the 2014 Umbrella Movement mistake of engaging in a massive sit-in, allowing the authorities to wait them out, but employed a tactic that emphasized fluidity. There was no command and control center for the authorities to assault and no internal disputes among activists over strategy and tactics. The protesters used social media platforms like Facebook, Twitter, and Telegram to organize and coordinate their actions. They disseminated information about pro-democracy activities in different places and police movements, dispersing when the police arrived to arrest them. Updates in real-time allowed them to respond quickly to changing circumstances. The new "Be like water" tactic dumbfounded an already angry police force increasingly unable to cope with demonstrators.

However, this fluid movement tactic changed to static defense when protesters tried to protect Hong Kong universities from invading police. The defense of Hong Kong's universities was precipitated by the death of Chow Tsz-lok, a 22-year-old student at the Hong Kong University of Science and Technology who had fallen from the third story of a car park

near an area of protester and police confrontation. While the cause of his death was never determined, protesters accused the police of delaying paramedics from treating him and insisted that the HKSAR authorities conduct an independent investigation. The failure to do so exacerbated the conflict between protesters and the police.

Protesters called for a general strike on November 11, 2019. Students from various Hong Kong universities supported it. Those from the Chinese University of Hong Kong (CUHK) and Hong Kong Polytechnic University (PolyU) did so by disrupting traffic and blocking crucial thoroughfares such as the Tolo Highway and the Cross-Harbor Tunnel, a vital transportation artery near the universities. Police attempted to remove these impediments, firing tear gas and water cannons, and students tried to defend them, throwing bricks and Molotov cocktails (incendiary devices). Calling CUHK a “weapons factory” and claiming the Public Order Ordinance allowed them to enter the campus to arrest those who occupied it. For the police, it was an opportunity to contain the demonstrations by seizing control of Hong Kong’s university campuses from whence many protesters came. From November 11-15, 2019, using what the media dubbed “medieval weapons,” such as bows and arrows, javelins, other sports equipment, and a makeshift catapult, CUHK students held the police back for four days. Many escaped the CUHK campus, with some joining PolyU students who were also trying to prevent the police from entering their campus. From November 17-29, 2019, the PolyU students dug in, fought back, and held off the police for twelve days. Towards the end, some of the PolyU students tried to slip through the police cordon, including daring escapes through the sewer system that was reminiscent of the Jewish fighters escaping the Nazis during the Warsaw Ghetto Uprising in 1943.

In retrospect, the defense of the universities was a mistake because it allowed the police to lay siege to the campuses, surrounding and isolating the protesters and eventually overcoming them. The cost to the students was high. At CUHK, over 119 were injured and

about five were arrested; at PolyU, an estimated 300 were injured and 1,300 arrested. Some students were charged with rioting, which had a harsh penalty. History will undoubtedly remember the defenders of the campuses for their bravery and resourcefulness against the police.

The demonstrations, large and small, might have continued if not for the 2019 COVID pandemic halting all public activities in Hong Kong. It is conceivable, though doubtful, that further demonstrations would have eventually compelled HKSAR authorities to concede to the rest of their requests. On the other hand, the PRC and HKSAR authorities might have resorted to using lethal force to end these protests as they did during the 1989 Tiananmen Massacre. Fortunately, the PLA never intervened to quell the protests. If they had done so, it might have resulted in a blood bath in Hong Kong greater than in Beijing.

The HKSAR authorities concluded, “What’s happening in Hong Kong is not peaceful protests anymore. It is a small group of violent radicals targeting ordinary citizens and disrupting the normal operation of Hong Kong society.”²⁵ They were determined to restore order to Hong Kong at any cost.

Repression with Chinese characteristics

HKSAR authorities took advantage of the lull caused by the COVID-19 pandemic to not only put a stop to the demonstrations but to change the city’s civic culture and the people’s commitment to the liberal values that were the basis of their Hong Kongese identity. They employed the authoritarian approach of eliminating people, institutions, and ideas associated with liberal democracy. By doing so, they would, once and for all, rid the Hong Kongese of their aspiration of expanding their limited democracy into a full-fledged democracy under the “one country, two systems” principle.

The authorities began with a comprehensive purge of those who had participated in the protests, especially those deemed separatists or potential separatists. They justified the

suppression of dissidents as simply a matter of upholding the law and restoring order. Furthermore, the authorities began to extend their influence (and, by extension, that of the Chinese Communist Party) over those institutions that were considered the source of the protests to pre-empt the type of protests that have rocked the city since its 1997 handover to the PRC. This assault on Hong Kong's democracy involved curtailing the people's civil liberties by restricting their freedom of expression, assembly, and association and ending any hope of holding the government accountable through free and fair elections.

