Wing-Wah Law

Politics, Managerialism, and University Governance

Lessons from Hong Kong under China's Rule since 1997

Springer

Governance and Citizenship in Asia

Aims and Scope

This series explores how citizenship is shaped by social, political, cultural and historical contexts and how it may be moulded to serve the nation state in the age of globalization. In these publications we see how governance relates to all aspects of civic life, including politics, public policy, administration, civil society and the economy, as well as the core values of society.

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Through these publications we see that citizenship is an integral part of 'good governance' and that such governance ultimately enriches citizenship. Scholarly investigation and academic dialogue in this series describe the interdependence and mutuality of governance and citizenship.

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Foreword

Education has frequently been seen as a prime vehicle for advancing democracy. And yet, world economies cannot be separated from the globalized contexts in which educational institutions are embedded. Simon Marginson, for example, has argued that academic governance has been transformed in Australia as the national government and individual universities each attempt to position higher education in a global context. David Kirp has demonstrated how markets are supplanting traditional academic values. Sheila Slaughter and Gary Rhoades have written about emerging forms of "academic capitalism" throughout the industrialized world. Peter Scott has observed that Great Britain's universities struggle to remain relevant due to the reconfiguration of the labor market. I have written about forms of privatization in India and how the definition of quality in Central America is in constant tension with globally imposed criteria. And in this important book, Prof. Law writes about the latest developments in Hong Kong that have significant consequences for academic institutions there.

Throughout the world traditional academic disciplines are falling by the wayside, research is increasingly corporatized, and public funding for education is decreasing while competition is increasing from a variety of for-profit and nonprofit providers. Higher education in the twenty-first century has seen many changes—both caused by and resulting from globalization—that are not yet well understood. In an effort to contextualize globalization's impact on higher education and to understand its implication for advancing democracy, two changes, in particular, are significant across national contexts.

One change pertains to the oversight of public and private sector institutions. As public institutions become more dependent on nongovernmental funding and more independent from the government agencies that created them, the state is refashioning its governance role in a curious manner. A second change has to do with what we expect of the faculty. What was once seen as the *raison d'etre* of the academy—academic freedom—is undergoing significant reexamination. On the one hand, we have the government providing less monetary support but greater oversight. On the other hand, we have academics competing for support to conduct research but less able to carry out their tasks in a traditional manner.

These changes are neither well understood nor well documented. The changes also suggest contradictions. The state provides less funding and increasingly forces universities to rely on market mechanisms to survive. And yet, as government funding decreases, oversight and regulation increases. How is it that a governmental entity provides less funding in the past, but assumes greater control? One might think that if a funding agent provided less support, then the funder would have less say in the actions of the organization. The opposite is the case in Hong Kong and throughout the academic world.

Similarly, throughout much of the twentieth century, the assumption was that if faculty were left on their own, society would benefit. Professors not only taught classes and educated students for productive work in democratic societies, but they also engaged in important research that benefited society. The belief was that the free exchange of ideas furthered the advancement of society. Increasingly, however, the notion is that professors should be able to continue their work as in the past, but strict parameters are now placed on what they might investigate and say. The contradiction is a sharp turn from the previous direction of academic life.

Professor Law's book is critically important for two reasons. Hong Kong has been known as the location in Asia that has had the best universities in the region. Hong Kong University (HKU) has long been ranked as one of the world's best universities; to employ a term from a bygone era, HKU was the academic "jewel in the crown" in Asia. The result is that an analysis of higher education in Hong Kong is of interest to anyone concerned about higher education.

Professor Law masterfully points out that the changes that are occurring in Hong Kong in general are complex and troubling for the future of higher education in Hong Kong in particular. Because these changes are so interwoven with societal dynamics, we need a careful analysis of the changes over time. What we do not need in order to understand these changes are jeremiads or screeds that lobby for one or another position. Indeed, if I may employ a term that gets discussed in the text, what we need is a cool-headed analysis by an intellectual with the resolve of a professor with the academic freedom to investigate complex issues from multiple perspectives. Any intellectual concerned about higher education in Hong Kong will benefit immensely from reading this work. The complexity of the changes is patiently delineated even to those readers who may have little understanding of Hong Kong.

More importantly, perhaps, is how Law employs specific points to speak to the broader issues I have raised. Many of us who look at higher education across countries and regions have been writing about the trends that are changing higher education. What we all too frequently lack, however, are in-depth analyses that help us document how these trends are taking place "on the ground." In this respect, Law's text about the specificities of change in Hong Kong is critically important for those of us concerned about the role of higher education in supporting democracy. Law's work investigates the interplay of university governance, the managerial state, the market and its forces, and public higher education. Specifically, he has pointed out how the state is changing the historical dynamic of academic life in a manner that brings into question key concepts such as academic freedom.

Although the book explores these ideas through an intense examination of Hong Kong, many of the topics highlight the tensions at work globally. Performance-based funding (PBF), for example, is a central lever of policy reform in the United States. As with Law's analysis, what one finds in the United States is that PBF, even if well intentioned, does not bring about fruitful change, and instead shifts academic priorities away from key concerns. The result is the distortion of academic life, rather than its enhancement.

Similarly, the appointment processes of key administrative and governing positions that bring to light central tensions in Hong Kong are also the same levers government officials are utilizing in the United States and India. These managerial levers move the university away from its mission of equity and free inquiry, and toward one that supports government control. What the book highlights is an erosion of trust in traditional processes, and more a focus on how to support government policies. Rather than a buffer between society and the university, governance now is a tool of the government to support it in fulfilling its goals. The outcome is that rather than an organization removed from society in order that academics might gain objectivity to examine different phenomena, the university morphs into an organ of the government.

"Academic engagement" once meant that the citizenry could rely on academe to put forward analyses based on data rather than political persuasion. Professors were engaged with society in a manner so that the best possible objective analyses might be provided to thorny social and scientific issues. To be sure, legislative forums are going to have a political element to them as individuals debate the worth of a public policy. Historically, however, the role of the academic was to put forward as balanced a framework as possible on a topic so that the decision-makers might have the most informed information of neutral parties. The belief was that universities existed in large part so that academics might search for truth, and they would be supported in expressing those ideas regardless of where their findings led. What Law points out, however, is that such a dynamic is changing. His analysis is level-headed, thoughtful, and persuasive, and the book makes for very compelling reading, indeed.

Los Angeles, USA   William G. Tierney

William G. Tierney is University Professor and Wilbur-Kieffer Professor of Higher Education and Co-director of the Pullias Center for Higher Education at the University of Southern California. He has served as President of the American Educational Research Association (AERA), is an Interdisciplinary Research Fellow at the University of Hong Kong, and recently completed a Fulbright in India.

Preface

This book examines theoretical issues concerning politics, managerialism, and university governance within the specific context of Hong Kong since its return to China from Britain in 1997. My interest in exploring this research area can be traced back to my Ph.D. studies at the Institute of Education, University of London (now called Institute of Education, University College London) in the early 1990s. My Ph.D. thesis explored the tensions between economic modernization and the preservation of political and cultural identity in mainland China and Taiwan.

In my early academic career, I kept higher education, politics, and development as the main focus of my research. I was able to publish three articles on higher education in mainland China and/or Taiwan, one each in *Comparative Education Review* (1995), *Comparative Education* (1996), and *Asia Pacific Journal of Education* (1997). While keeping an eye on developments in mainland China and Taiwan, I researched the impact of Hong Kong's 1997 change from British to Chinese sovereignty on Hong Kong higher education during the transitional period (1982–1997). I disseminated my findings by publishing, in *Comparative Education* (1997), an article entitled *The Accommodation and Resistance to the Decolonisation, Neocolonisation and Recolonisation in Higher Education of Hong Kong*. After its publication, a well-intentioned senior colleague reminded me that one theme of the article, recolonisation—i.e., the emergence of China's central government as a political power center in Hong Kong and its use of national dimensions to co-opt Hong Kong academics (and other elites) to its service—was very politically sensitive.

For the 20 years following that 1997 article, I stopped researching and publishing on higher education—not, however, because of my colleague's benign warning, as I did not take it seriously and societal demands for political correctness were not as strong as they are now, but because the focus and direction of my research was diverted to other equally interesting and challenging research areas, including globalization, citizenship, and education reform in mainland China, Hong Kong, and Taiwan. I thought I most probably would not return to research on higher education, and therefore gave my collection of books on higher education to other colleagues.

In recent years, however, I began to feel a very strong need to return to researching higher education and therefore started a project on university governance and leadership situated in multileveled (local, national, and global) contexts. In part, I was motivated by the increasing pressure on universities to pursue world-class status and rising complaints about the negative influences of new management tendencies and new public management, in particular, on university administration and academic lives. I am a latecomer in this area. Because numerous studies have already examined these concerns, this book will briefly recapture similar concerns in the context of Hong Kong, albeit more from the perspective of university governance and leadership. For example, it will explore whether one aspect of new public management—the dominance of government-appointed external members in university councils for reasons of transparency and accountability—could become a conduit for political interference in university autonomy.

A more important impetus for me to write this book is related to the conspicuous increase in interplay between politics and higher education in Hong Kong in the 2010s. Such interplay is reflected in five interrelated events related to the political future of Hong Kong and involving university academics and/or students since 2013. The first and key event was the academic-initiated and student-led Occupy Central movement of 2014, in which tens of thousands of Hong Kong people (including university students) blocked major roads in important business areas for 79 days to force the central government to grant Hong Kong greater democracy—i.e., genuine universal one-person-one-vote suffrage in the 2017 Hong Kong Chief Executive election, without political screening of candidates. The movement ended in a confrontation between protesters and the police and was severely condemned by the central and Hong Kong governments as illegal.

The other four events, as this book demonstrates, can be seen as repercussions of the first event on higher education in Hong Kong. They are: the 2015 University of Hong Kong's appointment saga, in which the University of Hong Kong's council rejected the appointment of a liberal scholar, Prof. Johannes Chan, to a senior university management position, allegedly for political reasons related to social divisions in Hong Kong during and after the Occupy Central; the 2016 intervarsity campaigns by students and staff to attain greater university autonomy by abolishing the inherited colonial practice of the head of the city (i.e., the governor before 1997 and the chief executive since 1997) being the ex-officio chancellor of all public universities in Hong Kong; the rise of students' voices on different university campuses for Hong Kong independence and the struggles between student union leaders and their university administrations over freedom of speech and expression in exploring and discussing Hong Kong independence since 2016; and the education authority's unprecedented politically motivated scrutiny, in 2018, of the research and publications of a Hong Kong academic (a cofounder of the Occupy Central who has been accused of, but has denied, advocating Hong Kong independence), ostensibly to ensure his government-funded projects and publications had not been used to promote independence.

   The challenges to Hong Kong universities by new international managerial fads and the city's changing political ecology seem to concern mainly their senior university management teams, academic staff, and/or students. However, university councils or governing boards, which are entrusted with supreme power over and fiduciary responsibilities for university governance and leadership, seem to be absent from the scene of these struggles, which brought some questions to my mind. Specifically, I wondered what were the roles of university councils or governing boards in leading and guiding their senior management teams to address issues arising from increasing pressure of new management tendencies on universities' administration and ecology, and from political events that might challenge academic freedom of students and staff and their role as public intellectuals in Hong Kong? How well did university councils or governing boards handle these issues? How far should they, as supreme governing bodies, be held accountable for their governance and decisions in handling these struggles?

   This book is the first of its kind to document and examine the complicated interplay of managerialism, politics, and university governance in Hong Kong higher education. It also presents my reflections on the many contentious issues arising from these struggles and on the nature of university governance as a political exercise engaging in and interacting with various players and stakeholders in a multileveled world. It finally draws out some lessons from which other states with higher education systems similar to Hong Kong's can learn.

Hong Kong, China   Wing-Wah Law

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About the Author

Wing-Wah Law is a Professor at the University of Hong Kong, Faculty of Education. His research contributes to the understanding of the interplay between globalization and localization on education and development in various areas, including educational policy, higher education, citizenship and citizenship education, educational and curriculum reforms, culture and leadership, and music education and social change. His work serves as a bridge for the exchange and development of educational research between China and the world.

Abbreviations

Public Universities in Hong Kong

CityU   The City University of Hong Kong
CUHK   The Chinese University of Hong Kong
EDUHK   The Education University of Hong Kong
HKBU   Hong Kong Baptist University
HKU   The University of Hong Kong
HKUST   The Hong Kong University of Science and Technology
LU   Lingnan University
PolyU   The Hong Kong Polytechnic University

Other Terms

HKSAR   Hong Kong Special Administrative Region
HKSARCE   Hong Kong Special Administrative Region Chief Executive
AoES   Areas of Excellence Scheme
CPC   Communist Party of China
CPPCC   Chinese People's Political Consultative Conference
DVC   Deputy Vice-Chancellor
HKBA   Hong Kong Bar Association
HKFS   Hong Kong Federation of Students
MNE   Moral and National Education
NPC   National People's Congress
NPCSC   National People's Congress Standing Committee
NPM   New Public Management
PRC   People's Republic of China
PVC(ASR)   Pro-Vice-Chancellor (Academic Staffing and Resources)
QAC   Quality Assurance Council
RAE   Research Assessment Exercise
REF   Research Excellence Framework

RGC	Research Grants Council
RPUG	Review Panel on University Governance
TRS	Theme-based Research Scheme
UGC	University Grants Committee
VC	Vice-Chancellor

Chapter 1
Introduction

Abstract Since the mid-twentieth century, the literature on state, market, and higher education has focused on the state's role shift from direct administration to supervision of higher education, and its increased use of market and managerial principles and techniques to regulate public universities. Few studies have addressed political influences on university governance from changing state–university–market relationships, the chancellorship of public universities, and students' and academics' civic engagement in sensitive political issues. With reference to Hong Kong, this book explores the interplay between politics, managerialism, and higher education, and the complex relationships between politics and public universities—in particular, students' and academics' civic engagement in politically sensitive issues. This chapter provides the books' theoretical foundation by reviewing major theories examining the relations between state, market, university, and university governance, and by recapturing the concepts of institutional autonomy, academic freedom, and academics as citizens and public intellectuals, to understand the developments in Hong Kong higher education and guide analysis of the influences of managerialism and politics on university governance in Hong Kong. The chapter also reviews specific studies on Hong Kong higher education issues concerning the state, market, and university, and describes the book's organization.

Since the establishment of the first universities, centuries ago, struggles between the state and universities have been an issue. This book is about politics, managerialism, and higher education, and the complicated relationships between politics and public universities—in particular, the civic engagement of students and academic on politically sensitive issues. Since the mid-twentieth century, the literature on state, market, and higher education has focused on the shift in the state's role from direct administration to the supervision of increasingly expanded higher education, and its increased use of market and managerial principles and techniques to supervise and regulate its public universities (Bleiklie & Kogan, 2007; Dougherty & Natow, 2015; Lorenz, 2012; Mok & Cheung, 2011; Saint, 2009). In comparison, less research has been done on political influences on university governance arising from changing state–university–market relationships, the issue of the chancellorship of public universities, and the challenge of students' and academics' civic engagement in sensitive

political issues affecting university governance (Dallyn, Marinetto, & Cederström, 2015; Giroux, 2006, 2016; O'Meara & Petzall, 2007).

Hong Kong is no exception to the global trend of using market forces and managerialism to reform and regulate public higher education. On July 1, 1997, Hong Kong ceased to be a British colony and became the Hong Kong Special Administrative Region (HKSAR) of China, under the "one country, two systems" framework, which allows Hong Kong to keep its original systems and way of life and affords it a high degree of autonomy under Chinese rule for 50 years (to June 30, 2047). Hong Kong higher education has thus maintained most of its colonial traditions and practices (Mok, 2014), and has continued to employ such Western notions as competition, quality, quality assurance, and accountability to reform its public education. It has also institutionalized corporate governance and managerial practices to assess and monitor the performance and quality of publicly funded universities (Chan & Lo, 2011; Lo, 2017; Postiglione & Jung, 2017). For the sake of efficiency and transparency, university councils have been downsized, with external members constituting a majority of council membership. Until the early 2010s, institutional governance and autonomy of public universities had not been a major social and political issue in Hong Kong.

However, the 2010s has been a challenging decade for Hong Kong and its higher education. Lo (2017) argued that the Hong Kong case can provide a "conceptually stimulating contrast to the notion of managing neoliberal globalization" (p. 769). In the 2010s, Hong Kong underwent a series of significant political movements involving young people and students, including the anti-national education movement (2012), Occupy Central (2014), and the Mongkok Riot (2016). These movements, as shown later in the book, revealed Hong Kong people's increased emphasis on local priorities and agendas over national or global ones since China reclaimed sovereign power over the city in 1997. They also showed the widening of social and political division among Hong Kong people, and revealed the trajectory followed by many Hong Kong people from resisting the closer integration of Hong Kong and mainland China, to striving for greater autonomy and democracy in Hong Kong, and then to seeking Hong Kong's independence from China's rule.

These movements also have had implications for university governance and administration, as they involved the civic engagement of students and/or academics in politically sensitive issues related to Chinese rule. The impacts included struggles between external and internal university council members over the 2015 appointment of a pro-democracy candidate to a senior management position; the 2016 intervarsity campaign to abolish the head of Hong Kong government's role as ex-officio chancellor of all public universities, questioning the political role of external council members and demanding an increase in the proportion of internally elected council members; and the 2017 joint statement by university heads condemning on-campus messages and activities promoting Hong Kong independence.

As a documentary study of an array of primary and secondary sources, this book chronicles the developments and complexities of post-1997 political changes and movements and their impacts on higher education and university governance in Hong Kong. It seeks to supplement the extant general literature on state, market, and higher

education, as well as specific studies on Hong Kong, in four ways. First, it documents and details important political events and incidents in Hong Kong society, and how they relate to student political activism and challenges to the institutional autonomy, academic freedom, and governance of higher education in postcolonial Hong Kong under Chinese rule. Second, it analyzes the complexity of university governance in Hong Kong under the "one country, two systems" principle, and how individual universities have responded to challenges to this principle, which is supposed to protect Hong Kong's freedom of expression and academic freedom. Third, this book explores whether corporate governance, dominated by lay professionals serving as external members of university governing boards, is a useful means of protecting universities from external political interference. Fourth, it revisits the practice of the chancellor being the titular head of university governance, as well as the recruitment and proportion of lay professionals serving as external members on university governing boards and the expectations placed on them, in societies such as Hong Kong.

Theories of State, Market, and Higher Education

The intertwined relationships among state, market, university, and university governance are not static, but vary across nations and over time. Clark (1983) and Becher and Kogan (1992) conceptualized higher education as an open system responding to and affected by external forces, including market and state forces. Since the twentieth century, universities in many countries have experienced similar dramatic changes in university–state relations and university governance in response to changing domestic and global contexts. These changes include the devolution of power from the state to universities, the use of regulatory frameworks to hold universities accountable for their use of public resources, and the reform and empowerment of university councils or governing bodies in university governance. These changes have led to further changes in the landscape and ecology of public universities, including the subordination of academic governance to corporate governance. These interrelated changes can be examined through four related sets of theoretical frameworks: statist models; managerialism and new public management (NPM); theories of institutional governance; and concepts of university autonomy, academic freedom, and academics as citizens and public intellectuals. These frameworks focus on different, but interrelated aspects of state–university–market relationships that have implications for university governance.

Statist Approaches to Higher Education Governance and Administration

The first theoretical framework—statist approaches—focuses on the international trend of devolving responsibility, power, and autonomy from the state to universities. Unlike academic, bureaucratic, or political models of higher education governance, which focus on the domination of a single primary force (Baldridge, 1971), Clark (1983) proposed a broad, "triangle of coordination" framework to depict the influence of the intertwined interaction and competition among three principal forces—state, market, and academic oligarchy—on the coordination and governance of higher education.

Based on Clark's triangle, Neave and van Vught (1991) proposed two models to explain changes in university–state relationships since the 1980s—the state control model and the state supervision model. They observed that, by the 1980s, the state control model was the predominant approach to higher education governance and management, with the state exercising direct and detailed control over universities (Neave & van Vught, 1991) and giving them "relatively little autonomy" (Dobbins, Knill, & Vogtle, 2011, p. 670). In many countries, the rapid expansion of higher education institutions and student populations due to national development and international competition in the globalizing economy generated types of university activities and increasingly complex university systems that were beyond the state's capacity to control (Saint, 2009), for which shortcoming the state was severely criticized (Agasisti & Catalano, 2006). In response, in the 1980s, many countries in Western Europe and developing countries on other continents (including Brazil, China, and Ghana) began to change their state–university relationships from a top-down approach to a state supervision model (Neave & van Vught, 1991, 1994). In the latter, the state grants universities greater responsibility and institutional autonomy to compete for global talents and provide quality services, while playing a steering role to oversee and regulate them by adopting funding models, setting standards, and using quality control and assurance mechanisms.

