

Hong Kong Transformed: from Island Democracy to Authoritarian Regime

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Hong Kong, a global financial hub and one of the most developed cities in the world, has historically been one of the most culturally significant and fascinating places to live and visit. A cultural melting pot with a largely parliamentary democracy made Hong Kong unique among cities in Asia. Since the June 2020 passing of a new National Security Law by the People's Republic of China (PRC) the city, a Special Administrative Region (SAR) of China, has been taken by fear and uncertainty. With unimaginable quickness, the lives of Hong Kong citizens have changed completely. There is difficulty comprehending what is happening from a foreign perspective, given the obscurity of Hong Kong and China's historical relations. And with the economic and social complications brought on by current tensions between the two, the fate of the city has become a major global issue. This paper explores the consequent effects of what is officially known as the Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region.

Some Needed Context

In 1984, the Sino-British Joint Declaration was signed between the United Kingdom (UK) and PRC as a way to ensure that at the time of the handover in 1997 of Hong Kong the city's capitalist system, social freedoms, and independent judicial powers would remain intact for at least the next 50 years. Future governance of Hong Kong would be according to the motto, "one country, two systems," an arrangement that allowed the city to control their own internal affairs and play an active role in international organizations while forming external relations, with the

Beijing government in charge of foreign relations and defense. The treaty stipulated that “Rights and freedoms, including those of the person, of speech, of the press, of assembly, of association, of travel, of movement, of correspondence, of strike, of choice of occupation, of academic research and of religious belief will be ensured by law in the Hong Kong Special Administrative Region. Private property, ownership of enterprises, legitimate right of inheritance and foreign investment will be protected by law” (Hui). These were freedoms that had already been intact under British colonial rule.

This Hong Kong Basic Law, in effect the city’s mini-constitution, laid out the structure of governance and essentially promised—a stark contrast to Beijing’s communist system—the preservation of democratic values and human rights to citizens. “The hope, for many, was that democracy would protect Hong Kong and possibly even encourage political reform across the border. Instead, the opposite has occurred” (M. Davis). Hong Kong has been the sole case study of a city of freedom without true democracy, given the implications of their relationship with China. Experts have been cautious of the ‘one country, two systems’ implementation since the very beginning, as China had slowly been imposing restrictions on Hong Kong. The premise of having two systems seemed to only have a future until China’s economy under one-party caught up to Hong Kong’s—then there would be no reason for distinction from China’s view. So, since the handover, Beijing has acted out of creeping authoritarian intent to take full control over Hong Kong. From as early as 2003 popular protests signaled citizen discontent with the infringement by Beijing on the specified legal guarantees of the Basic Law. And, since then the PRC has slowly tightened the leash on Hong Kong governance. In July of 2012 protests again broke out over the Beijing government’s attempt “to amend the curriculum of the Hong Kong school

system to include topics on China's history and culture and national identity, in a bid to win the hearts and minds of Hong Kong's younger generations" (Gunia).

Then in 2014, a mass protest coined the "Umbrella Movement" began an era of more vigorous resistance in Hong Kong with citizens calling for the universal suffrage promised in the Basic Law. These protests were in response to an executive decision made by the Chinese government that only chief executive candidates on a predetermined list by the PRC could be voted into office in Hong Kong. This was one of the largest mass protests in Hong Kong to date, and from this movement on, China's authoritarian momentum accelerated in an effort to seize control over Hong Kong.



"The umbrellas which give the protest movement its name have a variety of uses, from shelter to shield from chemical weapons" (Lin)

A new wave of mass protests with millions of participants erupted in 2019 in response to new PRC interference into Hong Kong's sovereignty. This movement made headlines as one of the largest and most sustained of the twenty-first century. In February 2019, the chief executive

of Hong Kong, Carrie Lam, proposed the extradition bill under orders by Chinese government officials, which welcomed the largest mass protest in Hong Kong history, “For the anti-extradition protesters, 2019 was Hong Kong’s ‘last stand.’ Extradition would strip Hong Kong of the protection of the rule of law and expose it to politicized courts on the mainland subservient to the Chinese Communist Party (CCP). The sense of “we cannot afford to lose” fueled the protests’ rapid spread and escalation and accounted for their endurance. Implementation of the national security law has left Hong Kongers feeling helpless and hopeless, with the future of their city now solely in the hands of the CCP. Sadly, the fears of 2019 are proving to be the reality of 2020 as the CCP closes in” (Hui).



“Hundreds of thousands of people protest against the government’s proposed extradition bill in June 2019” (Maizland)

On June 30th, 2020, China passed the Hong Kong national security law. By then protests had died down following more than seven-thousand arrests and the serious injury of thousands more. “Anything Beijing officials regarded as inciting subversion, secession, terrorism, or

colluding with foreign forces punishable by up to life in prison” (M. Davis). Social media accounts were deleted out of fear of reprimand, on top of the thousands who were arrested for protesting, as of January 2022, almost 200 pro-democracy politicians and activists have been arrested or driven into exile (Hui).

It is difficult to imagine what this means for the future of Hong Kong and its citizens. Life as they know it has ceased to exist. A young citizen of Hong Kong who had been splitting her time between Hong Kong and the United States stated, “The law is, in the eyes of many, an official death sentence for Hong Kong. In 2019, amid one of the biggest protest movements in history, Hongkongers considered themselves lucky if they had been spared from arrest. In 2020, we were grateful if our friends received short prison sentences. Now, in 2021, our only hope is that those taken into custody are granted bail and not transferred to the mainland for trial” (H. Davis).