The PRC bypassed the HKSAR government and had the Standing Committee of the National People's Congress pass a draconian National Security Law (NSL) on June 30, 2020, purportedly to safeguard Hong Kong's security. It ordered the HKSAR government to implement it on July 1, 2020. The HKSAR government had initially tried to enact a similar National Security Law in 2003 but was forced to withdraw it when hundreds of thousands of Hong Kongese took to the streets to demonstrate against it, arguing that it would undermine the city's legal system, imperiling its judicial independence. The later implementation of the 2020 NSL would prove these early predictions correct – it would erode the people's civil liberties and undermine their city's autonomy. According to the analysis of Georgetown Law School scholars Lydia Wong and Thomas E. Kellogg:

The aggressive implementation of the law thus far has made clear that the central government seeks to do more than just warn Hong Kong's pro-democracy movement against a repeat of the 2019 protest movement. Instead, we believe that the aggressive implementation of the law – along with other moves taken by Beijing over the past several months – constitute nothing less than an effort to reshape Hong Kong's liberal political order, in ways that suit Beijing's interests and preferences, with potentially significant consequences for openness and the protection of basic liberties in Hong Kong.²⁶

In their judgment, “The national security law constitutes one of the greatest threats to human rights and the rule of law in Hong Kong since the 1997 handover.”²⁷ Mike Pompeo, U.S. Secretary of State, called it simply “a tool of CCP repression.”²⁸ The NSL was turning Hong Kong into a police state. Most Hong Kongese implicitly agreed. In a Hong Kong Public Opinion Research Institute poll, 61 percent said that Hong Kong was no longer a “free city.”²⁹

The NSL was a perversion of Hong Kong’s “rule of law” principle, which promulgated laws that were equally enforced, independently adjudicated, and adhered to universal human rights. Instead, it followed the “rule by law” principle that reflects China’s Legalist tradition and, more importantly, Xi Jinping’s thinking. “Rule by law” or “yifa zhiguo” (依法治国) means “governing the country according to the law,” a form of authoritarian governance by CCP officials who followed standardized procedures. In practice, it means Xi and CCP officials make and implement the laws, presumably to pursue patriotic goals. They sit above any legal code and even the country’s constitution, exercising power without fear of being restrained by any court. As far as Xi is concerned, judicial independence and the separation of powers are Western ideas inappropriate to the Chinese. Most Hong Kongese and Taiwanese would beg to disagree.

The rule of law is key to Hong Kong’s unique identity, central to preserving its autonomy, and the foundation of its civil society, which had become increasingly active and vocal in advocating for democratic reforms in the city and promoting social justice. With well-defined laws (based on English common law inherited from British colonial rule), the “rule of law” curbs the arbitrary exercise of political power. The NSL is the exact opposite. If anything, the NSL is overly broad and intentionally vague to justify the use of the law for political ends and to sow fear among the people. It criminalizes protests, undermines Hong

Kongese's right to free speech and assembly, which are their main means for peaceful dissent. In short, it uses “lawfare” to silence dissent, especially among young Hong Kongese.³⁰

In one sudden and swift stroke, the NSL sounded the death knell of Hong Kong’s quest for greater autonomy and democracy.³¹ The NSL was ostensibly to prohibit acts of treason, secession, sedition, subversion, and colluding with foreign forces, with penalties up to life imprisonment. Its real intent was to provide the legal justification for subverting Hong Kong’s acclaimed legal system for political purposes, namely the prosecution and punishment of protesters and the elimination of democratic institutions. As the pro-democracy activist Jimmy Lai Chee-ying observed, enacting the NSL would “destroy [Hong Kong’s] rule of law,” which was not just central to the protection of individual human rights but a paramount part of Hong Kongese identity.³² That indeed seems to be the purpose – to change the Hong Kongese into ordinary Chinese citizens.

With the enactment of the National Security Law, HKSAR officials sought to end internal dissent.³³ And presumably, an end to dissent would provide “a stable and peaceful environment, which was an ‘essential precondition’ for business to thrive and tourists and residents to enjoy Hong Kong,” according to Chief Executive Lam.³⁴ Under the NSL, the authorities have launched a purge of those deemed opponents to the PRC and HKSAR governments. Since its passage, the authorities have initiated numerous national security investigations to eliminate known protesters and deter would-be dissenters. HKSAR authorities have carried out the new NSL retroactively to extirpate pro-democracy followers, separatists, and anyone else they deemed enemies of the state.³⁵ This included those who had engaged in peaceful and non-violent demonstrations, accusing them of inciting secession and conspiring with foreign forces. By 2022, the 25th anniversary of the handover of Hong Kong from the United Kingdom to the PRC based on the principle of “one country, two systems,”

the authorities had arrested 236 people, and pressed charges against 145 and five companies.³⁶ The conviction rate has been 100 percent.