However, power devolution to and state supervision of universities can vary in form and extent across nations over time. Fielden (2008) divided the state supervision model in many developed countries (such as Britain and France in Western Europe, and Japan and Singapore in Asia) into semi-independent and independent approaches. In both approaches, the state uses legislation to turn public universities into statutory bodies and define their nature and central functions. In the semi-independent approach, the state continues to control the overall size, shape, and central functions of public universities, but gives their governing bodies autonomy over their use of public funds and their operational management (e.g., Singapore). In the independent approach, the state does not directly manage universities, but controls them in areas linked to national strategies and public funding (e.g., Australia and the United Kingdom).

Managerialism and New Public Management in Higher Education

Unlike statist approaches, which focus mainly on the role of the state in shaping its relationship with universities, the second theoretical framework—managerialism and NPM—concerns the international trend of states' drawing on market principles and public demands for greater transparency, efficiency, and accountability in public institutions to reform and regulate the public sector, including public universities.

The shift from a state control model to a state supervision model does not necessarily mean granting public universities full autonomy. On the contrary, the state, as Fielden (2008) noted, is still accountable to its citizens for the public resources it allocates to government-funded institutions in pursuit of its policy objectives. The emergence of discourses on managerialism and its cognate concepts, NPM and neoliberalism, has provided many governments with insights into how to make public institutions accountable to taxpayers through oversight and evaluation of their institutional performance. Although managerialism lacks an agreed-upon definition (Shepherd, 2018), it is important to distinguish it from neoliberalism. While related, the terms are not synonymous; broadly speaking, the former is primarily concerned with economics and politics, and the latter with corporations and management (Klikauer, 2013, 2015).

Specifically, the core of neoliberalism is the free market; however, unlike liberalism—which demands the retreat of the state—neoliberalism advocates the principle of "smaller state and bigger market" (Lorenz, 2012, p. 599) by accepting "minimal state involvement and intervention in market processes" (Savage, 2017, p. 162). Some scholars have argued that, since the 1990s, neoliberalism has been a dominating force shaping the development of higher education throughout the world (Mok & Cheung, 2011) and its values and processes have been largely institutionalized (Fraser & Taylor, 2016). The state can turn neoliberal policies into political projects to develop and sustain their knowledge-based or -intensive economy and society (Mok, 2008).

Unlike neoliberalism, the guiding principles of managerialism are management and managerial techniques, which can be extended from the business world to society and from business corporations to noncommercial organizations, such as universities (Klikauer, 2015). Managerialism as an ideal type has the following five ideological tenets, excerpted from Shepherd (2018).

1. Management is important and a good thing.
2. Management is a discrete function.
3. Management is rational and value neutral.
4. Management is generic and universally applicable.
5. Managers must have the right to manage.

The state can use managerialism, and NPM in particular, as a major mechanism to impose its pro-market agenda on society (Roberts, 2014), by changing the nature of the public sector from one free of market interference to one believed to function best

when operating according free market principles (Lorenz, 2012). Further discussion about intricate relationships between managerialism and neoliberalism and about the complex issues concerning their ideologies can be found in works by, for example, Klikauer (2013), Lynch (2014) and Shepherd (2018).

NPM is a set of management concepts and practices translated from the business world for reforming the public sector (Pollitt, 2014). NPM assumes management methods in the private sector are superior (Shepherd, 2018), and advocates the reform of public sector by using pro-market ideas and ideals, and management approaches and skills adopted in corporations (Hood, 1995; Melo & Beck, 2014). In performance assessment, NPM focuses on outcomes rather than processes. As such, NPM emphasizes the privatization of public services through contracting out; competition for resources and clients; decentralization of power to public managers to enable them to compete and respond quickly to changing demands; adoption of business-like concepts, values, styles, techniques, and practices to manage public institutions and improve their efficiency and performance; strategic planning and management; and the use of performance indicators and auditing to enhance transparency and accountability when using public money (Bresser-Pereira, 2004; Broucker & De Wit, 2015; Gruening, 2001). This pursuit of accountability and credibility and emphasis on using evidence to inform policymaking has become "a new form of power" in public administration (Triantafillou, 2017, p. 8).

To reform their public higher education sectors, many governments have used NPM to force universities to reform and operate like private corporations. Public universities are urged to serve socioeconomic agendas, to become more market-oriented and entrepreneurial in generating income, to increase intra-institutional competition for resources, to separate academic and management activities, and to have university administrators exercise more regulation of and control over academic staff, to reflect their accountability for the use of public money (Gordon & Whitchurch, 2010). One representative example of the latter is the institutionalization of research assessment exercises. In most European countries (e.g., Britain, Denmark, Italy, Norway, and Sweden), they are systems used to measure universities' research performance and determine the level of government funding they receive (Franceschet & Costantini, 2011; Sivertsen, 2017). Such research assessment is criticized for creating a research culture that is obsessed with measurement and monitoring, thus "distracting from real quality of research," limiting the pursuit of new knowledge (Phillips, 2012, p. 3), and adversely affecting how knowledge is produced and prized in higher education (Fraser & Taylor, 2016).

To facilitate the use of market and managerial principles and techniques for reforming higher education, the state, as a principal political actor, plays a dual role making policies and establishing mechanisms to remove obstacles to free markets and privately owned institutions, and creating rigorous managerial control mechanisms to reform public institutions, including universities (Lorenz, 2012). As such, the state uses noninterventionist tactics (such as marketization and decentralization) to promote competition and enhance the efficiency of public institutions, while simultaneously employing interventionist methods to monitor and measure their performance and ensure their quality and transparency (Bessant, Robinson, & Ormerod,

2015; Dobbins et al., 2011). The state can tie state funding to institutional perfor-
mance to force public universities to accept the regulatory mechanisms imposed
on them (Dougherty & Natow, 2015). Compared to those of the state, local politi-
cians' "political engagement and representative role" are considered "an irrelevance
to managing public services," and consumers are seen as passive stakeholders in
public management (Radnor, Osborne, & Glennon, 2016). However, the state cannot
totally ignore local politics, and must manage the tensions between global demands
and local needs to sustain a knowledge-based economy and build the nation (Lo,
2017). Therefore, different nations and institutions can use different "translating and
editing processes" to adapt such external demands arising from new management
trends to suit their national and/or institutional needs, circumstances, and conditions
(Hüther & Krücken, 2016, p. 57). This has been well demonstrated in the adoption
of different performance-based research assessment models in European countries
(Sivertsen, 2017).

Governance Models of Public Universities

The third theoretical framework for understanding state, market, university, and uni-
versity governance focuses on models of and changes in institutional governance
in universities. It concerns the growing importance and empowerment of univer-
sity councils (also called governing boards) and the shift from academic to corporate
university governance in many nations. University governance is the leadership, coor-
dination, monitoring, and control of a university through its governance structures,
mechanisms, and processes (Barzelis, Mejere, & Saparniene, 2012). It concerns how
a university achieves its desired institutional outcomes to the satisfaction of its stake-
holders, and, in particular, "relates to key external stakeholders who have a legitimate
interests in its affairs" (Newby, 2015, p. 2). Academic governance is undertaken by
a university's senate or academic board, which is responsible for ensuring teaching
and research quality and standards, whereas corporate governance is undertaken by
a supreme university council (or governing board), and "involves the steering and
oversight of strategic, financial and management directions" (Rowlands, 2017, p. xi).

Before the 1970s, there were two dominant models of university governance—bu-
reaucratic and collegial (Baldridge, 1971). The bureaucratic model sees the university
as a complex organization having a formal hierarchy of power and relationships. This
hierarchy is marked by lines of authority governing the relationships between offices
and officials; the use of policies, rules, and procedures to govern the university's
work and its people's behaviors; and the vesting of decision-making power in the
hands of authorized officials at various levels of the administrative structure. How-
ever, bureaucratic governance has been criticized for depersonalizing and alienating
the people within the hierarchy. Unlike the bureaucratic model, the collegial model
considers university a collegium or academic community, one which allows the full
participation of all academics (or at least all faculties) in university management.
Academics, as professionals, are expected to have both the ability to make their own

decisions and run university affairs, and freedom from organizational constraints. Decisions are made through consensus and democratic consultation within the academic community, rather than in a top-down manner. However, the collegial model has been criticized for being "a revolutionary ideology and a utopian projection" that does not reflect "the real nature of governance" in university (Baldridge, 1971, p. 10).

To supplement these two university governance models, Baldridge (1971) proposed a political model to explain the complexity of policymaking in universities. The model sees the university as a political institution with a complex social structure in which conflicts between different groups are inevitable due to internal competition for power and resources. University decision markers are affected by many forms of power and pressures that could be translated into policy to be implemented and evaluated. The feedback on policy generates new conflicts, and subsequently more policy change; this kind of competition, conflict, and negotiation is common in many universities and resembles that seen in the business sector (Coman & Bonciu, 2015).

Since the 1980s, the patterns of university governance and organization have gradually shifted from "university as a republic of scholars" marked by collegial governance, to "university as a stakeholder organization" in which the primary task of university leaders is to satisfy the interests of multiple stakeholders—with academic staff being only one (Bleiklie & Kogan, 2007). A major reason for this change is that many governments in the English-speaking world doubted whether governing boards and internal governance structures were capable of holding university managers (e.g., vice-chancellors and their senior management teams) accountable for implementing NPM measures and achieving institutional goals, efficiency, and performance (Trakman, 2008).

To enhance their governance capability and efficiency, many governments have reformed the governing bodies of public universities by reducing their size and incorporating more external members who are neither enrolled at nor employed by the university, such as representatives from corporate partners, alumni, government, and the public at large (Trakman, 2008). These external members are expected to bring universities closer to society at large, increase their responsiveness to external needs and demands (Saint & Lao, 2009), bring in new ways of operating (Bruckmann, 2015), and use their diverse corporate management and financial expertise to improve university governance (Stuart, 2017). The recruitment and appointment of external members to university councils vary across nations (Fielden, 2008). In the UK and Ireland, universities are free to choose and select external members on their own, while, in most other European countries, external members are nominated by universities and appointed by the government. In the US, external members can be ex-officio government officials, members appointed by the state governor upon consultation with an advisory committee, members elected by alumni, or delegates from related sectors. Council chairs may be appointed by the state (e.g., Sweden and the Netherlands), by governing boards (e.g., Ireland and the UK), or by various combinations thereof.

According to Fielden (2008), nations that adopt a managerial model to govern universities prefer smaller governing boards (e.g., a maximum of 11 members in

Denmark, and between 12 and 24 members in post-1992 universities in England), with external members constituting either a majority of council membership (Denmark, Norway, and Tanzania) or at least half (in post-1992 universities in England). Similarly, in the US, external members dominate the membership of the governing boards of public universities (e.g., the University of California and Pennsylvania State University). Some countries (e.g., Australia) tend to form fit-for-purpose, skill-based governing boards, and to recruit external members with diverse skills, particularly corporate management and financial expertise (Stuart, 2017).

As a result, university councils in many countries are empowered to become powerhouses in university governance. For example, in Europe, university councils formally participate in decision-making processes at the highest university level and take up former state duties, such as appointing and closely supervising university heads and their senior management teams (Kretek, Dragšić, & Kehm, 2013). The relationship between a university's council chair and vice-chancellor is similar to that between the chairperson and chief executive officer of a corporation. External members' domination of university councils further reinforces corporate governance practices and further subordinates academic governance (Kretek et al., 2013), while government-appointed or -related external members might increase the possibility of external political interference. To minimize this kind of interference, since 2010, Australian universities have banned current members of parliament and legislative assemblies from being members of university governing bodies (University Chancellors' Council & Universities Australia, 2011).

In comparison, the chancellorship issue at public universities is under-researched (O'Meara & Petzall, 2007). Chancellorship is a longstanding university tradition. In many countries, such as the UK and the US, chancellors are normally eminent individuals in their fields and/or in public life (Moodie & Eustace, 1974). They can be appointed by national or local government (public universities in India), by the governing council (e.g., Imperial College London, University of California, and University of Sydney, University of Melbourne), or elected by the convocation (e.g., University of Oxford and University of Toronto). In Kenya, the chancellor of public universities is normally the head of the national government (Sifuna, 1998). A chancellor can be a titular or ceremonial head, performing largely ceremonial duties (e.g., in Canada, India, Kenya, Uganda, and UK), or a formal head chairing the supreme university governing board, in addition to presiding over important ceremonies (e.g., in Australia) (Moodie & Eustace, 1974; University Chancellors Council, 2017).

The three important changes—power devolution to universities, the increased use of market principles and management techniques to reform and regulate universities, and an emphasis on corporate governance and empowerment of university's governing boards—have significantly changed the ecology of governance at the national and institutional levels across nations, bringing both positive and negative consequences. On the one hand, the change in the state's role in higher education from detailed control to supervision and regulation allows public universities more flexibility and autonomy for institutional development, and for making quick responses to changes in domestic and global contexts, based on their unique characteristics, conditions,

and needs (Fielden, 2008). While the managerial approach helps to increase the transparency and accountability of public institutions, making university councils central to university governance provides oversight of university heads' and senior management teams' performance, and holds them accountable for their management of complex, multi-billion-dollar universities.

On the other hand, coupling managerialism to the empowerment of university councils has been criticized as a means of "centralization through decentralization," underestimating the complexity of public institutions' objectives and relationships with government (Mongkol, 2011, p. 36), failing to recognize the fundamental distinctions in the nature and purposes of the private and public sectors, and undermining faculty professionalism (Lorenz, 2012, 2014). In Europe, for example, the dominance of governing bodies in university governance was met with resistance by students and academic communities, which evolved in some areas of Germany into a call for their abolition (Kretek et al., 2013). These criticisms and concerns should be addressed carefully. However, it is dangerous to dichotomize academic governance and corporate governance in contemporary higher education (Nybom, 2008), as doing so fails to recognize that different models or approaches are not necessarily mutually exclusive. All emphasize, to differing degrees, organizational ideals ranging from collegial self-regulation to corporate governance; moreover, such differences can vary over time within and across nations (Bleiklie & Kogan, 2007).

Concepts of University Autonomy, Academic Freedom, and Academics as Public Intellectuals

The fourth theoretical framework for examining the state, market, university, and university governance involves a set of concepts related to institutional autonomy and academic freedom and the role of academics as public intellectuals in civic engagement.

Institutional Autonomy and Academic Freedom

Institutional autonomy and academic freedom have long been the lifeblood of universities as they fulfill their mission of creating, preserving, and disseminating knowledge (Law, 2017). The most cherished feature of the university is that it derives its authority from human reason and wisdom, rather than from external authorities, such as the state and church (Newman, 1886). However, since the emergence of the first university, centuries ago, institutional autonomy and academic freedom have never gone uncontested (Enders, 2007). Institutional autonomy refers to a university's liberty "to make its decisions on all matters," while academic freedom refers

to academics' ability to teach, research, and publish free from external interference and intimidation (Clark & Neave, 1999, p. 1295).

Academic freedom includes individual academics' freedoms of both intramural and extramural expression (Thompson, 2014)—i.e., the freedom to criticize their university internally as staff, and public social and political issues externally as citizens or public intellectuals, without threat or intimidation from external forces (Currie, Petersen, & Mok, 2006; Turk, 2014). Tenure is an important mechanism to protect individual and collective academic freedom from internal and external threats (American Association of University Professors, 1990; Tierney & Lanford, 2014). However, neither individual nor collective academic freedoms are without limits, and can be narrowed by employment contracts, institutional policies and rules, professional norms, and law (Thompson, 2014).

The concepts of institutional autonomy and academic freedom should not be conflated, because though related, they are not identical (Tierney & Lanford, 2014). A university and its academics can have different interests and agendas, and academics' freedoms can be limited by their university, in its capacity as an employer (Law, 2017). Threats to university autonomy comes from external forces, including government, funding agencies, donors, or powerful individuals, whereas threats to individual academics' freedoms can come from either external forces or internal pressures (Dworkin, 1996). Despite being an important precondition for academic freedom, institutional autonomy can also constrain individual academics' freedoms.

Moreover, university autonomy and academic freedom are not necessarily universal or absolute; rather, they are contextual (Currie et al., 2006), "nested in specific relational environments" (Marginson, 2014, p. 24) and situated in a particular set of historical and societal settings and conditions (Nybom, 2008). As such, the interpretation and exercise of university autonomy and academic freedom can vary across institutions, nations, and cultures in accordance with political traditions, state–university–society relations, and institutional norms and traditions (Marginson, 2014). The pursuit of academic freedom can be facilitated by increased academic professionalization and civil liberties in countries like the US (Pavlich, 2000), or constrained by restrictive cultural, social, and/or political norms, traditions, and practices in countries like China (Zha & Hayhoe, 2014). Despite this, Tierney and Lanford (2014) argued, academic freedom transcends national and cultural boundaries, and should be defended and protected in every society and culture.

Since the late twentieth century, conventional notions of university autonomy and academic freedom have been challenged by new management trends, which have been used to reform public sectors globally. There has been growing government and public interest in institutionalizing and strengthening the accountability and responsiveness of universities to society (Enders, 2007), shifting the concept of university autonomy from one stressing professional autonomy and public trust in the institution, to one emphasizing performativity and subordinating the institution to regulatory frameworks and monitoring and assessment processes prescribed by governments and funding agencies (Enders, Boer, & Weyer, 2013). It is argued that institutional autonomy and academic freedom should be viewed and exercised "in the context of appropriate financial and public accountability" (University Grants

Committee, 2017, p. 11). This balance between institutional autonomy and public accountability can be interpreted as a kind of "regulated autonomy" (Enders et al., 2013, p. 5) or "negotiated freedom" (Sutherland, 2002, p. 20).

Civic Engagement, and Students and Academics as Citizens and Public Intellectuals

After research and teaching, civic engagement can be considered the third mission of higher education (Goddard, 2009; Law, 2017). Universities can be an important training site to equip students to become more active citizens with more civic engagement, better political awareness, and a stronger commitment to democracy (Loss, 2012). Civic engagement refers to the actions of an individual or a group that are "designed to identify and address issues of public concern" (American Psychological Association, c. 2014). The purposes of civic engagement can include improving "civic life" and enhancing "the quality of life in a community" (Ehrlich, 2000, p. vi), and shaping the future of the community (Adler & Goggin, 2005), and can be achieved through political and nonpolitical processes (Ehrlich, 2000). Civic engagement activities can be broadly divided into two categories—community activities and political activities. Each occupies a continuum running from informal, private, and individual action to formal, public, and collective action; community activities can range from helping a neighbor, to offering sustained intensive service, and political activities from engagement in a political discussion with friends or voting in an election, to active participation in a political party or standing for election to public office (Adler & Goggin, 2005).

Banks (2008) developed a typology of four citizenship types, based on extent of participation in the political system: legal citizens, who have legal rights but do not participate in any meaningful way; minimal citizens, who participate in elections by voting in favor of mainstream candidates and issues; active citizens, who may participate in protests but act to support and maintain, rather than challenge the existing social and political system; and transformative citizens, who want to actualize values, ideals, and moral principles beyond laws and conventions, and might take action to "violate, challenge, or dismantle existing laws, conventions, or structures" (p. 136). Transformative citizens, such as Mohandas Gandhi and Martin Luther King, Jr., can successfully help improve the conditions for social justice and human rights, and eradicate discrimination institutionalized in state structures and society (Banks, 2017).

Nowadays, many universities provide students with various programs and opportunities for service learning and community service; teaching students knowledge and skills for community service and global citizenship; and promoting research on social issues and global concerns (Bawa & Munck, 2012; Teune, 2007). Numerous studies (e.g., Jacoby & Associates, 2009; McIlrath, Lyons, & Munck, 2012) have focused on examining the purposes, programs, and issues in students' service learn-

ing through civic engagement, rather than on students' interaction with the collective political dimension of civic engagement.