“Police arrest dozens of pro-democracy activists, including activist and politician Lester Shum, in the months following the national security law’s implementation” (Maizland)

In a matter of months, what once was a city that upheld liberal values, a democratic political system, freedom of speech, a network of pro-democracy businesses, and a vision that respected human rights and the common good, vanished. The national security law was drafted by the PRC with no involvement from the Hong Kong government or its citizens, and “effectively criminalize[d] any dissent and adopts extremely broad definitions for crimes such as terrorism, subversion, secession, and collusion with foreign powers. It also allows Beijing to establish a security force in Hong Kong and influence the selection of judges who hear national security cases” (Maizland). As of this writing, political parties have been disbanded, and fear has spread through the city.

Some Notable Consequences

The dramatic diminishing of freedom in Hong Kong led to a record drop in the population between mid-2021 and mid-2022, being that many families had no choice but to flee the city, “‘In the last couple of years people have thought about leaving, but in the last six months there’s been an absolute mass exodus,’ said Pei C., who has lived in Hong Kong for 17 years. She asked to be identified with her last initial because of sensitivities surrounding the topic in Hong Kong” (Pitrelli). Many families as well as businesses are going to Singapore according to Pei C. With the new national security law in place, businesses are relocating to Singapore because of the ease of business, tax incentives and open borders there. Almost all expatriates have returned to their homes, whether that be the United States, United Kingdom, or Australia, among others. For those who were dual citizens or living abroad, Hong Kong became a place to flee from immediately. Even deep locals found themselves in the same situation, but not all have the luxury to be able to leave.

Because of the constraint on political and social freedoms that China has imposed on Hong Kong, it is infeasible for it to maintain its status as Asia's economic and financial hub. Foreign businesses that have a presence in Hong Kong are weary about the uncertainty of its future, and therefore are taking precautionary measures. According to Jen Kirby, "This goes back to the warning from the Biden administration that the risks in Hong Kong are starting to look like the risks in mainland China; there's a blurring that wasn't there before. Georgetown's Kellogg emphasized that that hasn't fully happened yet, but that is what everyone is watching for — that the erosion in the political and national security space bleeds over into business" (Kirby). It is risky for these businesses to remain in Hong Kong, as they could become vulnerable to being targets of the national security law or may be wrapped into national security law enforcement. Overall, the most strategic choice for many businesses is to leave Hong Kong and relocate their Asian region business line to some other financial hub such as Singapore.

For the youth of Hong Kong, the national security law means national security *education*. Every school in Hong Kong is now required to implement a national security seminar series into their curriculum, which includes courses on "National Security and Our Daily Lives," "The Importance of the Rule of Law to the HKSAR," "Elucidation of the Political Structure of the HKSAR," and "Knowing More about the Law: Continental Law, Common Law and National Security Law" (Ebd.gov.hk). The main purpose of these seminars is to teach the youth of Hong Kong what actions may disobey the new law. This is especially pertinent in Hong Kong universities, which are also required to roll out national security education, as pro-democracy student unions have been especially targeted under the national security law after the mass protests, so the Chinese government has called for an enhancement of patriotic education in universities.

In the midst of the abrupt rollout of national security education, many university students have felt powerless and disappointed in their university's response to the situation, "Maya Wang, a senior China researcher for Human Rights Watch, told *University World News* that "universities in Hong Kong in general have failed quite miserably in ways that protect students, offering them [students] the kind of psychological support to help them to understand these [national security] issues in an intellectual manner, or to protect free speech on campus" (Leung and Sharma). While most university professors have complied with these new curriculum regulations out of fear of reprimanding by Beijing, there are a few who have offered a different take. Michael C. Davis, a widely sought-after scholar on human rights in Asia, wrote that "Carrying out the promised liberal model would clearly work better than repression or brainwashing to inspire the patriotism Beijing so clearly desires. As the record so far shows, forcing people to love their country does not work. As Alan Leung stated so well above, students spoon-fed patriotism at school will come home to a different view" (M. Davis). Davis is one of the few pro-democracy activists who remains vocal and pushes people to take a stand and who remains optimistic, stating that resistance is the only way there is any hope for change between Beijing and Hong Kong.

From a global perspective, the national security law and current crisis in Hong Kong is a clear sign to other countries of China's ambitions. Many world leaders have responded to such; former British Prime Minister Boris Johnson responded to the situation by creating a British visa offer for Hong Kong citizens; President Joe Biden advised American businesses with presence in Hong Kong to relocate; the former Australian Prime Minister Scott Morrison has signed agreements with the United States for nuclear-powered submarines in effort to prepare for a more assertive China (Drew). The most important foreign relationship to keep an eye out for is

that between the United States and China especially because no other country comes close to the combined economic and military strength of the two powers. And they remain economically dependent on each other. What is happening between China and Hong Kong is a clear abuse of human rights, still it is difficult for foreign countries such as the United States with considerable international influence to make big moves without largely hurting themselves. Decoupling of sectors and supply chains between the United States and China is possible and has begun, but there is tremendous risk involved which means it will take a long while to be executed. In the meantime, many foreign countries are doing all that they can to suppress China's authoritarian agenda and empathize with citizens of Hong Kong.

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