The first National Security Law case was the trial of Tong Ying-kit for allegedly engaging in terrorism and inciting secession. Within hours after the NSL went into effect, Tong was arrested for driving his motorcycle, flying a banner emblazoned with the slogan, “Liberate Hong Kong, Revolution of Our Times,” and for colliding with police officers who tried to stop him, injuring three of them. As the first NSL trial, it was an important indicator of how Hong Kong’s highly acclaimed judicial system would interpret the new security law and how it would deal with subsequent national security cases. The trial and the verdict did not bode well for future cases or Hong Kong’s “rule of law” principle. Indeed, it was the start of the “rule of men,” specifically Chinese Communist Party men and their Hong Kong hirelings, and the criminalization of what was previously the right to free speech, assembly, and association. Moreover, it showed it intended to extirpate threats to the CCP’s power to govern the PRC.

Tong Ying-kit was a young ramen noodle cook in a Japanese restaurant who had participated in the 2019 protests and helped people provide first aid during the increasingly violent demonstrations. The 15-day trial focused on Tong’s intentions in displaying the banner and injuring the police officers. The prosecutors representing the HKSAR government argued that in displaying the ubiquitous slogan, “Liberate Hong Kong, Revolution of Our Times,” Tong was advocating Hong Kong secede from China, which was against the law, and driving into the police officers was a deliberate act to achieve this goal and as such was an act of terrorism. They called on Lau Chi-pang, a history professor at Hong Kong’s Lingnan University, to interpret the phrase. Lau argued that the enduring meaning of the Chinese characters for “liberate” and “revolution” was clear – a call for “acts of violence to end China’s control of Hong Kong.”³⁷

Tong's defense attorneys argued that the slogan, coined in 2016 by pro-independence activist Edward Leung, was nothing more than the mantra of the 2019 protests chanted by thousands during the demonstrations and painted on walls throughout the city. Witnesses argued that the "phrase did not have a single, specific meaning, but instead expressed a broad desire for fundamental change." In the final analysis, it was a call "to reclaim Hong Kong's unique identity from the heavy-handed influence of Beijing."³⁸ As such, it was to maintain the "two systems" part of the "one country, two systems" principle, which was the original reason for the 2019 protests. While Tong had indeed collided with the police officers, it was an accident that he tried to avoid by swerving and applying his brakes. The senior defense attorney, Clive Grossman, pointed out, "A person who sets out to commit the act of terrorism by driving into people does not put his foot on the brake."³⁹ The crime amounted to no more than dangerous driving rather than an act of terrorism.

Chief Executive Lam compromised Hong Kong's judicial system's independence when she designated three High Court judges to adjudicate the case.⁴⁰ The judges agreed with the prosecutors and found Tong guilty of committing an act of terrorism and inciting secession, sentencing him to nine years in prison, a punishment intended to deter others from engaging in dissent. Others would be arrested for speech-related offenses.

In retrospect, it appears that the outcome of Tong Ying-kit's trial was a foregone conclusion. While his "day in court" was neither a show trial nor a kangaroo court, it was still an irregular proceeding since it denied him bail, imprisoned him for months, and deprived him of a jury trial, substituting a bench trial. At best, under the National Security Law, Hong Kong's legal system dispensed with the usual legal protections afforded defendants in the courts. At worst, Hong Kong's legal system, once known for fairness and independence, was now rigged against even ordinary dissenters like Tong Ying-kit who were perceived as a national security threat, that is, a threat to the authority of the Chinese Communist Party,

Tong's harsh sentence was to deter other Hong Kongese from participating in protests and to silence those harboring pro-democracy sentiments. In effect, the authorities employing the traditional Chinese practice of "killing a chicken to scare the monkeys." Besides ordinary Hong Kongese, the HKSAR authorities went after prominent participants in the 2019 protests as well as past protests, and pro-democracy activists and groups. The authorities carried out a "dragnet . . . around the entirety of the city's opposition."⁴¹

According to the National Security Department, which is within the HK Police Force but operates under the guidance of and in coordination with PRC authorities, 260 people have been arrested, 161 people and five companies have been charged with crimes.⁴² It included the old, like the long-time political activist Martin Lee, an 82-year-old barrister who helped launch Hong Kong's main opposition party in the 1990s, and Lee Cheuk-yan, 64, who backed the 1989 Tiananmen Square protests and helped organize a yearly vigil for it in the city, and the young, like Joshua Wong, Agnes Chow, and Ivan Lam, all of whom are in their twenties, for organizing and taking part in so-called unauthorized protest.⁴³ In less than a year, most of the known opponents to the HKSAR and PRC governments were either imprisoned or in exile. Their imprisonment would prevent them from advocating for democratic reforms and deny them their right to express themselves freely.