A number of studies have examined academics, public intellectuals, and civic engagement. Public intellectuals are not necessarily university-based academics; they could also be artists, writers, officials, politicians, or people holding ordinary jobs (Posner, 2009). There are distinctions between public intellectuals and academics, in terms of the nature and value of their work. The former promote and sell ideas to the public, and are valued based on the quantity of those ideas and/or how they are received, whereas the latter focus on the creation and exchange of knowledge and ideas and are valued by the quality of their research, teaching, and service (Leo & Hitchcock, 2016).

As public intellectuals, academics combine the identities and roles of both academics and public intellectuals. The concept of academics being public intellectuals is not uncontested; a less controversial definition is that, as public intellectuals, academics have the important task of communicating with laypersons at local or higher levels to translate knowledge and insights to people from outside their areas of expertise, in such a way that the latter can understand the former's scholarship and find it relevant to their lives (Eliaeson & Kalleberg, 2008). Public intellectuals can establish their authority and gain influence through engaging audiences; for example, using social media platforms to attract people through their personality, celebrity, and branding appeal, and create a shared outlook, perspective, and discourse to shape their thinking and judgement (Nisbet, 2014).

A radical understanding of academics as public intellectuals is that they possess an independent spirit to fearlessly contest unjust power (Dallyn et al., 2015). Their role is to comprehend, construe, and question authority, rather than please, consolidate, and reinforce it (Giroux, 2006), with a view to making their society more just and equitable (Behm, Rankins-Robertson, & Roen, 2014). Giroux (2006) argued that being a public intellectual or citizen scholar is an academic's civic obligation and responsibility. Academics have a duty to defend "higher education as a democratic public sphere," connect their scholarship to public life, and help students become "engaged citizens and active participants in the struggle for global democracy" (p. 66). Moreover, academics are expected to be facilitators of and role models for civic engagement, by directly addressing and explaining their research to various audiences, offering observations and comments on political and social issues and reviewing and commenting on prevalent and persistent inequities (Behm et al., 2014). Universities, as both knowledge-intensive social institutions and corporate citizens, need to be socially embedded, and can play an important role in the development of civil society by using scholarship to address such issues as social exclusions and inequalities in local and world communities (Bawa & Munck, 2012).

In addition to changing state–university–market relationships, managerialism and NPM have challenged the role of higher education and academics as public intellectuals, particularly as it related to their civic engagement. Higher education and academics have been criticized for failing in making "publicly active scholarship and civic engagement defining parts of their mission" (Behm et al., 2014). The coupling of market principles and NPM practices, as Giroux (2016) and Gilbert (2013)

pointed out, has destructive impacts on higher education and academics; it turns higher education from a public democratic sphere and a public good, to one increasingly marked by the corporatization and privatization of research and knowledge, whose production is largely driven by market forces for corporate purposes. NPM also forces academics, as critical intellectuals, to become technicians and grant writers, and to struggle for tenure and promotion. However, academics' and students' civic engagement as public intellectuals and its impact on university autonomy and academic freedom is under-researched (Law, 2017).

Higher Education in Hong Kong

Although it is a small city of about 7.4 million people, Hong Kong has 20 degree-awarding tertiary education institutions. Its government funds, via the University Grants Committee (UGC), eight public universities—the University of Hong Kong (HKU), Chinese University of Hong Kong (CUHK), Hong Kong University of Science and Technology (HKUST), Hong Kong Polytechnic University (PolyU), City University of Hong Kong (CityU), Hong Kong Baptist University (HKBU), Lingnan University (LU) (which focuses on liberal education), and the Education University of Hong Kong (EDUHK) (formerly the Hong Kong Institute of Education)—plus the Hong Kong Academy of Performing Arts. The city's 11 remaining tertiary education institutions are self-financing. This book focuses on UGC-funded universities, as they have longer histories, receive the lion's share of public resources for higher education, are targets of government higher education reforms, and their university governance is complicated by their relationships with local and central authorities.

Since the 2000s, the discourse of higher education in Hong Kong has been dominated by market competition and managerialism, in the context of a globalized economy. A number of studies have examined how Hong Kong universities have responded to the challenges of globalization since the 1990s. One area of academic interest is the massification of higher education in Hong Kong (Law, 2007; Lee, 2016), which has experienced two major stages of expansion. The first took place before the city's 1997 handover to China. Beginning in the early 1980s, the colonial government began to increase the percentage of 17- to 20-year-old first-year students admitted to first-degree, government-funded programs from less than 4% of secondary school graduates (less than 4,000 places) in 1985, to 17.4% (over 14,000 places) in 1994 (UGC, 2016). One important reason for this was that Hong Kong had undergone a significant economic restructuring that translated into a strong demand for trained professionals. Another reason was political (Law, 2007). After the signing of the 1984 Sino-British Joint Declaration, which committed Great Britain to returning Hong Kong to China in 1997, many Hong Kong people became worried about their future, and began to emigrate to other countries to seek political safety. As such, the average number of emigrants drastically increased from 20,000 per year in the early 1980s, to 60,000 per year in the early 1990s (Hong Kong Government, 1997, 1999). Between 1980 and 1997, about 680,000 Hong Kong people are emigrating,

many of whom were highly trained personnel managers, administrators, professionals, and associated workers. The colonial government needed to expand its public higher education to train people to take up these vacancies.

The second expansion of higher education occurred mainly in private higher education, after Hong Kong was returned to China. In 2000, the Hong Kong government set the policy of providing postsecondary education for 60% of the 17–20 age group—i.e., about 55,000 places per year—by 2010 (Hong Kong Government, 2000), through the use of self-financing associate degree education. The overall postsecondary participation rate for the 17–20 age group increased from about 30% in 2000–01, to 53% 2004, and 66% in 2005–06—thus attaining the goal five years ahead of the target date (Hong Kong Government, 2005). The Hong Kong government had strong reasons for this massification, including increased competition in the globalized economy, rising unemployment rates and a growing labor market crisis due to the economic recession arising from the 1997 Asian financial crisis, and the new political leadership's determination to make Hong Kong's new era different from its colonial period (Lee, 2016; Wan, 2011).

However, the massification of higher education has been criticized for failing to enhance young people's upward social mobility. Lee (2016) attributed this failure to governments' reluctance to increase public spending on higher education in both expansions, overreliance on profit-oriented private institutions, and poor planning and implementation (in the second expansion). The victims of the second expansion were associate degree graduates, whose employability was severely affected (Lee, 2016), and whose upward social mobility was further hindered by the Hong Kong government's failure to expand universities' intake of seniors to absorb associate degree graduates, and public universities' reluctance to enroll them (O'Sullivan & Tsang, 2015). O'Sullivan and Tsang (2015) further criticized Hong Kong's government and public universities for their focus on attracting international students rather than expanding local undergraduate enrolments, and questioned whether they had done so to improve their world university rankings.

Another area of scholarly interest dominating the literature concerns how Hong Kong higher education has adapted to global trends of marketization and managerialism, and what new problems and issues have arisen from such adaptation. In the 1990s, the trend toward marketization began to emerge in public higher education, with emphasis being placed on using market principles and practices to enhance the quality of public educational services, with limited resources (Mok, 1999). In the early 2000s, Hong Kong public higher education experienced some measure of privatization; specifically, the Hong Kong government, as Chan and Lo (2011) examined, adopted a "public-aided approach," and changed the public–private mix in higher education by mobilizing private resources to fund higher education through, for example, matching fund schemes to motivate public universities' fundraising, and sponsoring Hong Kong people to pursue continuing education and further training in both public and private tertiary education institutions. Public universities are also eager to generate their own resources by commercializing their courses and research, emphasizing the spirit of entrepreneurism, and setting up commercial enterprises, either by themselves or in partnership with private companies.

Managerialism and corporatization were also brought in, with a view to enhancing the quality of public higher education services in Hong Kong. In the late 1990s, the notions of quality, quality assurance, effectiveness, accountability, performance indicators, and managerial initiatives were used to drive the reform of public primary and secondary education and to regulate universities (Chan & Mok, 2001). Compared to such countries as Singapore and Malaysia, Hong Kong had weak state regulation over public universities, because the Hong Kong government often deferred to market forces (Mok, 2016). Despite this, the government used the concepts of consumerism and academic entrepreneurship, together with the introduction of external quality control mechanisms to force universities to adopt a more business-like mode of governance (Chan & Lo, 2011). These external mechanisms included research assessment exercises, teaching and learning quality audits, and management reviews (Mok, 2014).

Moreover, similar to other higher education systems (Oleksiyenko & Li, 2018), since the 2000s, the Hong Kong government and its public universities have been increasingly concerned with the importance of their international standing and world university rankings (Mok & Cheung, 2011), and have adopted various strategies and approaches to reposition Hong Kong universities in the world. These include increased competition for international students and faculty members (O'Sullivan & Tsang, 2015), introduction of general education and common core courses to broaden students' horizons and enhance their global outlook (Jaffee, 2012), and implementation of quality audits in research, teaching, and management (Mok, 2014). Soh and Ho (2014) reported that, despite differences in their degrees of state regulation, the performance of Hong Kong and Singapore public higher education institutes were on par in major world university rankings, particularly in terms of research output; Hong Kong was better in terms of environment (e.g., global economic competitiveness, diversity between institutions, and proportions of females in staff and students), whereas Singapore had better resources (in terms of public and private funding on research and development) and international connectivity (e.g., proportions of international students and coauthored publications with scholars in other countries). However, the use of market forces and principles to reform Hong Kong's public universities and the latter's pursuit of world-class status have been criticized in a number of studies (e.g., Chan, 2009; Lo, 2010; Mok, 2014; Mok & Cheung, 2011; O'Sullivan & Tsang, 2015; Postiglione & Jung, 2017) for sparking vicious interinstitutional competition for limited public resources, worsening the university ecology by placing extraordinary pressure on academics to publish, and adversely affecting the nature and work of Hong Kong's academic profession (Postiglione & Jung, 2017).

Comparatively, little research has been conducted on the relationships among politics, higher education, and university governance in Hong Kong during and after its transition from British to Chinese rule. The transition period (roughly from 1982 to 1997) witnessed struggles between the departing colonial administration, local groups, and the incoming power (China) over higher education (1997). On the one hand, the colonial administration attempted, in the mid-1990s, to remove such colonial measures as equal remuneration and benefits for expatriate and local staff and

incorporating more ethnic Chinese (who might hold passports of other countries, such as the US) into university administration at the department level or higher. On the other, it also developed measures to maintain Britain's post-1997 interests (Law, 1997), including reinforcing the status of English language in universities by requiring universities to refuse applicants with substandard language skills; establishing more English language centers on campus; funding and expanding collaborative research between Britain and Hong Kong, and introducing British research assessment models and practices.

However, China was proactive in developing and reinforcing its connection to Hong Kong higher education during this period (Law, 1997). It opened its national funding schemes to Hong Kong academics, hosted Hong Kong university executives and higher education policymakers to establish bonds between Hong Kong and mainland China, and coopted higher education policymakers, university council chairs and members, vice-chancellors, and senior academics into Chinese committees working on the Hong Kong handover.

Despite its return to China, postcolonial Hong Kong has retained aspects of its colonial public higher education, including such practices as keeping English as the medium of instruction, using curricula from Anglo-Saxon countries (including Britain and the US), broadening international academic and cultural exchanges, and pursuing world-class university status, based on Anglo-American standards (Mok, 2014).

However, since the handover, Hong Kong higher education has faced external political pressure from the government and/or pro-establishment forces. Postiglione (2018) rightly noted that Hong Kong higher education is still the "most academically free and autonomous" system in Asia, as no academic has yet been fired for their views and actions as a public intellectual. However, since 1997, there have been perceived threats to university autonomy and academic freedom in Hong Kong. Morris (2010), a former president of the Hong Kong Institute of Education (now called the Education University of Hong Kong) recounted how, in 2007, he and his institution had been threatened by the government's second highest education official to curb academics' criticisms of the government's education reform, in clear violation of their academic freedom; following a government inquiry, the official resigned.

Law (2017) examined five additional perceived threats to institutional autonomy and/or academic freedom by the government and/or pro-establishment forces and media. One was the 1999 Robert Chung affair, in which then-Chief Executive of HKSAR (HKARCE) Chee-hwa Tung and HKU Vice-chancellor Yiu-chung Cheng were accused of interfering with Chung's academic freedom to conduct a poll on the popularity and performance of the HKSARCE. An internal inquiry panel set up by the HKU council found evidence of the interference, but the vice-chancellor resigned before the panel could submit its report. Other incidents include pro-establishment media and forces pressuring HKUST to dismiss an academic (Ming Sing) for his views on Hong Kong, and criticisms of Beijing's control over Hong Kong's political election; the controversy over HKU's invitation of China's then-Vice-Premier (now Premier) Keqiang Li to its centenary ceremony; attacks by pro-establishment forces and media on university-based surveys concerning Hong Kong people's local and

national identities; and pressure by pro-establishment forces and media on HKU to fire a law school academic, Benny Tai, for being a cofounder of Occupy Central.

The existing literature on university–state relationships and university governance, together with studies on civic engagement and academics as public intellectuals, can shed light on Hong Kong's use of market principles and managerial measures to reform its public universities, its need to reform and empower university councils, and its students' and academics' struggles for greater democracy in Hong Kong. However, it cannot explain four major ways in which Hong Kong's change in sovereignty influenced its public universities: the UGC becoming an agency of managerialism; the sudden rise in students' and academics' civic engagement in the 2010s; the intervarsity movement to abolish the HKSARCE's role as ex-officio chancellor of all Hong Kong public universities and his/her power to appoint external members to university councils; and students' calls for an increased proportion of internal members on university councils. The first is related to the influences of managerialism on higher education administration, whereas the other three are related to the complicated influences of local and central governments on university governance, under the "one country, two systems" framework.

Hong Kong's case identifies for other higher education systems situated in similar global and domestic contexts five areas related to state–university–market relationships and university governance on which they can reflect: the usefulness of and challenges in using performance-based, funding-linked research assessment to ensure the quality of public higher education and research and attain international recognition; whether to trust a chancellor not to interfere with university affairs, despite having the legal power to do so; whether a university should be governed by a republic of scholars, or the domination of lay professionals; the implications of external members being the majority on governing boards for university governance; the tension between relying on the system or a good chancellor and external members to protect university autonomy; and the cost of students' and academics' civic engagement as public intellectuals on politically sensitive issues.

Focus and Organization of the Book

The book is organized as a broad study of the complex relationships among politics, managerialism, and university governance in Hong Kong under China's rule since 1997. It specifically focuses on how the interplay of two major forces has shaped public higher education and influenced university governance in Hong Kong—managerialism and (in particular) Hong Kong's changing political relationship with mainland China. Hong Kong has established a regulatory regime in higher education and adopted market and managerial principles and practices to reform its public universities. This has resulted in inevitable university governance and management tendencies in pursuit of efficiency, quality, transparency, and public accountability. These tendencies have produced both positive and problematic outcomes, and contain a significant political threat to university autonomy and academic freedom, in the

specific sociopolitical context in which mainland China has increased its control over Hong Kong affairs, particularly in the political domain. Such a threat was exposed by clashes between political ideologies prescribed by the central (and local) authorities and political ideologies advocated by critics (including academics, students and young people) concerning Hong Kong's greater democracy under communist rule and its general future in relation to mainland China. These clashes had repercussions in universities, raising both concerns about greater democracy in higher education and questions about whether institutionalizing managerial principles could have a pernicious influence on university governance and management structures by creating a potential conduit for external political interference in university governance and autonomy.

The book has nine chapters. This introductory chapter provides a theoretical foundation for the book by reviewing the major theories examining the relations between state, market, university, and university governance, and by recapturing the concepts of institutional autonomy, academic freedom, and academics as citizens and public intellectuals, to understand developments in Hong Kong higher education and guide analysis of the influences of managerialism and politics in particular on university governance in Hong Kong.

Chapter 2 provides the political backdrop for understanding public higher education in Hong Kong since China reclaimed sovereignty in 1997. It first highlights the developments and achievements of Hong Kong as a British colony before 1997, Hong Kong people's worries about their return to Chinese rule after 1997, and China's attempt to use the "one country, two systems" principle to facilitate its return. The chapter then examines three types of political conflict—i.e., over freedom of speech, the rule of law, and universal suffrage—between Hong Kong people and the central government that challenge the "one country, two systems" principle and reflect the increasingly tense relations between Hong Kong and the central authorities.

The third chapter examines the influences of managerialism on public universities in Hong Kong. It first presents the basic relationship between the Hong Kong government, the UGC, and public universities, and the mechanisms protecting university autonomy and academic freedom. Next, it examines how the UGC employed managerialism and institutionalized market principles and values to establish a regulatory regime in Hong Kong higher education and to ensure public universities' transparency, performativity, and fiscal accountability. The chapter ends with a discussion of how and why the UGC empowered university councils as supreme internal governing bodies and regulated them for public scrutiny.

Chapter 4 focuses on students' and academics' civic engagement in political events—specifically, the 2012 anti-national education movement and the 2014 Occupy Central—to illustrate the increasing awareness of Hong Kong people, particularly young people, of the need to fight for a better political future for Hong Kong. The anti-national education movement was coled by students and parents, and Occupy Central was initiated by academics, but led by university students. Both political campaigns reflected clashes in political ideology between the Hong Kong and/or central government and Hong Kong people about how Hong Kong should be governed within the "one country, two systems" framework, and was used by the

latter to seek to test the bottom line of the former. The second event widened and
deepened existing social divisions among Hong Kong people, and created greater
political division between them and the central government. Both events further
revealed what and to what extent civic engagement would be tolerated by local and
central authorities.

Chapters 5–8 examine the political repercussions of the academic-initiated and
student-led Occupy Central for public universities and university governance, under
the "one country, two systems" framework. The chapters present, respectively, three
issues—HKU's attempted appointment of its law dean (a liberal scholar and the dean
of a cofounder of Occupy Central) to a senior management position, an intervarsity
student campaign to abolish the HKSARCE's role as ex-officio chancellor of public
universities, and the rise of voices of Hong Kong independence on university campus-
es—that illustrate how political and social divisions can be extended to universities,
causing concerns about institutional autonomy and academic freedom, the political
role of external council members, and how universities handle political controversies
in an increasingly tense local–central relationship.

Chapter 9 concludes the book by reviewing five contentious issues facing public
universities and university governance under the influence of managerialism and
tense local–central relations and identifies lessons from which other public higher
education systems similar to Hong Kong's can learn. The chapter then proposes a
theoretical framework for understanding university governance as a political exercise
situated in a changing multileveled (local, national, and global) context, and explores
its theoretical implications.

References

Adler, R. P., & Goggin, J. (2005). What do we mean by 'Civic Engagement'? *Journal of Transfor-mative Education, 3*(3), 236–253.

Agasisti, T., & Catalano, G. (2006). Governance models of university systems—Towards quasi-markets? Tendencies and perspectives: A European comparison. *Journal of Higher Education Policy and Management, 28*(3), 245–262.

American Association of University Professors. (1990). *1940 statement of principles on academic freedom and tenure (with 1970 interpretive comments)*. Washington, DC: American Association of University Professors.

American Psychological Association. (c. 2014). *Civic engagement*. Retrieved from http://www.apa.org/education/undergrad/civic-engagement.aspx.

Baldridge, J. V. (1971). *Models of university governance: Bureaucratic, collegial, and political*. Stanford, CA: Stanford University.

Banks, J. A. (2008). Diversity, group identity, and citizenship education in a global age. *Educational Researcher, 37*(3), 129–139.

Banks, J. A. (2017). Failed citizenship and transformative civic education. *Educational Researcher, 46*(7), 366–377.

Barzelis, A., Mejere, O., & Saparniene, D. (2012). University governance models: The case of Lapland University. *Journal of Young Scientists, 35*(2), 90–102.

Bawa, A. C., & Munck, R. (2012). Foreword: Globalizing civic engagement. In L. McIlrath, A. Lyons, & R. Munck (Eds.), *Higher education and civic engagement: Comparative perspectives* (pp. xi–xix). New York: Palgrave Macmillan.

Becher, T., & Kogan, M. (1992). *Process and structure in higher education*. Milton Keynes: Open University Press.

Behm, N., Rankins-Robertson, S., & Roen, D. (2014). The case for academics as public intellectuals. *Academe, 100*(1). https://www.aaup.org/article/case-academics-public-intellectuals#.WwvvvUiFOUk.