Rather than be imprisoned, some opponents have decided to go into self-imposed exile. Nathan Law Kwun-chung, co-founder of the Demosisto Party, is the most well-known of them. Law chose to continue to advocate for democracy in Hong Kong but from Britain.⁴⁴ He has become the *bête noire* of the HKSAR government authorities. Secretary for Security Chris Tang Ping-keung considers Law a "modern-day traitor" and dares him return to Hong Kong to stand trial.⁴⁵ Meanwhile, the authorities have harassed his friends and relatives.⁴⁶

Law, along with activists Anna Kwok and Finn Lau; two former lawmakers, Dennis Kwok and Ted Hui; a lawyer, Kevin Yam; a union leader, Mung Siu-tat, and the businessman

and YouTuber Elmer Yuen, believe it is their responsibility to tell the story of Hong Kong since the “On-the-ground movements in Hong Kong disappearing or silenced.”⁴⁷ For them, “Hong Kong is not just about human rights abuses, Hong Kong is also about authoritarian expansion waged by the Chinese government.”⁴⁸ The eight exiled activists have been sufficiently effective that the HKSAR authorities have placed an unprecedented bounty of HK \$1 million (US \$127,730) on each of them.⁴⁹ The authorities accuse them of engaging in foreign collusion and inciting secession, explicitly calling for international sanctions against Hong Kong. Chief Executive John Lee Ka-chiu described them as “rats” who should surrender or “live in fear” forever and that the HKSAR government intended to “exhaust all means” to pursue them.⁵⁰ This includes investigating and intimidating their families and friends.⁵¹

Besides them, dozens of other Hong Kongese are on the police national security “wanted” list for violating the NSL, including those involved in crowdfunding drives.⁵² The authorities would like nothing better than to extradite them from the countries where they have fled to Hong Kong to face criminal charges. And they consider countries that fail to deport them as “condoning secession, subversion and other crimes against the state carried out by bad actors overseas.”⁵³ However, they realize that extradition is highly unlikely since the law enforcement agencies in the countries that have offered refuge consider them dissidents rather than criminals. Besides, Australia, the United States, and Britain have suspended extradition treaties with Hong Kong after the imposition of the National Security Law, making it impossible to extradite them. So, the warrants are intended to isolate and intimidate them rather than in their actual arrest and the bounties to elicit information that would be used in their prosecution should they ever be arrested.

Others overseas, individuals and organizations, engaged in such activities as “Issuing or supporting political statements critical of Hong Kong or mainland Chinese authorities

could be viewed as crimes under the national security law and lead to prosecution in the city.”⁵⁴ They, too, could be extradited to Hong Kong. The US State Department considers the “extraterritorial application of the national security law (as) a “dangerous precedent” that threatened the human rights and fundamental freedoms of people globally.”⁵⁵

Being in exile abroad may be the only way former protesters and pro-democracy activists can advocate for the city’s freedom since HKSAR authorities have clamped down on freedom of expression. Xi Jinping sought to control the Hong Kong media as he did the PRC media. His control of the media is a distinctive feature of PRC society, while unfettered media is a hallmark of Hong Kong society. That is why the PRC media ignored the 2019 protests, presumably because Xi and other government leaders considered them contagious and feared they might precipitate protests on the mainland. Such control placed reporters working for state-run newspapers and television stations under an insoluble contradiction. On the one hand, as professionals, they are obligated to write analytical stories based on accurate facts and to do so objectively. On the other hand, as Chinese citizens, they should write “patriotic” stories that reflect a love of the motherland and the CCP. The problem arises when these two requirements come into conflict. Those who fail to meet these conflicting criteria are punished. Indeed, the PRC government has arrested more journalists than any other country. So, it is hardly surprising that the HKSAR government went after Hong Kong’s media.

The HKSAR authorities began their campaign against the media with the headlining arrest of Jimmy Lai. On August 10, 2020, they arrested Jimmy Lai, a media tycoon, and closed his pro-democracy newspaper, *Apple Daily*, which had as its slogan, “An apple a day keeps the liars away.”⁵⁶ Lai was initially the most prominent person to be charged under the NSL, which carries a maximum penalty of life in prison. He has been charged with multiple offenses, such as his role in peaceful pro-democracy protests and for colluding with foreign

forces, and his financial assets (US \$64 million) frozen.⁵⁷ He is currently serving 14 months in prison for participating in unlawful assemblies during the 2019 protests.⁵⁸

Lai became a political activist, specifically of an anti-communist persuasion, because of the student-led pro-democracy movement in the spring 1989 and the tragic June 4th Tiananmen Massacre that quashed it. After that, he became a strong advocate for freedom and democracy in the PRC and Hong Kong. In 2003, he rejected the proposed Article 23 amendment to the Basic Law requiring the HKSAR government to enact national security legislation such as the one that the PRC imposed on Hong Kong in June 2020. In 2014, it was said that Lai played a major role in the protests of proposed electoral reform. Indeed, he was alleged to be the “behind-the-scenes mastermind orchestrating the demonstrations,” providing practical advice to its leaders: legal scholar Benny Tai Yiu-ting, Reverend Chu Yiu-ming, and sociologist Chan Kin-man.⁵⁹ In addition, Lai was alleged to have donated USD \$5.2 million to Hong Kong’s pan-democrats.

Lai was also heavily involved in the 2019 protests, and attracted the PRC’s ire by going to Washington, D.C., to solicit support for the protests from American political figures such as Vice-President Mike Pence and Secretary of State Mike Pompeo. He was accused of being manipulated by the US to further American interests. Lai’s involvement with the 2019 protests has been characterized as part of a broader conspiracy. The Central Political and Legal Affairs Commission, PRC’s top law enforcement body, accused him, along with Martin Lee Chu-ming, Democratic Party founding chairman, Albert Ho Chun-yan, fellow party chairman, and Anson Chan Fang On-sang, who became a *vocal* advocate for democratic reform in Hong Kong after retiring as the city’s number two official in 2001, of colluding with Britain and the US and inciting young people to disrupt Hong Kong. Xinhua, the PRC’s official state-run news agency, “accused Lai of being the “chief strategist” behind

the social unrest, and of funding pro-independence forces and asking external elements to meddle in the city's affairs.”⁶⁰

Lai's main means of challenging the HKSAR and PRC governments was the *Apple Daily*, which they, in turn, branded as subversive. In its inaugural issue on June 20, 1995, *Apple Daily* declared it was a newspaper for Hong Kong people.⁶¹ In a 1995 interview, Lai said: “As a newspaper, all we have to do is to love the freedom we have been enjoying. We don't need to hate those who oppose those values. All we need is to love what we love most, which is freedom of speech and freedom of the press.”⁶² But, as some journalists noted, “it would be the very act of defining Hong Kong people as everything the mainland was not that would prove to be part of its undoing in later years.”⁶³ The *Apple Daily* practiced advocacy journalism, supporting the 2014 Umbrella Movement and the 2019 Protest Movement. To its supporters, it was a defender of freedom, its opponents, a threat to PRC sovereignty. When the *Apple Daily* closed, it sold a million copies of its last issue, a telling indication of support for the newspaper and what it had stood for among the people of Hong Kong.⁶⁴

In addition to such notable figures as Jimmy Lai, the HKSAR authorities have gone after the average journalist, subjecting them to harassment and intimidation. According to a Foreign Correspondents' Club 2023 press freedom survey, “Press freedom and other rights in Hong Kong have quickly decayed since the National Security Law came into effect in 2020.”⁶⁵ According to Reporters Without Borders ranking, Hong Kong's press freedom fell 68 places to 148th among 180 locations.⁶⁶ Journalists have been subjected to physical and digital surveillance, and their sources have been reluctant to talk to them. As a matter of caution, many have engaged in self-censorship. Since 2021, the number of those doing so has gone up from 56 to 65 percent. Clearly, the HKSAR government has been successful in curtailing press freedom in Hong Kong and is on its way to transforming the media into a state-run entity.

Besides individuals, HKSAR authorities went after organizations such as civil society groups and educational institutions that they believed promoted or supported dissent. The most significant example of the former was the Civil Human Rights Front (CHRF), which was responsible for some of the largest protests in the city's history. Indeed, the CHRF was considered the only organization with the capacity to engage in large-scale mobilization. As noted above, it organized the June 9 and June 16 demonstrations attended by an estimated one and two million people, respectively. The CHRF was founded in 2002, composed of human rights and pro-democracy groups and emphasized the importance of holding "peaceful, rational and non-violent" protests.⁶⁷ At its height, it had 40 member groups. With the enactment of the NSL, its membership had dwindled to just ten groups, including the Hong Kong Alliance in Support of Patriotic Democratic Movements of China, the organizer of the city's annual June 4 candlelight vigil marking the 1989 Tiananmen Square Massacre.