Bessant, S. E. F., Robinson, Z. P., & Ormerod, R. M. (2015). Neoliberalism, new public management and the sustainable development agenda of higher education: History, contradictions and synergies. *Environmental Education Research, 21*(3), 417–432. https://doi.org/10.1080/13504622.2014.993933.

Bleiklie, I., & Kogan, M. (2007). Organisation and governance of universities. *Higher Education Policy, 20*(4), 477–493.

Bresser-Pereira, L. C. (2004). *Democracy and public management reform: Building the republican state*. Oxford: Oxford University Press.

Broucker, B., & De Wit, K. (2015). New public management in higher education. *The Palgrave international handbook of higher education policy and governance* (pp. 57–75). London: Palgrave Macmillan.

Bruckmann, S. (2015). Shifting boundaries in universities' governance models. In E. Primeri & E. Reale (Eds.), *The transformation of university institutional and organizational boundaries* (pp. 163–184). Rotterdam: Springer.

Chan, D. (2009). A comparative study on the corporatization of higher education in Hong Kong and Singapore. In K.-B. Chan, A. S. M. Ku, & Y.-W. Chu (Eds.), *Social stratification in Chinese societies* (pp. 191–224). Leiden: Brill.

Chan, D., & Lo, W. (2011). Running universities as enterprises: University governance changes in Hong Kong. *Asia Pacific Journal of Education, 27*(3), 305–322.

Chan, D., & Mok, K. H. (2001). Educational reforms and coping strategies under the tidal wave of marketisation: A comparative study of Hong Kong and the Mainland. *Comparative Education, 37*(1), 21–41.

Clark, B. R. (1983). *The higher education system: Academic organization in cross-national perspective*. Berkeley, CA: University of California Press.

Clark, B. R., & Neave, G. R. (Eds.). (1999). *The encyclopedia of higher education*. Oxford: Pergamon.

Coman, A., & Bonciu, C. (2015). Universities as political institutions. *Mediterranean Journal of Social Sciences, 6*(2), 9–17.

Currie, J., Petersen, C. J., & Mok, K. H. (2006). *Academic freedom in Hong Kong*. Lanham: Rowman & Littlefield Publishers.

Dallyn, S., Marinetto, M., & Cederström, C. (2015). The academic as public intellectual: Examining public engagement in the professionalised academy. *Sociology, 49*(6), 1031–1046.

Dobbins, M., Knill, C., & Vogtle, E. M. (2011). An analytical framework for the cross-country comparison of higher education governance. *Higher Education, 62*(5), 665–683.

Dougherty, K. J., & Natow, R. S. (2015). *The politics of performance funding for higher education: Origins, discontinuations, and transformations*. Baltimore: John Hopkins University Press.

Dworkin, R. (1996). We need a new interpretation of academic freedom. In L. Menand (Ed.), *The future of academic freedom* (pp. 181–198). Chicago: University of Chicago Press.

Ehrlich, T. (2000). Preface. In T. Ehrlich (Ed.), *Civic responsibility and higher education* (pp. v–x). Westport, CT: Oryx Press.

Eliaeson, S., & Kalleberg, R. (2008). Introduction: Academics as public intellectuals. In S. Eliaeson & R. Kalleberg (Eds.), *Academics as public intellectuals* (pp. 1–16). Newcastle: Cambridge Scholars Publishing.

Enders, J. (2007). The academic profession. In J. J. F. Forest & P. G. Altbach (Eds.), *International handbook of higher education* (Vol. 1, pp. 5–21). Dordrecht: Springer.

Enders, J., Boer, H., & Weyer, E. (2013). Regulatory autonomy and performance: The reform of higher education re-visited. *Higher Education, 65*(1), 5–23. https://doi.org/10.1007/s10734-012-9578-4.

Fielden, J. (2008). *Global trends in university governance*. Washington, D. C.: World Bank.

Franceschet, M., & Costantini, A. (2011). The first Italian research assessment exercise: A bibliometric perspective. *Journal of Informetrics, 5*(2), 275–291.

Fraser, H., & Taylor, N. (2016). *Neoliberalization, universities and the public intellectual*. Palgrave Macmillan.

Gilbert, D. A. (2013). The generation of public intellectuals: Corporate universities, graduate employees and the academic labor movement. *Labor Studies Journal, 38*(1), 32–46.

Giroux, H. A. (2006). Higher education under Siege: Implications for public intellectuals. *Thought & Action*, 63–78 (Fall).

Giroux, H. A. (2016). Writing the public good back into education: Reclaiming the role of the public intellectual. In J. R. D. Leo & P. Hitchcock (Eds.), *The new public intellectual: Politics, theory, and the public sphere* (pp. 3–28). New York, NY: Palgrave Macmillan.

Goddard, J. (2009). *Re-inventing the civic university*. London: National Endowment for Science, Technology and the Arts.

Gordon, G., & Whitchurch, C. (2010). Diversifying academic and professional identities in higher education: Some management challenges. *Tertiary Education and Management, 16*(2), 129–144.

Gruening, G. (2001). Origin and theoretical basis of new public management. *International Public Management Journal, 4,* 1–25.

Hong Kong Government. (1997). *Hong Kong 1997*. Hong Kong: Printing Department.

Hong Kong Government. (1999). *Hong Kong 1998*. Hong Kong: Printing Department.

Hong Kong Government. (2000). *The 2000 policy address: Serving the community sharing common goals*. Hong Kong: Printing Department.

Hong Kong Government. (2005). *The 2005 policy address: Working together for economic development and social harmony*. Hong Kong: Printing Department.

Hood, C. (1995). The 'new public management' in the 1980s: Variations on a theme. *Accounting, Organizations and Society, 20*(2–3), 93–109.

Hüther, O., & Krücken, G. (2016). Nested organizational fields: Isomorphism and differentiation among European universities. *Research in the Sociology of Organizations, 46,* 53–83.

Jacoby, B., & Associates. (2009). *Civic engagement in higher education: Concepts and practices*. San Francisco: Jossey-Bass Publishers.

Jaffee, D. (2012). The general education initiative in Hong Kong: Organized contradictions and emerging tensions. *Higher Education, 64*(2), 193–206.

Klikauer, T. (2013). *Managerialism: A critique of an ideology*. Basingstoke: Palgrave Macmillan.

Klikauer, T. (2015). What Is managerialism? *Critical Sociology, 41*(7–8), 1103–1119.

Kretek, P., Dragšić, Ž., & Kehm, B. (2013). Transformation of university governance: On the role of university board members. *Higher Education, 65*(1), 39–58. https://doi.org/10.1007/s10734-012-9580-x.

Law, W.-W. (1997). The accommodation and resistance to the decolonisation, neocolonisation and recolonisation in higher education of Hong Kong. *Comparative Education, 32*(2), 41–63.

Law, W.-W. (2007). Schooling in Hong Kong. In G. Postiglione & J. Tan (Eds.), *Going to school in East Asia* (pp. 86–121). Westport, CT: Greenwood Publishing.

Law, W.-W. (2017). Higher education in post-1997 Hong Kong: Politics, academic freedom, and civic engagement. In G. Postiglione & J. Jung (Eds.), *The changing academic profession in Hong Kong* (pp. 39–75). Cham, Switzerland: Springer.

Lee, S.-Y. (2016). Massification without equalisation: The politics of higher education, graduate employment and social mobility in Hong Kong. *Journal of Education and Work, 29*(1), 13–31.

Leo, J. R. D., & Hitchcock, P. (2016). Introduction: Before the beginning, after the end: Toward the new public intellectual. In J. R. D. Leo & P. Hitchcock (Eds.), *The new public intellectual: Politics, theory, and the public sphere* (pp. ix–xxvi). New York, NY: Palgrave Macmillan.

Lo, W. (2010). Entrepreneurialism in higher education: A comparison of university governance changes in Hong Kong and Singapore. In K. H. Mok (Ed.), *The search for new governance of higher education in Asia* (pp. 103–123). New York, NY: Palgrave Macmillan.

Lo, W. Y. W. (2017). The recalibration of neoliberalisation: Repoliticising higher education policy in Hong Kong. *Higher Education, 73*(5), 759–773.

Lorenz, C. (2012). If you're so smart, why are you under surveillance? Universities, neoliberalism, and new public management. *Critical Inquiry, 38*(2), 599–629.

Lorenz, C. (2014). Fixing the facts: The rise of new public management, the metrification of "quality" and the fall of the academic professions. *Moving the Social: Journal of Social History and the History of Social Movements, 52,* 5–26.

Loss, C. P. (2012). *Between citizens and the state: The politics of American higher education in the 20th century*. Princeton, NJ: Princeton University Press.

Lynch, K. (2014). New managerialism: The impact on education. *Journal of Contemporary Community Education Practice Theory (CONCEPT), 5*(3), 1–11.

Marginson, S. (2014). Academic freedom: A global comparative approach. *Frontiers of Education in China, 9*(1), 24–41.

McIlrath, L., Lyons, A., & Munck, R. (Eds.). (2012). *Higher education and civic engagement: Comparative perspectives*. New York: Palgrave Macmillan.

Melo, S., & Beck, M. (2014). *Quality management and managerialism in healthcare*. London: Palgrave Macmillan.

Mok, K. H. (1999). Education and the market place in Hong Kong and Mainland China. *Higher Education, 37*(2), 133–158.

Mok, K. H. (2008). Varieties of regulatory regimes in Asia: The liberalization of the higher education market and changing governance in Hong Kong, Singapore and Malaysia. *Pacific Review, 21*(2), 147–170.

Mok, K. H. (2014). Enhancing quality of higher education for world-class status: Approaches, strategies, and challenges for Hong Kong. *Chinese Education & Society, 47*(1), 44–64.

Mok, K. H. (2016). The quest for regional education hub status: Challenges, possibilities and search for new governance in Hong Kong. In Y. C. Cheng, A. C. K. Cheung, & S. W. Ng (Eds.), *Internationalization of higher education: The case of Hong Kong* (pp. 43–62). Singapore: Springer.

Mok, K. H., & Cheung, A. B. L. (2011). Global aspirations and strategising for world-class status: New form of politics in higher education governance in Hong Kong. *Journal of Higher Education Policy and Management, 33*(3), 231–251.

Mongkol, K. (2011). The critical review of new public management model and its criticisms. *Research Journal of Business Management, 5*(1), 35–43.

Moodie, G., & Eustace, R. (1974). *Power and authority in British universities*. London: George Allen & Unwin.

Morris, P. (2010). Academic freedom, university governance and the state: The commission of inquiry into the Hong Kong institute of education. *Journal of Education Policy, 25*(5), 587–603.

Neave, G., & van Vught, F. A. (Eds.). (1991). *Prometheus bound: The changing relationship between government and higher education in Western Europe*. Oxford: Pergamon.

Neave, G., & van Vught, F. A. (Eds.). (1994). *Government and higher education relationships across three continents: The winds of change*. Oxford: Pergamon.

Newby, H. (2015). *Governance in UGC-funded higher education institutions in Hong Kong*. Hong Kong: University Grants Committee.

Newman, J. H. (1886). *The idea of a university* (6th ed.). London: Longmans.

Nisbet, M. C. (2014). Disruptive ideas: Public intellectuals and their arguments for action on climate change. *Advanced Review, 5*(6), 809–823.

Nybom, T. (2008). University autonomy: A matter of political rhetoric. In L. Engwall & D. Weaire (Eds.), *The university in the market* (pp. 133–141). London: Portland Press.

O'Meara, B., & Petzall, S. (2007). How important is the role of the chancellor in the appointment of Australian vice-chancellors and University governance? *International Journal of Educational Management, 21*(3), 213–231.

O'Sullivan, M., & Tsang, M. Y.-H. (2015). Educational inequalities in higher education in Hong Kong. *Inter-Asia Cultural Studies, 16*(3), 454–469.

Oleksiyenko, A. V., & Li, J. (2018). Introduction: Soft/hard power engines of international status anxiety. In A. V. Oleksiyenko, Q. Zha, I. Chirikov, & J. Li (Eds.), *International status anxiety and higher education: The soviet legacy in China & Russia* (pp. 1–52). Hong Kong: CERC/Springer.

Pavlich, D. (2000). Academic freedom and inclusivity: A perspective. In S. E. Hahn & D. Pavlich (Eds.), *Academic freedom and the inclusive university* (pp. vii–xvi). Vancouver: University of British Columbia Press.

Phillips, M. (2012). *Research universities and research assessment*. Leuven: League of European Research Universities.

Pollitt, C. (2014). *Managerialism redux*. Paper presented at the European Institute for Advanced Studies in Management Conference, Edinburgh.

Posner, R. A. (2009). *Public intellectuals: A study of decline*. Cambridge, MA: Harvard University Press.

Postiglione, G. (2018). Hong Kong's higher education—20 years after Handover. *Higher Education in Southeast Asia and Beyond, 3,* 5–7.

Postiglione, G., & Jung, J. (Eds.). (2017). *The changing academic profession in Hong Kong*. Cham, Switzerland: Springer.

Radnor, Z., Osborne, S., & Glennon, R. (2016). Public management theory. In C. Ansell & J. Torfing (Eds.), *Handbook on theories of governance* (pp. 46–60). Northampton, MA: Edward Elgar Publishing.

Roberts, J. M. (2014). *New media and public activism: Neoliberalism, the state and radical protest in the public sphere*. Chicago: Policy Press.

Rowlands, J. (2017). *Academic governance in the contemporary university: Perspectives from Anglophone nations*. Singapore: Springer Nature.

Saint, W. (2009). *Guiding universities: Governance and management arrangements around the globe*. Paris: World Bank.

Saint, W., & Lao, C. (2009). *Legal frameworks for tertiary education in Sub-Saharan Africa: The quest for institutional responsiveness*. Washington, D. C.: World Bank.

Savage, G. C. (2017). Neoliberalism, education and curriculum. In B. Gobby & R. Walker (Eds.), *Powers of curriculum: Sociological perspectives on education* (pp. 143–165). South Melbourne, VIC: Oxford University Press.

Shepherd, S. (2018). Managerialism: An ideal type. *Studies in Higher Education, 43*(9), 1668–1678.

Sifuna, D. N. (1998). The governance of Kenyan public universities. *Research in Post-Compulsory Education, 3*(2), 175–212.

Sivertsen, G. (2017). Unique, but still best practice? The research excellence framework (REF) from an international perspective. *Palgrave Communications, 3,* 17078. https://doi.org/10.1057/palcomms.2017.78.

Soh, K. C., & Ho, K. K. (2014). A tale of two cities' university rankings: Comparing Hong Kong and Singapore. *Higher Education, 68*(5), 773–787.

Stuart, D. (2017, March 1). University challenge. *Australian Institute of Company Directors Magazine*. Retrieved from http://aicd.companydirectors.com.au/membership/company-director-magazine/2017-back-editions/march/university-challenge.

Sutherland, S. R. (2002). *Higher education in Hong Kong*. Hong Kong: University Grants Committee.

Teune, H. (2007). The political context and message. In J. Huber & I. R. Harkavy (Eds.), *Higher education and democratic culture: Citizenship, human rights and civic responsibility* (pp. 25–27). Paris: Council of Europe Publishing.

Thompson, J. (2014). Preface. In J. L. Turk (Ed.), *Academic freedom in conflict: The struggle over free speech rights in the university* (pp. 7–10). Toronto, ON: James Lorimer & Company Ltd.

Tierney, W. G., & Lanford, M. (2014). The question of academic freedom: Universal right or relative term. *Frontiers of Education in China, 9*(1), 4–23.

Trakman, L. (2008). Modelling university governance. *Higher Education Quarterly, 62*(1–2), 63–83.

Triantafillou, P. (2017). *Neoliberal power and public management reforms*. Manchester: Manchester University Press.

Turk, J. L. (2014). Introduction. In J. L. Turk (Ed.), *Academic freedom in conflict: The struggle over free speech rights in the university* (pp. 11–20). Toronto, ON: James Lorimer & Company Ltd.

University Chancellors' Council, & Universities Australia. (2011). Voluntary Code of Best Practice for the Governance of Australian Universities.

University Chancellors Council. (2017). *University governance in Australia*. Australia: University Chancellors Council.

University Grants Committee. (2016). *Student enrolment of first-year-first-degree (FYFD) places of UGC-funded programmes, 1965/66 to 2015/16*. Hong Kong: University Grants Committee.

University Grants Committee. (2017). *Annual report 2016–17*. Hong Kong: University Grants Committee.

Wan, C. (2011). Reforming higher education in Hong Kong towards post-massification: The first decade and challenges ahead. *Journal of Higher Education Policy and Management, 33*(2), 115–129.

Zha, Q., & Hayhoe, R. (2014). The "Beijing Consensus" and the Chinese model of university autonomy. *Frontiers of Education in China, 9*(1), 42–62.

Chapter 2
The Political Context of Post-1997 Hong Kong Higher Education

Abstract This chapter presents the political context of Hong Kong higher education under China's rule, since 1997. This context is marked by increasingly intricate interactions and conflicts between Hong Kong and CPC-led mainland China. It shows that, in addition to worries about increased economic integration and dependency on mainland China, and escalated social integration of and conflicts with mainlanders, Hong Kong has faced three major political challenges to the "one country, two systems" principle, as it concerns the politics–university relationship; perceived threats to freedoms of speech and publication, and to media independence and pluralism; the clash between Hong Kong's common law tradition and the mainland's civil law tradition; and China's increased political control over Hong Kong, and deliberate delays in introducing universal suffrage. These political concerns involve many Hong Kong people's direct conflicts with the Hong Kong and central governments, resulting in tense central–local relationships and severe internal divisions between Hong Kong people. Both Hong Kong people and the central government see these conflicts as a challenge to the principle of "one country, two systems" and the Basic Law.

This chapter presents the political context of Hong Kong higher education under China's rule since 1997. Hong Kong is a small city with a land territory of 1,100 square kilometers and a population of 7.4 million people, 92% of whom are ethnic Chinese. Its official languages are Chinese and English, with Cantonese being the main local dialect. Hong Kong had been a British colony for 155 years, prior to being returned from British to Chinese sovereignty on July 1, 1997. It is now formally the HKSAR of the People's Republic of China (PRC), which has been ruled by the Communist Party of China (CPC) since 1949. It operates under the unprecedented "one country, two systems" framework, which is enshrined in its Basic Law (Hong Kong's mini constitution). The 1997 handover informed a complicated context of higher education in which university–state relationships are politicized and social tensions and divisions are extended to university campus and governance.

This context is marked by increasingly intricate interactions and conflicts between Hong Kong and CPC-led mainland China, and specifically by four defining moments in the HKSAR's political history concerning central–local (Hong Kong) relationships: the 1 July 2003 demonstration; the 2012 anti-national education movement;

the 2014 Occupy Central movement; and the 2016 Mongkok Riot. These moments revealed ideological and political clashes between Hong Kong people and the central and local governments over how Hong Kong should be governed within the "one country, two systems" framework. The 2003 demonstration was a single-day, 500,000-person peaceful protest that resulted in central authorities to move from a low-level intervention in HKSAR affairs, to high-level intervention. In the 2012 anti-national education movement, students and parents protested the introduction of Moral and National Education as a mandatory subject across all primary and secondary education grades by occupying the front of the HKSAR's Government Headquarters for about 10 days. The 2014 Occupy Central protest was initiated by academics and led by students. It was a 79-day period of widespread civil disobedience in pursuit of greater democracy and included blocking streets in key economic areas and violent confrontations between protesters and the police; the protests led to central authorities taking a stronger stance on HKSAR affairs. The 2016 riot was a violent protest staged by several youth groups that advocated Hong Kong's self-determination or independence from China; an HKU student was arrested for his role as a major leader of the protest and convicted. After the riot, the Hong Kong government introduced a series of unprecedented zero-tolerance measures to curb the spread of independence activities in society and education.

In addition to worries about increased economic integration and dependency on mainland China, and escalated social integration and conflicts with mainland people (Law, 2017), Hong Kong has faced three major political challenges to the "one country, two systems" principle, as it concerns the relationship between politics and university: perceived threats to freedoms of speech and publication, and to media independence and pluralism; the clash between Hong Kong's common law tradition and the mainland's civil law tradition; and China's increased political control over Hong Kong, and deliberate delays in introducing universal suffrage.