Even though the CHRF had disbanded, it was being scrutinized over its finances and its role in the joint declaration to the United Nations calling for an international investigation into police brutality during the 2019 protests. The CHRF was accused of committing several crimes:

Many of the illegal assemblies and violent confrontations that took place since the city's handover to Chinese rule were actually incited, planned or organised by the front . . . It has colluded with foreign forces, challenged the red line of the 'one country, two systems' principle and the city's constitutional order and severely poisoned the social atmosphere, which has pushed the city towards the abyss.⁶⁸

The CHRF took exception to this charge since the Basic Law guaranteed the freedom of assembly. They were only "illegal" in retrospect. As Joshua Rosenzweig, head of Amnesty International's China team, observed, the CHRF had been organizing "often in close

collaboration with the police, large-scale peaceful rallies in Hong Kong for 20 years without being accused of breaking any law.”⁶⁹ When the CHRF dissolved itself, it did not hesitate to express its gratitude to the people who had supported them during the 2003, 2014, and 2019 protests, saying, “Our calls resonated across the entire city. We let the world see Hong Kong, let the light shine in the darkness, and let democracy and freedom take root in people’s hearts.” However, its concluding comment, “Although the front no longer exists today . . . different organisations will continue to uphold their beliefs and support civil society” proved to be unfounded given that its disbandment set in motion a “domino effect” leading to the rapid dissolution of civil society organizations.⁷⁰ Along with the disappearance of these organizations went the people’s freedom of association, expression, and assembly.

High on their list for investigation of NSL violations were educational institutions, which were deemed sources of pro-democracy ideas and student protesters. Predictably, the authorities tried to end the spread of these ideas by banning books, ordering secondary and primary schools to remove illegal publications, that is, books that might violate the NSL.⁷¹ Then, they went after the teachers who encouraged their students to protest. Chief Executive Carrie Lam accused the 95,000-member Hong Kong Professional Teachers Union of “hijacking the education sector and sowing ‘anti-government’ and ‘anti-Beijing’ sentiment among students.”⁷² The Professional Teachers Union (PTU) was described as a “malignant tumor” that needed to be excised because of its political activism. During the 2014 Umbrella Movement, the PTU had called for a strike after the police fired tear gas to disperse student demonstrators for the first time on September 28 that year. During the 2019 protests, it encouraged teachers and students to skip classes following clashes between police and protesters, who had taken to the streets over the extradition bill. The PTU took conciliatory steps to appease its critics, which included the creation of a task force to raise awareness of Chinese history and culture and the elimination of all teaching materials from its website that

were considered political. Ultimately, under pressure, the PTU decided to disband to avoid being investigated for violating the NSL.

Besides the secondary and primary schools, HKSAR officials sought to shape higher education in Hong Kong to conform to PRC requirements. In the process, they encroached on universities academic freedom and undermined students' critical thinking skills. Hong Kong's eight publicly funded universities were required to introduce national security courses. Baptist, Lingnan, and Polytechnic universities required their undergraduates to study the Beijing-imposed NSL as a prerequisite for graduation.⁷³ Sensitive topics such as Hong Kong independence were no longer to be discussed.⁷⁴ Ugly chapters of PRC history are in the process of being erased, beginning with public remembrances. Hong Kong University officials removed the "Pillar of Shame" memorializing the Tiananmen Massacre from campus. Activists view its removal as "an egregious example of an official campaign to make Hong Kong more like mainland China, in the process stripping the city of its freedoms and identity."⁷⁵ Officials have banned the annual Tiananmen vigil and closed a museum documenting the crackdown. If the HKSAR government's effort to reform the Chinese University of Hong Kong is any indication, the authorities seek to control them by investigating their governance boards, reducing their size, and limiting the influence of university staff. They seek to dominate them by placing external appointees on their governance boards.⁷⁶

Ultimately, HKSAR officials want to turn Hong Kong's Generation Z into China's Generation N, a cohort of patriotic young people who can be counted on to avoid political protests, though they might engage in the many non-political protests to redress grievances that the Chinese people have against their government. These young nationalists support the "great rejuvenation of the Chinese nation," a political slogan like former President Donald Trump's "Make America Great Again."⁷⁷ It is highly unlikely that Hong Kong's Generation

Z will somehow be transformed into the PRC's Generation N, given their widespread participation in the 2019 protests. The officials' best hope may be to nurture a Chinese identity in the next generation, which the reform of the city's schools and curriculum is designed to do. But as the previously mentioned survey data indicates, to accomplish this depends on whether the Hong Kongese will trust the government and its leaders and will be satisfied with their lives, which is doubtful.