These political concerns involve many Hong Kong people's direct conflicts with the Hong Kong and central governments, resulting in tense central–local relationships and severe internal divisions between Hong Kong people. Both Hong Kong people and the central government see these conflicts as a challenge to the principle of "one country, two systems" and the Basic Law. The two parties interpret this challenge in different ways. Many Hong Kong people regard it as a threat to Hong Kong's autonomy and an erosion of the basic foundations and core values that have contributed to its success as a developed economy and modern society. In contrast, the central authorities consider the challenge a threat to their sovereignty and authority over Hong Kong.

This chapter first highlights the major features of Hong Kong's historical development under the British rule and the "one country, two systems" principle, as the two are often major sources of conflict between Hong Kong and mainland China. Next, it presents Hong Kong people's concerns about freedoms of speech and press, personal safety, security, and the need for political correctness. Third, the chapter examines the controversies over the central government's use of its supreme legal power to interpret the Basic Law as a means of meddling with Hong Kong's autonomy. Finally, it examines the dispute between the Hong Kong people and the central

government over universal suffrage—which is promised in the Basic Law—and the 1 July 2003 demonstration. The 2012 anti-national education movement and the 2014 Occupy Central protest will be examined in Chap. 4, and the 2016 Mongkok Riot in Chap. 7.

Development of Colonial Hong Kong Before 1997

In the last three decades of its governance, the colonial administration helped Hong Kong develop into a globally competitive economy and modern society, started the development of party politics and representative government, and enhanced Hong Kong people's awareness of and participation in the process of democratization. Economically, Hong Kong blossomed in the 1970s and became an international financial, trading, and shipping center by the 1990s. The colonial government improved social welfares, health, housing, and education, and incorporated the concepts of equality and social justice into policy in these areas (Chow, 1995). It also provided universal 9-year compulsory education, beginning in 1978, and expanded first-degree programs' capacity from slightly over 2% of relevant cohorts in the 1970s, to 18% in 1994 (Cheng, 1996).

Moreover, the colonial administration helped Hong Kong build up political and legal systems different from those of mainland China. It entrenched the separation of powers (administrative, legislative, and judiciary) to place checks and balances on the power of executive authorities, developed a modern and highly sophisticated legal system, and fostered the rule of law as a core community value (Chan, 1995). Its civil servants were known for their administrative efficiency (Lee, 1995), partly because, beginning in the late 1980s, the Hong Kong government launched waves of NPM initiatives to reform its bureaus, departments, and public institutions (Cheung, 2009). To fight the widespread corruption that had plagued Hong Kong in the 1950s and 1960s, in 1974 the colonial administration established the Independent Commission against Corruption, which greatly diminished public tolerance of corruption.

Although Hong Kong people could not choose their governor (who was appointed by the Crown), the colonial government began, in the early 1980s, to institutionalize the concept of representative government by significantly broadening the bases for district and Legislative Council elections (Lo, 1996). This facilitated the formation of political parties and their competition for seats, and strengthened Hong Kong people's role in monitoring the colonial government, and their desire for democracy (Lo, 1995).

Hong Kong's final governor, Chris Patten, wanted to make his government more open and responsive to the legislature and public concerns and opinions, and quickened the pace of democratization in Hong Kong (Cheung, 2009). To that end, he enlarged the electoral base for the 1995 Legislative Council election by keeping geographical constituencies but extending the meaning of functional constituencies and allowing nearly three million eligible voters to elect candidates indirectly. In this election, pan-democratic forces (represented by the Democratic Party) won more seats

(29 of 60) than the pan-pro-establishment/Beijing camp (represented by the Liberal Party and the Democratic Alliance for the Betterment of Hong Kong) (26). Patten's reform proposal and the election results irritated the Chinese government, which, on the first day of the handover, replaced the 1995 legislature with a 60-member Provisional Legislative Council whose members were "elected" by 400 hand-picked members of the preparatory committee for the selection of the first HKSARCE.

Colonial rule had helped Hong Kong build up important foundations for a modern society with core values. These values were succinctly summarized by Carrie Lam (2017) in her political manifesto as a candidate for the 2017 HKSARCE election, and included:

1. an independent judicial system,
2. adherence to the rule of law,
3. a highly efficient and clean [g]overnment, and
4. a strong respect for human rights and freedoms. (p. 6)

Hong Kong people cherished, and still do, these foundations and core values, and have developed a strong desire for greater democracy, which later became a major source of their conflicts with the Hong Kong and Beijing governments (see next sections).

Principle of "One Country, Two Systems"

Despite their pride in their institutional achievements, Hong Kong people worried about the political future of Hong Kong under communist rule. After the signing of the 1984 Sino-British Joint Declaration, which set the terms and timetable for Hong Kong's return to China, many Hong Kong people began to seek political safe exit by emigrating to other countries. The 1989 military suppression of student protests in Tiananmen Square in Beijing made Hong Kong people even more worried about 1997, and tens of thousands of them emigrated from the 1980s to 1997, as mentioned in Chap. 1. Hong Kong people's worries about post-1997 Hong Kong were intensified following publication of the June 26, 1995 issue of the renowned international magazine, *Fortune*. In the issue's cover story (The Death of Hong Kong), Kraar and McGowan (1995) predicted the end of "Hong Kong's role as a vibrant international commercial and financial hub" due to its transition from a British colony to a special administrative region of China under communist rule.

To ease Hong Kong people's worry about repatriation, in 1990 the central government enshrined the principle of "one country, two systems" in the Basic Law. The Basic Law allows Hong Kong, unlike its other parts of China, to enjoy local governance and high degree of autonomy in most areas, except foreign affairs and defense (National People's Congress (NPC), 1990, Article 2). Mainland China's socialist system will not be implemented in Hong Kong, and Hong Kong will be allowed to maintain its capitalist system and ways of life for 50 years (i.e., up to 2047) (Article 5). Moreover, Hong Kong people may continue to keep their existing institutions

(including Hong Kong's common law tradition), and enjoy freedoms of movement, speech, the press, assembly, and academic freedom. The Basic Law also stipulates that the HKSARCE and Legislative Council will ultimately be elected via universal suffrage (Articles 45 and 68).

Aside from some partial parallels, such as the relationship between Quebec and Canada (Lammert, 2010; Seymour, 1998), the "one country, two systems" framework is unprecedented, and central authorities and Hong Kong people had no ready examples on which to base its implementation. As such, the past 20 years have witnessed various conflicts between these two parties, arising from their different interpretations of the framework. Hong Kong people place more emphasis on the principle of two systems and are increasingly concerned about the erosion of key social foundations and core values. Central authorities stress the principle of one country, and its supremacy over the principle of two systems, particularly in handling these conflicts.

Increased Worry About Freedoms of Speech, the Press, and Assembly

Hong Kong people's first area of concern is the protection of core freedoms. Since 1997, Hong Kong has largely enjoyed freedoms of expression, assembly, and publication, but many Hong Kong people worry about their loss. Currently, Hong Kong people can publicly criticize the central and local governments and read about and openly discuss politically sensitive issues. Hong Kong is the only place in the Chinese territories that holds a large-scale annual vigil to commemorate the 1989 Tiananmen Square Incident. Demonstrations against the Hong Kong government are common; the number of public meetings and demonstrations in 2017 was ten times that of 1997 (Hong Kong Government, 2018). However, there are signs that public space for these freedoms is diminishing, and that censorship or self-censorship is emerging in the public sphere. This is reflected in the infiltration of political taboos and demands for political correctness, perceived threats to the freedoms of speech, the press, and assembly, and collective fear over personal safety and cross-border enforcement by mainland agents.

Political Taboos, Censorship, and Political Correctness

Since 1997, some mainland China political taboos have emerged in Hong Kong. For example, Chinese authorities under Deng Xiaoping (1989) denounced the 1989 Tiananmen Square Incident as a political uprising aimed at overthrowing the CPC leadership and demolishing China's socialist system, and news and publications about the Incident have been banned in China. In Hong Kong, however, the day after Chinese troops violently ended the protest, C. Y. Leung (then Secretary for

the Advisory Committee of the Basic Law) published a public newspaper adver-
tisement strongly condemning the Chinese government for "bloodily slaughtering
Chinese people" (*xuesing tusha zhongguo renmin*) (Democratic Movements of China
Resources Center, 1990, p. 242), echoing the sentiments of many Hong Kong orga-
nizations, groups, and individuals. About 1 month later, on a TV program of Radio
Television Hong Kong (1989), Leung complained that the Chinese government was
breaking its promise not to use the army to suppress or arrest students after the
Incident, and expressed that Hong Kong people should not be blamed for losing
faith in the Chinese government. However, after becoming the third HKSARCE
(2012–2017), Leung no longer responded to media questions about the incident.
When questioned about the Incident by students at a university forum in November
2012, Carrie Lam—then Leung's Chief Secretary for administration, and later the
fourth HKSARCE—refused to comment.

Since Lam took office as HKSARCE in 2017, Hong Kong officials' reluctance to
comment on the central authorities has continued. On June 2, 2018, a Hong Kong
government spokesperson expressed that HKSAR officials would not comment on
media questions about the vindication of the 1989 Tiananmen Square Incident and
protesters' chanting of the "End One-Party Dictatorship in China" slogan at the
annual 4 June candlelight vigil commemorating the Incident (Ming Pao Reporter,
2018). Hong Kong officials' reluctance to express their positions on the Incident
and related issues might reflect their careful balancing of the dilemma between their
practical need to tow the central authorities' political line and their personal views,
which might be different.

Moreover, displays of political taboos by ordinary people are kept from the sight
of mainland Chinese leaders during their visits to Hong Kong. For example, during
then-Vice-Premier Li Keqiang's visit in August 2011, a man wearing a T-shirt-bearing
word about vindication was stopped and forcibly pushed back into his building by
the police. Later, it was found police had been instructed by their superiors to take
action to preempt any embarrassment or threat to the vice-premier (Independent
Police Complaints Council, 2012).

Political correctness is also increasingly important as Hong Kong more closely
adopts and follows China's political positions. A conspicuous example is the need
to uphold the principle of One China. After the 1997 handover, the Curriculum
Development Council Textbook Review Committee (1998) advised publishers to
replace references to the city's triangular (Hong Kong–PRC–Taiwan) relations with
information on the One China principle. The author's comparison of Chinese history
textbooks from the same publishers before and after the 1997 handover (e.g., Yip,
Yu, & Yu, 2000; Yu, Liang, & Chen, 1994) suggests that, despite have the freedom to
write and publish as they chose, textbook publishers and writers have followed closely
the committee's guidelines; China is no longer presented as a northern neighbor, but
as a nation-state with sovereignty over Hong Kong, and Taiwan is described as an
integral part of China.

The Hong Kong government is very cautious when mentioning the names of
Taiwan's institutions. In March 2016, the Leisure and Cultural Services Department
dropped the word "National" from the full name of Taipei National University of

the Arts from a producer's mini biography in a drama program booklet (Lo, 2016). Between 1999 and 2016, the Hong Kong government has omitted the word "national" of the names of Taiwanese universities (e.g., Taiwan University instead of National Taiwan University) in its official press statements over 20 times (Cheung, 2016).

Perceived Threats to the Freedoms of the Press and of Assembly

Despite the Hong Kong government's (2017c) reiteration of the Basic Law's protection of the freedoms of speech, the press, and assembly, many Hong Kong people worry about the erosion of these freedoms, fearing that increased ownership or control of Hong Kong media outlets by mainland investors will lead to increased censorship. According to the Hong Kong Journalists Association (2017), as of 2016, 8 of the city's 26 major media outlets were controlled by the Chinese government or mainland investors. For example, since 2015, the chairman of China Media Capital (a former communist party cadre member in Shanghai) has been a major stakeholder in Television Broadcasts, while the century-old English-language *South China Morning Post* newspaper was bought, in early 2016, by Alibaba Group, an e-commerce giant from the mainland. More seriously, the Liaison Office (a state organ representing the central government) owns and controls the largest publishing conglomerate in Hong Kong, Sino United Publishing (Radio Television Hong Kong, 2018). As a state asset, it operates 53 bookshops (over half of all the Hong Kong bookshops) and owns the largest book distributor and about 30 publishing companies in the city—giving the central government the ability to control the publication and distribution of books and magazines in Hong Kong.

Although there is no direct evidence on restrictions on press freedom by Chinese stakeholders, media workers, journalists, and critics of the authorities nonetheless feel pressured to self-censor their work, as in two programs broadcast by Hong Kong's leading TV station, Television Broadcasts (Hong Kong Journalists Association, 2017). In the first, a tourist program about Taiwan aired on February 17, 2014, the term "national flag" (*guoqi*) of Taiwan in the subtitles was replaced with the term "regional flag" (*quqi*); the term was restored in its replay after complaints. In the second show, a lifestyle program called *Hong Kong Round the Clock*, broadcast on March 18, 2017, introduced a local restaurant operated by a Taiwanese, but blurred the Taiwan flag images on the restaurant's wall and the waitresses' uniforms.

Second, a survey by the Hong Kong Journalists Association (2017) revealed that journalists were more reluctant to criticizing the central government than the Hong Kong government, and encountered pressure from their supervisors and management to edit or drop some stories. Outspoken critics of the authorities can lose their media outlets, as happened to both Joseph Lian and Joseph Wong (Hong Kong Journalists Association, 2017). Before the 2016 Legislative Council election, a Chinese newspaper, *Hong Kong Economic Journal* used newspaper restructuring as an excuse to drop

the column of political commentator Lian, who had written an article recounting the legal grounds for Hong Kong independence. Similarly, the commercial radio used program rearrangement as an excuse for not renewing the contract of Wong, who had for 6 years hosted a current affairs program that focused on government matters and Legislative Council elections. It is difficult to prove that using resource redistribution or changes of personnel and programs to avoid reporting politically sensitive issues or topics is deliberate self-censorship; however, these tactics can be considered "advanced ways of manipulating and controlling information and communication" (Au, Chu, & To, 2018, p. 29).

Third, the Hong Kong government is seen as becoming less tolerant of public demonstrations and assemblies, as seen in occasions in which it sought serious legal penalties for activists who employed violence. The Department of Justice's prosecution of 13 social activists who protested, in June 2014, against the allocation of development funding for the northeastern part of the New Territories. The activists were convicted and initially sentenced to 80–150 h of community service; however, Hong Kong's Secretary for Justice appealed the sentences, which were then changed in August 2017 to imprisonment for 8–13 months. The Secretary for Justice used the same tactic to increase the legal penalties levied against three student leaders whose occupation of the forecourt of government headquarters triggered the 2014 Occupy Central (see Chap. 4). In both cases, the higher court retrospectively used new sentencing guidelines to impose heavier punishments for public violence. In 2018, the Court of Final Appeal (2018) endorsed the lower court's new guidelines; however, it deemed their retrospective application in these two cases to be improper and immediately released the defendants, as they had served their original sentences. Despite this, the use of judicial review and new sentencing guidelines to impose harsher penalties on convicted activists, while legal, has been criticized as having a chilling effect on people's exercise of freedom through demonstration and assemblies.

Concerns Over Personal Safety and Cross-Border Law Enforcement

Many Hong Kong people have expressed concerns about abductions in Hong Kong by mainland agents, seeing such events as threats to freedom and personal safety. One landmark event was the 2015 disappearance of five booksellers from the book publisher, Mighty Current, whose Causeway Book Store published and sold books deemed politically sensitive by Chinese authorities (Hong Kong Journalists Association, 2016). In the early evening of December 30, 2015, one of the booksellers, Po Lee, a Hong Kong citizen and British passport holder, suddenly vanished from Hong Kong without any customs exit records. Hours later, he called his wife from a mainland phone number, and mentioned he was needed to assist with an investigation. On January 1, 2016, his wife reported him missing to the police. In early March 2016, Po Lee appeared on mainland TV, saying he had used his own methods to

voluntarily sneak into the mainland and assist in the investigation of his bookseller partner, Minhai Gui who disappeared in Thailand but later reappeared on mainland TV, confessing he had violated Chinese law.

Another case of suspected abduction and cross-border law enforcement which drew the attention of overseas and local media involved a mainland billionaire, Jianhua Xiao, who holds Canadian passport (e.g., Bland, 2017; Zhou & Tsang, 2017). Reportedly, Xiao was suspected of corruption in the mainland and took sanctuary with personal bodyguards in a famous Hong Kong hotel for several years (Forsythe & Mozur, 2017). The hotel's video footage showed that, on January 27, 2017, he was taken from the hotel in a wheelchair, by a number of unidentified persons. He was reported missing to the Hong Kong Police, who later confirmed his departure for the mainland.

The disappearance of booksellers sparked among many Hong Kong people's collective fear of personal safety. They suspected Lee was abducted in Hong Kong by mainland public security agents, in an act of cross-border law enforcement. Hong Kong people's fear was intensified by the January 6, 2016 editorial of *Global Times* (a state mouthpiece under the aegis of *People's Daily*), which suggested that many countries have "powerful units" (*qiangli bumen*) operating outside the law to apprehend suspects who can assist in an investigation (Global Times Editor, 2016). Public rallies urged the Hong Kong government to investigate whether the disappearance of the booksellers involved cross-border law enforcement, and to protect Hong Kong people's personal safety. In response, on June 20, 2016, then-HKSARCE C. Y. Leung revealed a three-prong approach to settling the bookseller controversy: writing to the central government to express Hong Kong people's concern over the disappearances; reviewing the notification mechanisms between Hong Kong and the mainland over Hong Kong people who are detained by mainland authorities; and, if necessary, dispatching officials to follow up on the case (Hong Kong Government, 2016b). Later, the Hong Kong administration confirmed it had expressed Hong Kong people's concerns to the central government, which agreed to review its notification mechanisms (Hong Kong Government, 2016a).

The booksellers' disappearance case was reported by Britain's Foreign and Commonwealth Office (2017) to the British parliament, and by the United States Congressional-Executive Commission on China (2017) in its annual report as a sign of repression of freedom of the press in Hong Kong; the US report also recounted the abduction of Jianhua Xiao. However, in response to these two reports, the Hong Kong government (2017b, 2017e) hewed to the central government's position, and warned foreign governments not to meddle in Hong Kong's internal affairs. Despite its reiteration that cross-border enforcement by mainland agents is illegal, the Hong Kong government has not allayed many Hong Kong people's fears about their personal freedoms and safety in the face of law enforcement efforts by mainland officers in Hong Kong territories.

All this can partly explain why the Human Freedom Index 2017 reduced Hong Kong's human freedom index ratings and ranking, and noted the threat China's ruling Party represented to press freedom, judicial independence, and the rule of law in Hong Kong (Vásquez & Porčnik, 2017). In the World Press Freedom Index, Hong Kong

dropped from 18th in 2002, to 58th in 2012, and to 73rd in 2017 (Reporters Without Borders, 2017). A local public opinion poll also showed Hong Kong's freedom of speech index declined from about 8 in 2006 to about 7 in 2017 (with 0 and 10 representing a total lack of freedom and absolute freedom, respectively) (Public Opinion Programme, 2018a). The Hong Kong Journalists Association (2014, 2017) described 2013 as "the darkest [year] for press freedom for several decades" in Hong Kong, and fingered pressure from Beijing as "the major reason for the erosion of press freedom" in Hong Kong. Although more empirical research is needed to confirm the effect of the above incidents or suspected cases on Hong Kong people's thoughts and behaviors, their worries about the diminution of their freedoms of speech, the press, and assembly are not without cause.

Rising Concern About Clash Between Hong Kong and Mainland Law Traditions

The second area of Hong Kong people's increasing worries about the erosion of the principle of two systems concerns the emergence of clashes between Hong Kong's common law tradition and mainland China's civil law tradition. Under the principle of "one country, two systems," the Basic Law, as promulgated by the NPC (China's highest legislative body), establishes Hong Kong as a common law jurisdiction (Cheng, 2018); however, the Standing Committee of the NPC (hereafter, NPCSC) has the authority to amend and interpret the Basic Law from a civil law perspective, and Hong Kong and its courts must abide by its interpretations or amendments (NPC, 1990, Articles 158 and 159). Although Hong Kong still enjoys a high global ranking in the Rule of Law Index (16 in 2017–18) (World Justice Project, 2018), many Hong Kong people—including the Hong Kong Bar Association—worry whether the central government will use national legislation to influence and intervene in Hong Kong affairs, and whether Hong Kong's law tradition will succumb to mainland China's, ending Hong Kong's judicial independence.