The HKSAR authorities have won the struggle against dissidents through their campaign of intimidation -- instilling in them the fear of prosecution. Many of Hong Kong's pro-democracy advocates have fled and its fledgling civil society is disappearing. Hong Kong may become a city devoid of dissenters but filled with Chinese loyalists. As one pundit noted, "China wants to keep Hong Kong. They just want to get rid of Hong Kongers."⁷⁸ The authorities should be wary of what they wish for. Hong Kong has experienced a wave of emigration and a reduction of its labor force by over five percent.⁷⁹ A Chinese University's Hong Kong Institute of Asia-Pacific Studies survey found that, if possible, nearly 60 percent of Hong Kongese youth (those between 15 and 30) would emigrate because of pessimism about the city's future.⁸⁰ A 2021 Youth I.D.E.A.S study, "Tackling Hong Kong's Brain Drain," found that 24.2 percent of the city's university-educated under 35 years of age were planning on leaving to work elsewhere, with social and political instability being one of the primary reasons.⁸¹

A case in point is those who have immigrated to the United Kingdom in the wake of the imposition of the NSL. When the United Kingdom launched its new British National (Overseas) visa policy in January 2021, about 172,500 eligible Hong Kongese applied for a visa, with 96 percent receiving approval.⁸² An estimated 5.4 million Hong Kongese out of the city's population of 7.5 million are eligible to apply for the BN(O) visa, allowing them to live, work, and study in the United Kingdom for up to five years, after which they can apply

to become British citizens. In a survey of those who had immigrated to the United Kingdom after the imposition of the NSL, most cited political reasons as the most important factor influencing their decision to move, with “98 per cent pointing to concerns over freedom of assembly and speech, as well as trust in the government.”⁸³ Most of the respondents were young and educated. Unlike previous emigrants from Hong Kong, only a small portion of them planned on returning home in the foreseeable future after they received British citizenship. They made this difficult decision even though only a third of them had found full-time work, despite being highly educated, and often in occupations incommensurate with their education. The emigration of so many educated young people has significant implications for Hong Kong’s economic development.

Employing what HKSAR authorities call “soft resistance,” the Hong Kongese have presumably found indirect ways to oppose Chinese repression. The authorities are afraid that “Various acts of soft resistance continue to occur and spread through online media, cultural and artistic channels.”⁸⁴ Chief Executive John Lee, opined that “These latent forces could erupt at any time, endangering national security and disrupting social peace.”⁸⁵ Security Chief Chris Tang asserted, “It is imperative that we fight soft resistance with all our strength.”⁸⁶ What they mean by “soft resistance” is unclear. Apparently, it refers to any activity, real or imagined, that the authorities think might trigger unrest.

An early example of “soft resistance” occurred during the 2020 Tokyo Olympics Games. Pundits noted that the success of Hong Kong athletes at the Games “rekindled Hongkongers’ pride in their identity, injecting a sense of positivity and togetherness after two years of frustration and dejectedness over the city’s political turmoil.”⁸⁷ The people cheered them on at shopping malls and sports centers, chanting, “We are Hong Kong!” To the chagrin of the authorities, when the athletes stood on the podium to receive their medals, some Hong Kongese booed when China’s national anthem, “March of the Volunteers,” was played. The

Hong Kongese would have preferred to sing “Glory to Hong Kong,” the unofficial anthem of the 2019 protests that expressed a determination to fight for their rights and the future of Hong Kong.⁸⁸ Protesters had sung the song at “public occasions at least 413 times between 2019 and 2022, where *pro-independence and other seditious chants* could also be heard.”⁸⁹ (Emphasis added.)

Because the protest song conveyed Hong Kongese aspiration for freedom and democracy with lyrics such as “liberate Hong Kong” and “Revolution of our times,” which had been deemed to have secessionist meaning (see the previously discussed Tong Ying-kit trial), it was banned by the authorities as a threat to national security and prosecuted people for singing it and sharing it on social media. The HKSAR authorities took umbrage over the fact that “Glory to Hong Kong” had been played instead of “March of the Volunteers” at several overseas sports events. They even considered it a possible conspiracy to break its National Anthem Ordinance rather than simply a technical glitch. They tried unsuccessfully to compel Google and other technology firms to remove “Glory to Hong Kong” from their search engines and all links to it.⁹⁰ Some critics see this judicial judgment as evidence that Hong Kong courts continue to act independently. This was more a hope than anything else since the court agreed with the central argument that the song threatened national security but denied the request for an injunction on the grounds that it could undermine “freedom of expression,” pending appeal. The court will probably ban the protest song from social media streaming services in the future. Eventually, the Hong Kongese will have as few freedoms as the Chinese.