Differences in Law Traditions Between Hong Kong and Mainland China

Hong Kong's legal system, unlike mainland China's, is based on that of its former colonizer (Britain). For nearly 180 years, Hong Kong has followed the British common law system, which it was allowed to keep after 1997 under the principle of "one country, two systems" (NPC, 1990, Article 81). As explained by its Chief Justice, Geoffrey Ma (2018), Hong Kong's common law system emphasizes the predictability of law through the use of case precedents, the legal doctrines behind them, and courts' reasoned judgement. Courts render verdicts based on a legally principled, not

arbitrary consideration of the letter of the law, and can reference the spirit (i.e., the "true meaning and purpose") of the law as needed.

In contrast, mainland China's legal system originated from European civil law tradition (Chen, 2010), in which courts reach verdicts based on written laws promulgated by the legislature; while precedent cases are used for reference, they have no binding effect on later cases (Wang, 2006). The will of the legislature, in this case the NPC, is supposed to reflect the will of the people, and is thus undisputable lest the principle of supremacy of law be compromised; this is designed to maintain the CPC-prescribed political order and, through it, the CPC's supreme leadership (Lin, 2006).

Controversies Over Basic Law's Interpretations and Judicial Independence

The ultimate power to interpret the Basic Law lies in the hands of the NPC and the NPCSC, not the HKSAR's Court of Final Appeal (NPC, 1990). Interestingly, China has revised its Constitution five times since 1982 (NPC, 2018), but has never amended the Basic law. However, between 1997 and 2017, the NPCSC cautiously followed mainland legislative procedures to issue five interpretations regarding unclear provisions in the Basic Law. Among these, only the fourth (2011) raised no public concerns in Hong Kong, because it was related to diplomatic affairs and made at the request of Hong Kong's Court of Final Appeal, per the Basic Law's Article 158. The other four interpretations, however, raised serious local public concerns, and were perceived by many Hong Kong people, including legal professionals, as a threat to judicial independence and the principle of "one country, two systems." Two interpretations (the first and third) were initiated by the Hong Kong government, and two (the second and fifth) by the NPCSC; three involved court cases.

Two years after the handover, upon the Hong Kong government's request, the NPCSC (1999) made its first interpretation of the Basic Law's Articles 22 and 24, overturning the Court of Final Appeal's ruling on the right of abode of children born in Hong Kong to parents without permanent resident status. This severely discredited the Court of Final Appeal, which had dismissed the Hong Kong government's appeal, and had argued there was no need to seek an NPCSC interpretation as the case fell within the HKSAR's purview. However, fearing the possible influx of over one million mainlanders into Hong Kong, the Hong Kong government "appealed" to the NPCSC to overrule the Court of Final Appeal. Both the action and the historic interpretation disappointed Hong Kong people, particularly the legal profession, which staged, for the first time in its history, a pubic silent protest thereof.

The third (2005) and fifth (2016) NPCSC interpretations were made before Hong Kong courts had rendered their judgment, thus usurping the latter's authority. The third (2005) interpretation, which related to Basic Law Article 53, was made upon the Hong Kong government's request, and concerned the HKSARCE's term of office.

Judicial reviews had already been filed with the Hong Kong court, and the Hong Kong Bar Association (HKBA, 2005) warned the Hong Kong government that its request would "pre-empt the independent judicial power" of the court, and urged it to leave the case to the court to decide.

Similarly, in 2016, the NPCSC intervened (on its own initiative) in an active Hong Kong court case related to Article 104. This fifth interpretation concerned the improper behaviors of pro-independence lawmakers during oath-taking ceremonies. Before the interpretation, the Hong Kong government had requested a judicial review, and Secretary for Justice Rimsky Yuen reiterated the case could be handled within Hong Kong's jurisdiction. The HKBA (2016) criticized the NPCSC, saying its issuing an interpretation before the Hong Kong court issued its own ruling was "unnecessary," "would do more harm than good," and gave the impression it was "effectively" making law for Hong Kong. In November 2016, nearly 2,000 legal professionals (including five former HKBA chairpersons) and their supporters staged a large silent protest against the NPCSC's self-initiated interpretation. The fifth interpretation disqualified six pro-independence lawmakers from office, reducing pan-democratic lawmakers to no more a voting minority in the Legislative Council, and lessening their ability to check the power of the government. Accordingly, the pan-democratic camp suspected both the Hong Kong government and the central government of having used the law as an instrument for the political repression of opposition parties (see more in Chap. 7).

In addition to its Basic Law interpretations, other NPCSC's decisions in respect of Hong Kong have also aroused serious local public concern. One such controversial decision addressed the joint colocation checkpoint in Hong Kong for Hong Kong–Shenzhen–Guangzhou Rail Link's cross-border, high-speed trains, which began construction in early 2010 and was expected to begin operating in 2018. At the request of the Hong Kong government, via the State Council, on December 28, 2017 the NPCSC (2017) issued a decision (not a legal interpretation) allowing the Hong Kong government to lease NPCSC-designated areas in Hong Kong in which all mainland laws shall be enforced, including areas within the West Kowloon terminus, located at the geographical center of Hong Kong. The decision allows mainland authorities not only to exercise power over immigration, customs, and quarantine (as in colocation arrangements between Canada and the US), but also to arrest Hong Kong people suspected of breaching mainland laws in designated areas on Hong Kong soil.

Since the late 2000s, local critics have strongly opposed the colocation checkpoint proposal, suggesting it contravenes the Basic Law Article 18, which stipulates that no national laws be "applied in the Hong Kong Special Administrative Region," beyond a specified handful concerning the national flag, anthem, and emblem (NPC, 1990). Despite these criticisms, the Hong Kong government insisted on the proposal and requested, via the State Council, the NPCSC determine the legality of the joint checkpoint arrangement. In response, the NPCSC (2017) explicitly declared the arrangement to be "consistent with" (*fuhe*) China's Constitution and the Basic Law. Accepting the legislative explanation offered by the State Council's Hong Kong and Macao Affairs Office (2017), the NPCSC elucidated that the arrangement would

not contravene the Basic Law's Article 18, because China's national laws would be enforced only in designated areas, and not over the "entirety" *(zhengge)* of the HKSAR. To ease Hong Kong people's worry, mainland and Hong Kong officials repeatedly explained that mainland law would apply in designated areas, and only to high-speed-train passengers; they further suggested that Hong Kong people who feared mainland laws could choose not to take the high-speed train.

Despite its declaration and explanation thereof, the NPCSC was severely challenged, particularly by the legal profession in Hong Kong. The HKBA (2017) did not oppose the establishment of the joint checkpoint per se, but questioned its location and whether the lease should include the diversion of all Hong Kong institutions (such as Hong Kong courts) to mainland authorities. In particular, the HKBA severely criticized the NPCSC's decision as "wholly unconvincing and unsatisfactory" in providing a firm legal basis for local legislation, calling it a "retrograde step" in the practice of the Basic Law that "severely undermin[ed] public confidence" in both the "one country, two systems" framework and Hong Kong's rule of law. The HKBA further condemned the joint efforts by the Hong Kong government, State Council, and NPCSC for "irreparably breach[ing]" the integrity of the Basic Law, and demanded the NPCSC provide a convincing explanation for its decision, and abide by China's Constitution and the Basic law when making Hong Kong-related decisions.

In response to the HKBA and other critics of the decision, the Hong Kong government (2017d) reiterated the NPCSC's position and explanation, and affirmed that the joint junction arrangement was legal because it was approved by the NPCSC. While encouraging Hong Kong people to respect the NPCSC's authority and mainland legal system, HKSARCE Carrie Lam further indirectly criticized the HKBA's statement for reflecting the "elitist mentality" of some legal professionals (Lam, 2018). One former HKBA chairman, Ronny Tong (2018) (who formerly opposed establishing the joint juncture in Hong Kong territory before being coopted, in July 2017, by Lam to join her Executive Council) criticized the HKBA for overreacting and being unfair to the NPCSC in its "emotive rhetoric." Under pressure from the Hong Kong government, the Legislative Council (which was dominated by pro-establishment lawmakers) on June 14, 2018 passed the Guangzhou–Shenzhen–Hong Kong Express Rail Link (Co-location) Ordinance to implement the colocation arrangement.

The passage of the Ordinance allowed the colocation checkpoint to start operation on September 23, 2018; however, some Hong Kong people sought a judicial review of the Ordinance. On December 13, 2018, the Court of First Instance ruled against the appeal, stating the Ordinance was consistent with the Basic Law with regards to its purpose and context, but admitting Hong Kong courts "have no power… to determine whether the NPCSC Decision is invalid under Hong Kong laws" (High Court, 2018).

It remains to be seen whether the Ordinance will face further judicial challenges in a higher court. However, the NPCSC's joint junction decision continues to worry many Hong Kong people even more than its five interpretations. First, the NPCSC's reasoning is questionable, because Basic Law's Article 18 does not include the word "entirety," but simply HKSAR. While it is unarguable that the Basic Law, which was

enacted in 1990, cannot foresee all new developments and situations in Hong Kong (such as colocation arrangements), the NPCSC's choice to treat the joint junction as a special case and issue an ad hoc decision instead of amending or interpreting the Basic Law to address new problems or issues, is problematic. The decision reinterprets the term HKSAR in Article 18 in such a way that it divides one physical Hong Kong into two separate legal jurisdictions, with mainland laws being enforced in NPCSC-designated areas, and Hong Kong laws in the remainder. Second, the 2017 decision has far-reaching implication for Hong Kong people's future freedom and safety. The joint checkpoint decision is now a precedent allowing mainland China to apply its national laws to other NPCSC-designated, restricted locations in Hong Kong, meaning people would lose the legal protection of the Hong Kong government within Hong Kong. Third, because an NPCSC decision in respect of Hong Kong has the same authority as an interpretation under the Basic Law, Hong Kong (including its courts) cannot challenge, but must accept and follow such decisions. This might be why then-HKBA chairman Paul Lam hoped the joint checkpoint decision would be seen as "a one-off and very exceptional case" (Lam & Lau, 2018).

The controversies arising from NPCSC interpretations and decisions reflect the inherent lack of clarity in some provisions of the Basic Law, differences in the interpretations thereof under common and civil law traditions, and the final power of the NPCSC over these differences. The Basic Law clearly specifies that before final judgement is made, Hong Kong's Court of Final Appeal can request the NPCSC to interpret provisions concerning affairs that are central government responsibility or concern central–local relationships (NPC, 1990, Article 158); this process was followed in the fourth (2011) interpretation, which caused no public concern. However, the Basic law does not specify whether the Hong Kong government can make similar requests, whether the NPCSC can initiate an interpretation of the Basic Law, in what areas the NPCSC can interpret the Basic Law, nor when it should make interpretation. However, past NPCSC actions suggest it has the ultimate power to decide who request an interpretation (including itself and the Hong Kong government), when to interpret the Basic Law (before and after the ruling of a case, or even without an actual case), and what to interpret (including which areas the Hong Kong courts can or cannot handle).

These constitutional interpretations of Basic Law have been seen as signaling the gradual erosion of Hong Kong's judicial independence and the rule of law based on common law tradition. While rating Hong Kong as the freest economy in the world, the US-based Heritage Foundation criticized the NPCSC's ultimate authority for making final constitutional interpretations as "effectively limiting the power of Hong Kong's Court of Final Appeal" (Miller, Kim, & Roberts, 2018, p. 215). The Human Freedom Index 2017 also noted the threat China's ruling Party represented to Hong Kong's rule of law and judicial independence (Vásquez & Porčnik, 2017).

Despite serving an essential link between the two law systems, the power of NPCSC's interpretation, as then-chairman of HKBA Lam (2018) highlighted, is a source of central–local tension, and feeds Hong Kong people's doubts, worries, and fears. Any attempt to subordinate Hong Kong's legal tradition to mainland China's would diminish the judicial space for Hong Kong courts and make many Hong Kong

people, including legal professionals, fear the rule *of* law might be eroded, and ultimately replaced by the rule *by* law. The rule of law and judicial independence must not only be done, they must also be seen to be done.

Increase in Mainland China's Political Control Over Hong Kong

The third area of Hong Kong people worries regarding the principle of two systems concerns Hong Kong being subjected to increased political control and intervention by the central government. Despite having given Hong Kong hope for greater democracy and providing them with opportunities to participate in state governance through political cooption, the central government has maintained inequality in Hong Kong's political structure. The last two decades have witnessed a change in the central government's approach from low- to high-level intervention in handling Hong Kong affairs, and the escalation of political struggles between Hong Kong people (particularly young people) and the central government over the realization of universal suffrage. This has intensified the sense that there is an absence of mutual faith and trust between Hong Kong people and the central government under whom the Hong Kong government operates, and has highlighted the social and political divisions among Hong Kong people.

The Provision of Hope for Greater Democracy and Opportunity for Political Cooption

In addition to the promised "one country, two systems" framework, the central government also promised Hong Kong people two unprecedented privileges they could not have imagined in colonial times: universal suffrage in electing the HKSARCE and all lawmakers, and the political cooption of Hong Kong people into the state's political structure. However, the central government has maintained political inequality in HKSARCE elections and in forming the Legislative Council, to facilitate its control over Hong Kong.

Since the promulgation of the Basic Law in 1990, Hong Kong people have had high hopes of enjoying greater democracy. Unlike in the colonial period, during which the Hong Kong governor was directly appointed by the British government without consulting the Hong Kong people, after the handover in 1997, the central government allowed the HKSARCE to be elected by Hong Kong people. The Basic Law even promised that Hong Kong would ultimately have universal suffrage, and elect "all the members of the Legislative Council" and the HKSARCE through "a broadly representative nominating committee in accordance with democratic process" (NPC, 1990, Articles 45 and 68).

The Basic Law also hinted that "if there is a need" to amend their electoral methods in both elections for terms after 2007, provided the initiative is in accordance with the principle of "gradual and orderly progress" in the light of Hong Kong's "actual situation" and goes through appropriate legislative procedures (NPC, 1990, Annexes I and II). The latter is a "three-step mechanism" involving: (1) the endorsement of a two-thirds majority of all members of the Legislative Council; (2) the consent of the HKSARCE; and (3) the NPCSC's approval of the revised method for selecting the HKSARCE and for forming the Legislative Council. The mechanism suggests the power to initiate such an amendment would rest with the Hong Kong people, with the central government playing only an important gatekeeping role at the end of the process. This was why both pro-establishment and opposition parties included, in their pre-1997 political manifestoes for the 2007 elections, the pursuit of universal suffrage. However, the Basic Law does not specify what "universal suffrage," "democratic process," "need" and "gradual and orderly progress" are, nor who determines them; as will be shown later, these ambiguities became the central government's space for manipulating the Basic Law's interpretation to increase its control over Hong Kong.

Also unlike colonial time, during which there was no Hong Kong delegate in Britain's political structure, Hong Kong's economic, political, and social elites have been incorporated into two important state organs since 1997—the NPC (equivalent to British Parliament) and the Chinese People's Political Consultative Conference (CPPCC, the highest advisory body to the state), and their lower units at the provincial and city levels on the mainland (Fong, 2014). In 2017, the NPC and CPPCC had 36 and 124 members from Hong Kong, respectively, while their lower units coopted hundreds of Hong Kong people. In 2008, the then-chairman of the Bar Association, Rimsky Yuen (later Secretary for Justice, 2012–2017) shocked the public and the legal sector by accepting an appointment as a member of Guangdong Province's CPPCC.

These Hong Kong delegates constitute a strong pro-establishment force in and outside of their own sectors in Hong Kong. Many are appointed by the Hong Kong government to its advisory bodies at various levels, or to governing boards of government-funded institutions, such as public universities. During his tenure as HKSARCE (2012–2017), C. Y. Leung was criticized by opposition lawmakers for offering too many such appointments to his supporters (Hong Kong Government, 2014), and his power (as both HKSARCE and chancellor) to appoint political allies as chairpersons and external members of university councils was seriously questioned by university students and staff associations (see Chap. 6).

Coopted members are required to accept CPC leadership, implement central authority policies, and act as a bridge between Hong Kong and mainland China (CPPCC, 2018). One newly elected Hong Kong representative to the CPPCC Standing Committee revealed that nominees' political beliefs were a criterion used by the CPPCC when appointing members, and that representatives are required to submit an annual duty report on their work in the areas they represent (Chung, 2018). Although it is not clear to most Hong Kong people how accurately and fairly they present Hong Kong people's views, nor the extent to which they pursue Hong Kong's inter-

ests in these mainland organs, many Hong Kong delegates become de facto central authority agents, relaying (through mass media) state officials' views and positions to Hong Kong people. Delegates are also encouraged to represent central authority's positions and policies in Hong Kong (e.g., oppose Hong Kong independence) and promote national education in Hong Kong schools (CPPCC, 2017). Between 2011 and July 2015, 28 NPC delegates and 64 CPPCC delegates gave a total of 568 school talks to 198,000 students (Friends of Hong Kong Association Limited, 2017).

Coopted delegates who do not tow the central government's political line might not have their terms renewed or may even be expelled from mainland bodies. One well-known example of this involved James Tien, founder and chairman of the strong pro-establishment Liberal Party and Legislative Council lawmaker, who repeatedly urged then-HKSARCE C. Y. Leung, who was known to be confrontational and a major cause of social division, to resign. In October 2014, during the Occupy Central period (more later), Tian was axed by the CPPCC for not supporting its resolution in support of Leung (Cheung et al., 2014). To ensure his expulsion did not harm his political party, Tian immediately resigned as party chairman. Tian's case sent a strong warning signal to Hong Kong delegates to mainland state political organs at various levels: if they want to be appointed or have their term renewed, local elites need the "blessing" of the Liaison Office and/or concerned mainland authorities.

The Institutionalization of Inequality in Hong Kong's Postcolonial Political Structure

Despite promising Hong Kong people universal suffrage and the opportunity to participate in mainland affairs, the central government has, since 1997, institutionalized political inequality in Hong Kong's postcolonial political system, such that its people do not have equal rights in the elections of HKSARCE and Legislative Council.

The election of the HKSARCE to a 5-year term has been dubbed a "small circle election," because s/he is selected by a small group of people—e.g., a committee of 400 people appointed by the central government in 1996, election committees of 800 Hong Kong people in 2002 and 1,200 in 2007, and a nomination committee of 1,200 Hong Kong people in 2017. Committee members come from four sectors (commerce and finance; professions; labor, social services, religions, sports, and culture; and politics), under which are 38 subsectors (e.g., finance, accountancy, social welfare, and NPC delegates). In the 2017 HKSARCE election, the nomination committee (which both nominated the candidates and elected the HKSARCE) was selected by less than 250,000—less than 7% of the registered voters in the 2016 Legislative Council election (Electoral Affairs Commission, 2017). Competition for committee seats varies greatly between subsectors; in 2017, the least competition was in agricultural and fisheries (60 seats elected by only 154 voters), while the keenest was in education (30 seats with over 80,000 voters). In the political sector, Hong Kong lawmakers (70 in 2017) and delegates to the NPC (36) are automatically

committee members. There are also seats reserved for which Hong Kong delegates to the CPPCC can compete (51 seats elected by 91 voters).

Similar political inequality is manifested in elections for the Legislative Council, whose basic structure was inherited from the colonial period. Its members, who serve a 4-year term, are drawn from two types of constituencies—geographical and functional. Each has one vote as a geographical constituency representative; those also belonging to a specific functional constituency (e.g., agriculture and fisheries, commerce, education, finance, and health services) have an additional vote. Both types of constituencies have an equal number of seats but are elected by a very different electoral base. In the 2016 election, the 35 geographical representatives were elected by over 3,779,000 registered voters, while the 35 functional representatives were elected by fewer than 240,000 (Electoral Affairs Commission, 2016). Similar to the HKSARCE election, many functional constituency elections are criticized as "small circle elections." The competition for functional constituency seats varies greatly; in 2016, the least competitive was the insurance sector (1 seat with only 134 voters), while the keenest was the education sector (1 seat with over 88,000 voters).