Conclusion

Though the 2019 protests were initially successful in pausing the passage of the extradition law, it was, at best, a transitory victory. The protests proved to be a disaster since they failed not only to attain their initial aims (the “Five demands, not one less”) but

accelerated the absorption of Hong Kong into the PRC. Instead of waiting until 2047 as had been agreed upon prior to the handover, the PRC now has de facto dominance over the city through the imposition of the 2020 National Security Law. The NSL provides a dubious legal framework for extending PRC control over Hong Kong and its people. It is being used to extirpate people and institutions advocating for Hong Kong democracy (or independence) and criticizing the PRC government and its leaders (or their Hong Kong surrogates). Through “lawfare,” the PRC has embarked on a purge that has effectively ended dissent and any hope for democracy in Hong Kong. It has also reduced the risk of having the Hong Kongese serve as a model for the Chinese, who might emulate them to call for democracy, destabilizing mainland society and threatening the Chinese Communist Party’s control over the country.

This may prove to be a Pyrrhic victory for Xi and the PRC government, however. His emphasis on the political dominance of Hong Kong may be at the expense of its economic vitality and even the PRC’s. Within less than a year after implementing the NSL, there has been a marked decline in Hong Kongese confidence in their city’s practices, especially the rule of law, which has been a foundational element of its democracy.⁹¹ In the Youth I.D.E.A.S study, forty-five percent of the respondents believed that the government could influence the courts. To put it another way, Hong Kong was losing its independent judiciary. The net effect of this process is the morphing of Hong Kong into an ordinary Chinese city and the people remaining there becoming typical Chinese citizens.

This “brain drain” is already adversely affecting the city’s economy. A Hong Kong Chamber of Commerce poll found that three in four companies suffered from a “talent shortage,” with emigration of young people being the central culprit.⁹² This deficiency will deprive the city of the human dynamism that makes Hong Kong unique.

Without the rule of law, foreign companies may be reluctant to reside in Hong Kong (preferring nearby Singapore as many expatriates have already done, for instance) or to do

business there. A 2020 American Chamber of Commerce survey found that more than 40 percent of the companies surveyed were pessimistic about prospects for the coming year, and a third said that the city had become less competitive as a global business center.⁹³ Forty-two percent of the companies were considering or planning to within five years, and one in four at the end of the year, with the main reason being the National Security Law.⁹⁴ Given how the HKSAR government has perverted its rule of law principle, it is no wonder that companies distrust Chief Executive John Lee's assertion that it would protect their rights and ensure Hong Kong's long-term prosperity.⁹⁵

Perhaps more than anything else, setting aside the rule of law spells the demise of Hong Kong as a cosmopolitan city that brought together Western and Hong Kongese influence into a world-class center for business, culture, and trade. This will undermine Xi's plans for the city to become a central pillar of his Greater Bay Area scheme, where Hong Kong would serve as a financial center while Shenzhen and Macau would be manufacturing and cultural centers, respectively. In its national 14th five-year plan released in March 2021, the PRC reiterated its intention to have Hong Kong serve as an international financial center. Moreover, it was to deepen mutual access between the financial markets of mainland China and Hong Kong.⁹⁶ Ideally, the Greater Bay Area would economically rival or surpass the Tokyo Bay, the New York Metropolitan Area, and the San Francisco Area by 2035. The realization of the Greater Bay Area project is integral to Xi's "Chinese Dream." Changing Hong Kong into a common Chinese city may very well jeopardize his "Chinese Dream."

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We pledge No more tears on our land
In wrath, doubts dispell’d we make our stand
Arise! Ye who would not be slaves again:
For Hong Kong, may Freedom reign!

Though deep is the dread that lies ahead
Yet still, with our faith, on we tread
Let blood rage afield! Our voice grows evermore:
For Hong Kong, may Glory reign!

Stars may fade, as darkness fills the air
Through the mist a solitary trumpet flares:
Now, to arms! For Freedom, we fight, with all might we strike!
With valour, wisdom both, we stride!

Break now the dawn, liberate our Hong Kong
In common breath: Revolution of our times!
May people reign, proud and free, now and evermore
Glory be to thee, Hong Kong!

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