Moreover, passing legislation and motions require over 50% support of both the functional and geographical constituencies. Since 1997, the pro-establishment camp has dominated the functional constituencies (e.g., 24 out of 35 seats won in the 2016 election) (Electoral Affairs Commission, 2016), enabling it to veto legislation and motions proposed by directly elected lawmakers (Chan & Kerr, 2016). At the same time, between 1997 and 2016, the pan-democratic camp had more geographical constituency seats (19 seats in the 2016 election) than the pro-establishment camp (16) and could therefore bar legislation and motions proposed by the latter. However, as discussed earlier, the NPCSC's (2016) reinterpretation of the Basic Law's Article 104 disqualified six pan-democratic representatives, effectively ending the pan-democratic camp's veto.

Increase in Beijing's Control Over Hong Kong Since the 1 July 2003 Demonstration

The first five years following Hong Kong's return to Chinese sovereignty marked the high-point in central–local relations. During this period, central government officials and officials appointed to the Liaison Office (established in Hong Kong to represent the central government) abided by the principles of "one country, two systems" and "governance of Hong Kong by Hong Kong people with a high level of autonomy," and refused to comment on or intervene in Hong Kong's internal affairs (Law, 2017). Accordingly, as reflected in a university public opinion poll, Hong Kong people's trust in the central government rose from 32.4% in the second half of 1997, to 41% in the second half of 2002, while their trust in the Hong Kong government dropped from 52.1% to 34.5% over the same period (Public Opinion Programme, 2018b, 2018c).

However, the honeymoon ended after the 2003 demonstration. In 2003, the Hong Kong government (2003) under then-HKSARCE C.H. Tung (1997–2005) sent the National Security (Legislative Provisions) Bill to the Legislative Council for passage, which triggered HK people's fear of losing their freedoms of expression and association. On July 1, 2003, 500,000 Hong Kong people (about 1 of every 12 people) took to the streets expressing their dissatisfaction with government's performance, and demanding the government withdraw the Bill and establish universal suffrage in time for the 2007 HKSARCE and 2008 Legislative Council elections (Wong, 2004). Under great pressure, the Hong Kong government withdrew the Bill, and has never resubmitted it. Since 2003, 1 July has become a day for Hong Kong people to take to the streets to air their discontent with the government, with demands for universal suffrage emerging as a common protest theme.

The 2003 demonstration was the first definitive political event in Hong Kong's postcolonial history and signaled the beginning of increased tension in its political relationship with mainland China. The central government began to express doubt about the Hong Kong government's ability to govern and administer Hong Kong affairs (Law, 2017); for example, Premier Wen Jiabao (2003–2013) reminded HKSARCE Donald Tsang (2005–2012) of the importance of addressing Hong Kong's deep-rooted economic and social stability problems. The central government also started to worry about Hong Kong becoming a base for challenging CPC leadership and subverting the state's power. After 14 years of annual demonstrations (June 2017), former HKSARCE C. H. Tung (1997–2005) revealed, in an interview with the Chinese newspaper *Ming Pao,* that after the first march and the subsequent failure of the Article 23 legislation, the central government began to doubt Hong Kong's determination to safeguard national sovereignty and security (Ming Pao Reporter, 2017).

This definitive massive demonstration led the central government to change its approach to Hong Kong governance from one of covert, low-level intervention, to one of overt, high-level involvement in Hong Kong affairs. Accordingly, it increased its political presence and influence through the Liaison Office (dubbed the second power center, by pan-democrats), which after 2003 made public, high-level comments on Hong Kong affairs. It is an open secret that the Liaison Office lobbies Hong Kong lawmakers to support HKSAR government policies and bills, and influences elections from the lowest district board level, to the HKSARCE level.

Moreover, the central government not only delayed the introduction of universal suffrage in HKSARCE and Legislative Council elections, it increased its control over existing election processes and outcomes. The central government made use of the NPCSC's (2004b, 2007, 2014) supreme power to issue decisions and interpretations regarding 'ambiguous' electoral amendment provisions to deny Hong Kong people's opportunity for universal suffrage in HKSARCE elections thrice—in 2007, 2012, and 2017. The delay, Ortmann (2015) argued, reflects China's worry that allowing Hong Kong greater autonomy and universal suffrage could have spillover effects in China and threaten the CPC's monopoly on political power.

The NPCSC introduced two new requirements to make legislation amending electoral methods more difficult to begin. First, in its second interpretation of Basic Law,

the NPCSC (2004b) changed the existing three-step mechanism, which empowered Hong Kong to introduce electoral method amendments, into a five-step mechanism that vested that power in the central government. Now, before what was originally the first step (passage of amendment in the Legislative Council) can be taken, the HKSARCE must first submit a need analysis report to the NPCSC, which will decide whether the purported need reflects the "actual situation" in Hong Kong and is in accordance with the principle of gradual and orderly progress. For the HKSARCE elections in 2007, 2012, and 2017, the Hong Kong government conducted consultations, and the HKSARCEs submitted their need analysis reports. Based on those reports, the NPCSC allowed Hong Kong to make small changes to electoral methods (e.g., nomination committee size), but did not allow universal suffrage.

Second, the central government determined what electoral method amendments were acceptable. Specifically, the NPCSC (2004a) created four tough criteria for satisfying the "gradual and orderly progress" principle contained in the electoral amendment mechanism. Specifically, amendments must be "compatible to Hong Kong's social, economic, political development," "conducive to the balanced participation of all sectors and groups of the society," ensure "the effective operation of the executive-led system," and maintain Hong Kong's "long-term prosperity and stability." Like the basic principle, these additional criteria are subject to redefinition and reinterpretation, particularly by the NPCSC. Unlike the basic principle, they provide less flexibility for amendment, and can be used to perpetuate political inequality, particularly the domination of pro-establishment parties and forces in the Hong Kong political system. For example, the "balanced participation" criterion has often been used by local pro-establishment parties and vested interest groups to argue for maintaining, rather than abolishing, functional constituencies in the Legislative Council and keeping the basic composition of the Election Committee for electing the HKSARCE.

In addition to controlling the amendment process at all steps, the central government has also sought to control the outcome of HKSARCE elections by imposing political criteria to screen candidates. As prescribed in the Basic Law, to be eligible to be HKSARCE, a candidate must be Chinese citizen without foreign right of abode, be not less than 40 years of age, and have had continuous residence in Hong Kong for not less than 20 years (NPC, 1990, Article 44). In the early 2010s, however, state officials began to emphasize the importance of political eligibility criteria, including loving the nation (China) and Hong Kong, and being nonconfrontational with and trusted by central authorities (Li, 2013; Qiao, 2013). In April 2014, the State Council (2014) issued an unprecedented White Paper on the implementation of "one country, two systems," clearly specifying that a major political requirement of Hong Kong administrators—including the HKSARCE, principal officials, and judges—was that they love the nation. Four months later, the NPCSC (2014) issued a decision stating that, as the HKSARCE should be "a person who loves the country (China) and Hong Kong," the number of candidates would be limited to two or three, each of whom had to be nominated by over 50% of the 1,200 nomination committee members who would later select one of them to be the HKSARCE for 2017–2022. This was (and is) seen by many Hong Kong people as political screening for the 2017 HKSARCE

election and a denial of the right of Hong Kong people with nonconformist views to stand for election.

Both the White Paper and the 2014 decision triggered Hong Kong people's anger and became strong catalysts for the 79-day Occupy Central demonstration, which was initiated by university academics and led by university students (see Chap. 4). The actual occupation began with the firing of tear gas at unarmed protesters (who used umbrellas to block police pepper spray and tear gas canisters), and later developed into violent confrontations between the police and radical protesters. The occupation finally ended when the police, enforcing a court-issued injunction order, peacefully cleared protestors from the occupied areas. However, the controversy over political reform continued. Pro-establishment forces advocated accepting the NPCSC's framework for the 2017 HKSARCE election and seeking more democracy later. The pan-democratic camp and its supporters refused to fall into this political cage and insisted on genuine universal suffrage without political screening. On June 18, 2015, pan-democratic lawmakers, as a key minority in the Legislative Council, managed to veto the Hong Kong government's (2015) reform proposal, which had mainly been developed within the NPCSC's framework.

All this suggests many Hong Kong people have expectations about and interpretations of the "one country, two systems" principle that differ from those of the central authorities. Both the central authorities and the Hong Kong government recognize central–local relations are increasingly tense. In an attempt to restore Hong Kong people's faith in the "one country, two systems" principle, China's President Jinping Xi (2017), on the 20th anniversary of the formation of HKSAR, called the framework a "success story… widely recognized by the world" (*jushi gongren*), a remark echoed by the Hong Kong government (2017b). President Xi (2017) also promised that central authorities would ensure that the framework was applied "unswervingly" to Hong Kong, "without being bent or distorted." In her maiden policy address, HKSARCE Carrie Lam assured Hong Kong people that Hong Kong's "institutional strengths, rights and freedoms have been protected by the Basic law under the principle of 'One country, Two Systems'" since 1997 (Hong Kong Government, 2017a, p. 3). Lam's administration reiterated that the rule of law, based on British common law, is the bedrock of Hong Kong, and that Hong Kong people, press, and political parties are free to openly express their personal and political beliefs (Hong Kong Government, 2017c).

Whether Xi's promise and Lam's reassurances have restored Hong Kong people's trust in the central authorities and the "one country, two systems" principle remains to be seen. However, over 20 years after its implementation, many Hong Kong people do not have much faith in the principle, as reflected in two consecutive surveys by the Institute of Asia-Pacific Studies of CUHK, in 2017 and 2018 (Path of Democracy, 2017, 2018). The sampled respondents reported they still had some hope about the independence of Hong Kong's legislature and judiciary, and believed they would enjoy freedom of speech (Table 2.1); however, they showed little confidence in what the Basic Law promised—that Hong Kong would be governed under the "one country, two systems" principle, would have a high level of autonomy and self-governance, and would be granted universal suffrage.

Table 2.1 Public assessment of the implementation of "one country, two systems" in Hong Kong (scale of 1–10)

	2017 (N = 1,002)	2018 (N = 1,006)
A high degree of freedom of speech	6.15	6.03
An independent judiciary	5.61	5.43
An independent legislature	5.42	5.28
A high degree of autonomy in the executive branch	4.82	4.73
The gradual implementation of politico-institutional democratization process	4.36	4.43
The successful implementation of "Self-Governance, High Autonomy" principles	4.43	4.42
The full implementation of 1C2S in the future	4.28	4.28
Resolving differences between Hong Kong and the Mainland via dialogue and negotiation	3.97	4.17
Average	4.88	4.84

Note From Path of Democracy (2017, 2018)

Moreover, the clearance of the Occupy Central has not ended many Hong Kong people's dissatisfaction with Beijing's increasing political control over Hong Kong, nor with the HKSAR government's poor performance in defending their electoral rights. Many Hong Kong people still worry about the loss of Hong Kong's core values, and the bending or distortion of the "one country, two systems" principle by central authorities, and continue to urge the central authorities to stick to the original principle. The academic-initiated and student-led Occupy Central and the hardline approaches of the central government and Hong Kong government (examined in Chap. 4) have broadened and deepened political polarization and social division in Hong Kong.

Polarization, division, and a lack of trust in local and central governments, as will be investigated in Chaps. 5–8, have extended from the political landscape to affect university campuses and university governance. Before examining these issues, it is important to understand the relationships between public universities and the Hong Kong government, and the use of market principles and managerialism to control and regulate public universities, to provide a background for the political controversies surrounding the appointment of a liberal scholar (alleged by pro-establishment forces to have abetted an academic behind Occupy Central) to a senior university management position at the University of Hong Kong (Chap. 5), the intervarsity campaign for abolishing the HKSARCE's role as ex-officio chancellor of Hong Kong's public universities (Chap. 6), and the growth of voices for Hong Kong independence and struggles between university administration and students over freedom of speech and expression on campus (Chaps. 7–8).

References

Au, A., Chu, C., & To, Y.-M. (2018). Self-censorship systematised and RTHK feared dried up. In Hong Kong Journalists Association (Ed.), *Candle in the wind – National security law looms over diminishing freedoms (2018 annual report)* (pp. 16–29). Hong Kong: Hong Kong Journalists Association.

Bland, B. (2017, February 4). Hong Kong in a corner after China's raid on Xiao Jianhua. *Financial Times*. Retrieved from https://www.ft.com/content/71a7583e-e9fb-11e6–967b-c88452263daf.

Chan, J. M. M. (1995). Time is running out: The endangered legal system. In J. Y. S. Cheng & S. S. H. Lo (Eds.), *From colony to SAR: Hong Kong's challenges ahead* (pp. 71–90). Hong Kong: Chinese University Press.

Chan, J. M. M., & Kerr, D. (2016). Academic freedom, political interference, and public accountability: The Hong Kong experience. *AAUP Journal of Academic Freedom, 7,* 1–21.

Chen, L. (2010). The historical development of the civil law tradition in China: A private law perspective. *Legal History Review, 78*(1–2), 159–181.

Cheng, K. M. (1996). Efficiency, equity and quality of higher education in a time of expansion. In M. K. Nyaw & S.-M. Li (Eds.), *The other Hong Kong report* (pp. 409–418). Hong Kong: Chinese University Press.

Cheng, T. (2018). *Secretary for justice's speech at ceremonial opening of the legal year 2018*. Hong Kong: Department of Justice.

Cheung, B. L. (2009). Public management reform in Hong Kong. In S. Goldfinch & J. L. Wallis (Eds.), *International handbook of public management reform* (pp. 317–335). Cheltenham: Edward Elgar.

Cheung, T. (2016, March 26). Dropping word 'National has been official practice for years, serving and former Hong Kong officials confirm. *South China Morning Post*. Retrieved from http://www.scmp.com/news/hong-kong/education-community/article/1930612/dropping-word-national-has-been-official-practice.

Cheung, G., Cheung, T., Ng, J., Ng, T., So, P., & Wan, A. (2014, October 30). Liberal leader defiant as he resigns. *South China Morning Post,* p. A3.

Chinese People's Political Consultative Conference. (2017). *Zhongguo Renmin Zhengzhi Xieshang Huiyi Quanguo Weiyuanhui Changwu Weiyuanhui Gongzuo Baogao* [The Work Report of the Chinese People's Political Consultative Conference Standing Committee]. Beijing: Chinese People's Political Consultative Conference.

Chinese People's Political Consultative Conference. (2018). *Zhongguo Renmin Zhengzhi Xiesheng Huiyi Zhangcheng* [The Charter of the Chinese People's Political Consultative Conference]. Beijing: Chinese People's Political Consultative Conference.

Chow, N. W. S. (1995). Social welfare: The way ahead. In J. Y. S. Cheng & S. S. H. Lo (Eds.), *From colony to sar: Hong Kong's challenges ahead* (pp. 393–411). Hong Kong: Chinese University Press.

Chung, K. (2018, April 6). Delegates face more demands in Beijing. *South China Morning Post,* p. C2.

Court of Final Appeal. (2018). *Between secretary for justice and Wong Chi Fung, between secretary for justice and Law Kwun Chung, between secretary for justice and Law Kwun Chung*. Hong Kong: Court of Final Appeal.

Curriculum Development Council Textbook Review Committee. (1998). *Xiuding Keben de Jiben Yuanze* [Guiding Principles for Revising Textbooks]. Hong Kong: Curriculum Development Council.

Democratic Movements of China Resources Center. (1990). *Bajiu Zhongguo Minyun Baozhang Guanggao Zhuanji [Newspaper advertisements on the democratic movements of China 1989]*. Hong Kong: Democratic Movements of China Resources Center.

Deng, X. P. (1989). Zai Jiejian Shoudu Jieyan Buduijun Yishang Ganbu Shi De Hianghua [Address to officers at the rank of general and above in command of the troops enforcing martial law

in Beijing]. In Central Committee of Communist Party of China Document Editorial Commission (Ed.), *Deng Xiaoping Wenxuan, 1982–1992 [Selected Work of Deng Xiaoping, 1982-1992]* (pp. 302–308). Beijing: Renmin Publication House.

Electoral Affairs Commission. (2016). *Report on the 2016 Legislative Council general election*. Hong Kong: Electoral Affairs Commission.

Electoral Affairs Commission. (2017). *Report on the 2017 chief executive election*. Hong Kong: Electoral Affairs Commission.

Fong, B. C. H. (2014). The Partnership between the Chinese Government and Hong Kong's Capitalist Class: Implications for HKSAR Governance, 1997–2012. *The China Quarterly, 217,* 195–220.

Foreign & Commonwealth Office, United Kingdom. (2017). *Six-monthly report on Hong Kong: January to June 2017*. London: Foreign & Commonwealth Office.

Forsythe, M., & Mozur, P. (2017, February 11). A Video, a wheelchair, a suitcase: The mystery of a vanished tycoon deepens. *New York Times,* p. A5.

Friends of Hong Kong Association Limited. (2017). *Xuexiao Jiangzuo Xiangqing* [Detail on School Talks]. Retrieved from http://www.fhka.com.hk/zh-hant/tsdetail.

Global Times Editor. (2016, January 6). Xianggang Shushang Peihe Diaocha Zhenshi Bei Chaozuo Waile [Hong Kong Booksellers Assisting in Investigation Was Speculated and Distorted]. *Huanqiu Shibao [Global Times]*. Retrieved from http://opinion.huanqiu.com/editorial/2016-01/8323385.html.

High Court. (2018). *Constitutional and administrative law list No 1160 of 2018: Between Leung Chung Hang, Sixtus and president of legislative counsel and secretary for justice*. Hong Kong: High Court.

Hong Kong and Macao Affairs Office. (2017, December 28). Guanyu Pizhun Neidi Yu Xianggang Tebei Xingzhengqu Guangyu Zai Guangshengang Gaotie Xijiulong Zhan Sheli Kouan Shishi Yidi liangjian De Hezuo Anpai De Jueding (Caoan) De Shuoming [Explanations on the draft decision of the standing committee of the National People's Congress on approving the co-operation arrangement between the Mainland and the Hong Kong Special Administrative Region on the establishment of the port at the West Kowloon station of the Guangzhou-Shenzhen-Hong Kong express rail link for implementing co-location arrangement]. *Renmin Ribao* [People's Daily], p. 6.

Hong Kong Bar Association. (2005). *The acting chief executive's request for NPCSC interpretation of Article 53 of the Basic Law of the HKSAR - statement of the Hong Kong Bar Association*. Hong Kong: Hong Kong Bar Association.

Hong Kong Bar Association. (2016). *Statement concerning the interpretation made by National People's Congress Standing Committee of Article 104 of the Basic Law*. Hong Kong: Hong Kong Bar Association.

Hong Kong Bar Association. (2017). *Statement of the HKBA dated 28 December 2017 on the decision of the NPCSC of 27 December 2017 on the co-operation agreement*. Hong Kong: Hong Kong Bar Association.

Hong Kong Government. (2003). *National security (legislative provisions) bill*. Hong Kong: Printing Department.

Hong Kong Government. (2014). *LCQ21: Appointments of non-official members to advisory and statutory bodies*. Hong Kong: Hong Kong Government.

Hong Kong Government. (2015). *Highlights of the HKSAR government's proposals for selecting the chief executive by universal suffrage*. Hong Kong: Hong Kong Government.

Hong Kong Government. (2016a, July 1). *Government responds to July 1 procession*. Retrieved from http://www.info.gov.hk/gia/general/201607/01/P201607010633.htm.

Hong Kong Government. (2016b, June 20). Transcript of remarks by CE and S for S. Retrieved from http://www.info.gov.hk/gia/general/201606/20/P201606200446.htm.

Hong Kong Government. (2017a). *The chief executive's 2017 policy address: We connect for hope and happiness*. Hong Kong: Government Logistics Department.

Hong Kong Government. (2017b, October 6). *HKSARG responds to US report*. Retrieved from http://www.info.gov.hk/gia/general/201710/06/P2017100600082.htm.

Hong Kong Government. (2017c). *Our Hong Kong*. Hong Kong: Logistic Department.

Hong Kong Government. (2017d, December 29). *Response of the HKSAR government on co-location arrangement*. Retrieved from http://www.info.gov.hk/gia/general/201712/29/P2017122900853.htm.

Hong Kong Government. (2017e, September 14). *Response to UK report on Hong Kong*. Retrieved from http://www.info.gov.hk/gia/general/201709/14/P2017091400653.htm.

Hong Kong Government. (2018, November 6). *Response by CS at UNHRC universal periodic review meeting*. Retrieved from https://www.info.gov.hk/gia/general/201811/06/P2018110600982.htm.

Hong Kong Journalists Association. (2014). *Press freedom under siege (2014 annual report)*. Hong Kong: Hong Kong Journalists Association.

Hong Kong Journalists Association. (2016). *One country, two nightmares: Hong Kong media caught in ideological battleground (2016 annual report)*. Hong Kong: Hong Kong Journalists Association.

Hong Kong Journalists Association. (2017). *Two systems under siege (2017 annual report)*. Hong Kong: Hong Kong Journalists Association.

Independent Police Complaints Council. (2012). *Final report on complaint cases against the police arising from the visit by the Vice Premier Mr. Li Keqiang*. Hong Kong: Independent Police Complaints Council.

Kraar, L., & McGowan, J. (1995, June 26). The death of Hong Kong. *Fortune*. Retrieved from http://archive.fortune.com/magazines/fortune/fortune_archive/1995/06/26/203948/index.htm.

Lam, C. (2017). *Connecting for consensus and a better future: Manifesto of Carrie Lam chief executive election 2017*. Hong Kong: Campaign Office of Carrie Lam.

Lam, J. (2018, January 1). Lam slams critics of co-location as 'Elitist'. *South China Morning Post,* p. A1.

Lam, J., & Lau, C. (2018, January 3). Checkpoint deal must be one-off: Bar chief. *South China Morning Post,* p. A3.

Lam, P. (2018). *Speech of the Chairman of the Hong Kong Bar Association at the Opening of the Legal Year 2018 (8th January 2018)*. Hong Kong: Hong Kong Bar Association.

Lammert, C. (2010). Quebec: Between founding nation and sovereignty. In K. Ikas (Ed.), *Global realignments and the Canadian nation in the third millennium* (pp. 29–143). Wiesbaden: Harrassowitz Verlag.

Law, W.-W. (2017). Higher education in post-1997 Hong Kong: Politics, academic freedom, and civic engagement. In G. Postiglione & J. Jung (Eds.), *The changing academic profession in Hong Kong* (pp. 39–75). Cham, Switzerland: Springer.

Lee, J. C. Y. (1995). The civil service. In J. Y. S. Cheng & S. S. H. Lo (Eds.), *From colony to SAR: Hong Kong's challenges ahead* (pp. 39–50). Hong Kong: Chinese University Press.

Li, F. (2013). *Zai Xianggang Lifahui Bufen Yiyuan Zuotanhui Shang De Jianghua [Speech at a seminar with the Hong Kong Special Administrative Region government's senior official on Universal Suffrage, 22 November]*. Hong Kong: Hong Kong Government.

Lin, L. (2006). The Chinese model of the rule of law. *Frontiers of Law in China, 10*(4), 657–669.

Lo, A. (2016, March 23). Leave Taiwan affairs in hands of Beijing. *South China Morning Post,* p. A2.

Lo, C.-K. (1996). Constitution and administration. In M. K. Nyaw & S.-M. Li (Eds.), *The other Hong Kong report* (pp. 1–11). Hong Kong: Chinese University Press.

Lo, S. S. H. (1995). Legislative cliques, political parties, political groupings and electoral system. In J. Y. S. Cheng & S. S. H. Lo (Eds.), *From colony to SAR: Hong Kong's challenges ahead* (pp. 51–70). Hong Kong: Chinese University Press.

Ma, G. (2018). *Chief justice's speech at ceremonial opening of the legal year 2018*. Hong Kong: Judiciary.

Miller, T., Kim, A. B., & Roberts, J. M. (2018). *2018 index of economic freedom*. Washington, DC: Heritage Foundation.

Ming Pao Reporter. (2017, June 23). Tung Chee-hwa: 23 Tiao Li Bucheng Zhongyan Qi Jiexin [Tung Chee-hwa: Central authorities began to doubt after the failure in Article 23 legislation]. *Ming Pao* [Ming Pao News], p. A1.

Ming Pao Reporter. (2018, June 2). Teshou Sansi Shisanju Shouzhang Ju Gebie Biaotai [The chief
    executive and her officials refused to comment]. *Ming Pao* [Ming Pao News]. Retrieved from
    https://news.mingpao.com/ins/instantnews/web_tc/article/20180602/s00001/1527937163075.
National People's Congress. (1990). *The Basic Law of the Hong Kong Special Administrative Region
    of the People's Republic of China*. Hong Kong: HKSAR Basic Law Advisory Committee.
National People's Congress. (2018). *Zhonghua Renmin Gongheguo Xianfa* [The constitution of the
    People's Republic of China, amended in March 2018]. Beijing: National People's Congress.
National People's Congress Standing Committee. (1999). *Guanyu Zhonghua Renmin Gongheguo
    Xianggang Tebie Xingzhengqu Jibenfa Di Ershier Tiao Di Si Kuan He Di Ershisi Tiao Di Er Kuan
    Di San Xiang De Jieshi* [Interpretations of Article 22 (Paragraph 4) and Article 24 (Paragraph 2,
    Item 3) of the Basic Law of Hong Kong Special Administrative Region, the People's Republic
    of China]. Beijing: National People's Congress Standing Committee.
National People's Congress Standing Committee. (2004a). *The decision on relevant issues con-
    cerning methods for selecting the HKSAR chief executive in 2007 and for forming the Legislative
    Council in 2008*. Beijing: National People's Congress Standing Committee.
National People's Congress Standing Committee. (2004b). *Quanguo Remin Daibiao Dahui
    Changwu Weiyuanhui Guanyu Zhonghua Renmin Gongheguo Xianggang Tebie Xingzhengqu
    Jibenfa Fujian Yi Di Qi Tiao He Fujian Er Di San Tiao De Jieshi* [The interpretation by the
    Standing Committee of the National People's Congress of Article 7 of Annex I and Article III
    of Annex II to the Basic Law of the Hong Kong Special Administrative Region of the People's
    Republic of China]. Beijing: National People's Congress Standing Committee.
National People's Congress Standing Committee. (2005). *Deliberation on the State Council's pro-
    posal on requesting interpretation of paragraph two, Article 53 of the Basic Law of the Hong
    Kong Special Administrative Region of the People's Republic of China*. Beijing: National People's
    Congress Standing Committee.
National People's Congress Standing Committee. (2007). *Guanyu Xianggang Tebie Xingzhengqu
    2010 Nian Xingzheng Zhangguan He Lifahui Chansheng Banfa Ji Youguan Puxuan Wenti De
    Jueding* [Decision concerning the method for the selection of the chief executive and Legislative
    Council in 2012 and the problems related to universal suffrage]. Beijing: National People's
    Congress Standing Committee.
National People's Congress Standing Committee. (2014). *Quanguo Renmin Daibiao Dahui
    Changwu Weiyuanhui Guanyu Xianggang Tebei Xingzhengqu Xingzheng Zhangguan Pux-
    uan Wenti He 2016 Nian Lifa Hui Chansheng Banfa De Jueding* [Decision of the Standing
    Committee of the National People's Congress on issues relating to the selection of the chief
    executive of the Hong Kong Special Administrative Region by universal suffrage and on the
    method for forming the Legislative Council of the Hong Kong Special Administrative Region in
    the year 2016]. Beijing: National People's Congress Standing Committee.
National People's Congress Standing Committee. (2016). *Interpretation of Article 104 of the Basic
    Law of the Hong Kong Special Administrative Region*. Beijing: National People's Congress Stand-
    ing Committee.
National People's Congress Standing Committee. (2017, September 28). Guanyu Pizhun Neidi Yu
    Xianggang Tebei Xingzhengqu Guangyu Zai Guangshengang Gaotie Xijiulong Zhan Sheli Kouan
    Shishi Yidi liangjian De Hezuo Anpai De Jueding [Decision of the Standing Committee of the
    National People's Congress on approving the co-operation arrangement between the Mainland
    and the Hong Kong Special Administrative Region on the establishment of the port at the West
    Kowloon station of the Guangzhou-Shenzhen-Hong Kong express rail link for implementing
    co-location arrangement]. *Renmin Ribao [People's Daily]*, pp. 4, 6.
Ortmann, S. (2015). The umbrella movement and Hong Kong's protracted democratization process.
    Asian Affairs, 46(1), 32–50.
Path of Democracy. (2017). *One country two systems index*. Hong Kong: Path of Democracy.
Path of Democracy. (2018). *"One Country Two Systems" overview: Public survey and index con-
    struction: Second report*. Hong Kong: Path of Democracy.

Public Opinion Programme, The University of Hong Kong. (2018a). *Appraisal of freedom of speech - Half-yearly average (6/2/2018)*. Hong Kong: Public Opinion Programme.

Public Opinion Programme, The University of Hong Kong. (2018b). *People's trust in the Beijing central government - Half-yearly average (30/1/2018)*. Hong Kong: Public Opinion Programme.

Public Opinion Programme, The University of Hong Kong. (2018c). *People's trust in the HKSAR government - Half-yearly average (30/1/2018)*. Hong Kong: Public Opinion Programme.

Qiao, X. Y. (2013). *Zai Xianggang Lifahui Bufen Yiyuan Zuotanhui Shang De Jianghua [Speech at a seminar with some members of the Legislative Council, 24 March]*. Hong Kong: Hong Kong Government.

Radio Television Hong Kong. (1989, July 13). Beiai Di Xianggangren [Sad Hong Kong people]. *Kengqiang Ji* [Hong Kong Connection].

Radio Television Hong Kong. (2018, May 28). San Zhong Shang [Three leftist publishers]. *Hong Kong Connection*. Retrieved from http://www.rthk.hk/tv/dtt31/programme/hkcc/episode/494749.

Reporters Without Borders. (2017). *2017 World press freedom index*. Paris: Reporters Without Borders.

Seymour, M. (1998). *Quebec and Canada at the crossroads: A nation within a nation*. Paper presented at the London School of Economics, 21 January, London.

State Council. (2014). *The practice of the "One Country, Two Systems" policy in the Hong Kong Special Administrative Region*. Beijing: Foreign Languages Press.

Tong, R. (2018, January 3). Dereliction of duty. *South China Morning Post,* p. A11.

United States Congressional-Executive Commission on China. (2017). *Annual report 2017*. Washington, DC: Congressional-Executive Commission on China.

Vásquez, I., & Porčnik, T. (2017). *The human freedom index 2017*. Washington, DC: Cato Institute.

Wang, Z. (2006). The Roman law tradition and its future development in China. *Frontiers of Law in China, 1*(1), 72–78.

Wong, Y.-C. (2004). Introduction. In Y.-C. Wong (Ed.), *"One Country, Two Systems" in crisis: Hong Kong's transformation since the handover* (pp. 1–8). Lanham: Lexington Books.

World Justice Project. (2018). *Rule of law index, 2017–2018*. Washington, DC: World Justice Project.

Xi, J. (2017, July 2). Zai Qingzhu Xianggang Huigui Zuguo Ershi Zhounian Daohau Ji Xianggang Tebie Xingzhengqu Diwujie Zhengfu Jiuzhi Dianli Shang De Jianghua [Address at the meeting celebrating the 20th anniversary of Hong Kong's return to the motherland and the inaugural ceremony of the fifth-term government of the Hong Kong Special Administrative Region]. *Renmin Ribao [People's Daily],* p. 2.

Yip, X. B., Yu, G. Y., & Yu, A. F. (2000). *Hudong Zhongguo Lishi* [Interactive Chinese history] (2nd ed. Vol. III). Hong Kong: Manhattan Press.

Yu, G. Y., Liang, Y. M., & Chen, W. M. (1994). *Zhongguo Lishi [Chinese history]* (Vol. III). Hong Kong: Manhattan Press.

Zhou, X., & Tsang, E. (2017, February 2). Tycoon 'helping inquiries' over market turmoil. *South China Morning Post,* p. A1.

Chapter 3
Managerialism and Public Universities in Hong Kong

Abstract This chapter examines the basic relationship between the state and public universities and their governance, and how market and managerial values and practices can be used to regulate university autonomy in Hong Kong. It shows that the institutional autonomy of Hong Kong's public universities has been reduced since the 1990s. The University Grants Committee (UGC), mediating between the government and public universities, has made use of the international trends of coupling market principles and managerialism to reform university governance and rationalize its increased control over the institutions it funds. The UGC has become a principal actor in shaping the direction of public universities' institutional development, reviewing and auditing institutional performance in major activities, and downsizing and empowering university councils to ensure fiscal transparency and accountability. As a result, the UGC has established a regulatory regime for higher education, in which public universities are subject to more UGC control, both external, through regular reviews and audits of various domains of university affairs and activities, and internal, through empowering university councils (or governing boards) and increasing the number of external members.

After setting the political context, this chapter examines the basic relationship between the state and public universities and their governance, and how market and managerial values and practices can be used to regulate university autonomy in Hong Kong. Although it is a small city, Hong Kong is home to 20 degree-granting institutions, nine of which are public. These include the Hong Kong Academy of Performing Arts, which is subsidized by the Home Affairs Bureau, and eight institutions funded by the government via the UGC. The latter have come to dominate Hong Kong's higher education sector.

Although the Hong Kong government is their major financial sponsor, public universities have been allowed a high degree of institutional autonomy in deciding and administering their affairs. As this chapter argues, this has been achieved by using the UGC as a mediator between the government and universities to reduce the former's direct interference in the latter's internal affairs, and by granting public universities legal status as self-governing statutory bodies with their own ordinances and governance structures, which are marked by the separation of administrative and academic

powers. However, similar to their counterparts in other countries, such as the UK, the institutional autonomy of Hong Kong's public universities has been reduced since the 1990s. The UGC has made use of the international trends of coupling market principles and managerialism to reform university governance, to rationalize its increased control over the institutions it funds. The UGC has become a principal actor in shaping the direction of public universities' institutional development, reviewing and auditing institutional performance in major activities, and downsizing and empowering university councils to ensure fiscal transparency and accountability. As a result, the UGC has established a regulatory regime for higher education, in which public universities are subject to more UGC control, both external, through regular reviews and audits of various domains of university affairs and activities, and internal, through empowering university councils (or governing boards) and increasing the number of external members.

The chapter first presents the basic relationship between public universities, the Hong Kong government, and the UGC, and the basic mechanisms for protecting university autonomy. Next, it examines how the UGC increased its grip over public universities and institutionalized NPM values and mechanisms to oversee and monitor performance thereof. This is followed by examining the rationale and measures for downsizing and, at the same time, empowering university councils.

Basic Relationships Between the Government, UGC and Public Universities

The eight UGC-funded universities enjoy high international standing. Four of these were upgraded to university status in the 1990s, and one in 2016. Although Hong Kong spends a lower percentage of its gross domestic product (GDP) on research and development (0.7% in 2016) than many developed countries (UGC, 2017a), in 2017 five UGC-funded universities were ranked among the top 100 universities globally in the Quacquarelli Symonds (QS) University Rankings, and three in the Times Higher Education (THE) World University Rankings (Table 3.1). Although ranking metrics and their use are questionable, the UGC (2016) was pleased to compare the global recognition of Hong Kong universities in these league tables with such prestigious academic hubs as Boston (which had four top-100 universities in the 2014 QS ranking) and London (five). In 2017, HKSARCE Carrie Lam announced the government would double its investment in research and development to 1.5% of GDP by 2022 (Hong Kong Government, 2017). How much such an increase will boost the world university rankings of Hong Kong universities remains to be seen. However, the UGC (2017a) considered their high international rankings an indication of their influence in the region and the world.

The Hong Kong government, via the UGC, is the major sponsor of public universities. In addition to providing capital grants on an annual basis, the UGC allocates recurrent grants on a triennial basis to its institutions, based on academic devel-

Table 3.1 UGC-funded universities by founding year, governance structure, and 2018 world university rankings

	Founding year	Governance structure	QS world university rankings	THE world university rankings
HKU	1911	Court, council, senate	26	40
CUHK	1963	Council, senate	46	58
HKUST	1991	Court, council, senate	30	44
PolyU	1937 (1991[a])	Court, council, senate	95	182
CityU	1984 (1994[a])	Court, council, senate	49	119
HKBU	1956 (1994[a])	Court, council, senate	299	401–500
LU	1978 (1999[a])	Court, council, senate	551–600	
EDUHK	1994 (2016[a])	Council, academic board	(13 by subject, Education)	

Note [a]Year of attaining university title. Rankings from Quacquarelli Symonds (2017) and Times Higher Education (2017)

opment proposals. For 2016/17–2018/19, total approved recurrent funding for the eight UGC-funded universities amounted to HK$53 billion (UGC, 2017a). Unlike their counterparts in such countries as Britain, UGC-funded universities in Hong Kong have not faced severe budget cuts. While government grants dropped from HK$11.5 billion in 2003–04 to HK$9.8 billion in 2006–07, due to Hong Kong's economic downturn, they then rose by over 80% (to HK$18.1 billion) in 2015–16 (UGC, 2011a, 2017b).

Unlike counterpart institutions in Britain—such as the University of Oxford, which receives only 15% of its income from the government (Chiu, 2017)—Hong Kong public universities heavily rely on public money and have little individual ability to raise funds or attract private donations. For example, the proportion of total institutional income for HKU, the city's largest and oldest university, coming from government subventions increased from 46.1% to 56.3% between 2005–06 and 2015–16; for LU, the smallest university, it rose from 45.3% to 60% over the same period (calculated from figures provided in Lingnan University, 2006, 2016; University of Hong Kong, 2006, 2016). However, the percentage of their funds from donation and benefactions fell from 8.7% to 6.9% and from 8.3% to 4.9%, respectively.

Although the head of the city (formerly the colonial governor, now the HKSARCE) is their ex-officio chancellor, the Hong Kong government does not directly govern public universities, but allows them a high degree of institutional autonomy, through several measures: first, by following the British model and establishing, in 1965, the UGC as a mediator between the government and UGC-funded

institutions. After its return to China in 1997, Hong Kong continued to follow the UGC model, even though its British counterpart was abolished and replaced by higher education funding councils in 1991. The UGC is an independent, non-statutory body whose major function is to advise the government on the needs and developments of higher education and allocate funding to its institutions. As such, it serves as a mediator and buffer between its institutions, the government, and the community at large, and as a protector of university autonomy and academic freedom against political interference (UGC, 1996), thus reducing direct government involvement in and inference with public universities' internal affairs (Morris, 2010).

Second, the Hong Kong government allows forces from outside Hong Kong to influence the UGC, by diversifying its membership to include nonlocal members. In March 2017, the UGC (2017a) was comprised of 14 local business executives, professionals, and senior academics, and six nonlocal members with strong university governance experience and academic backgrounds—three from the UK, and one each from Australia, mainland China, and the US. Although all members (including the chairperson) are appointed by the government, the cooption of nonlocal academics and experts from outside China can help expose Hong Kong higher education to international trends, and gear it to reflect international norms, standards, and practices. However, this, as shown in the next section, can serve as an inlet for overseas values and practices to control universities.

Third, all UGC-funded universities are given institutional autonomy to govern and administer their internal affairs, within the restraints of Hong Kong law. They are autonomous statutory institutions, with their own ordinances and governing bodies, and are promised freedom in five areas—selection, promotion, and dismissal of staff; selection and rejection of students; designing curricula and setting academic standards; initiation and conduct of research programs; and institutional use of government funds (UGC, 1996, 2017c). Teachers are also assured they will be allowed to freely teach and do research on politically sensitive topics. After 1997, institutional autonomy and academic freedom were further guaranteed protected by Article 137 of the Basic Law (NPC, 1990), which can be seen as a legal defense against political interference by both the local and central governments.

Fourth, neither the Hong Kong government nor the UGC directly administers public universities; instead, universities have their own governance structure, marked by a separation between administrative power and academic authority. Because of Hong Kong's British colonial heritage, the governance structure of UGC-funded universities is tripartite, consisting of a court, a university council, and a senate or academic board (except for CUHK and EDUHK, which do not have a court) (Table 3.1). The court is the supreme advisory body, receiving reports from the university council and vice-chancellor (VC, also called president, following the American tradition), and having regulatory power to change and amend university statutes. The university council is the supreme governing body, responsible for steering the university's development direction and overseeing its financial and human resources, including senior staff appointment. It has independent power to recruit and appoint the VC and senior university officers, regardless of their nationality. The senate is the supreme academic body, responsible for all academic policies and student welfare.

Such a governance structure facilitates the internal division of power, ensures the university council cannot intervene in academic affairs, and requires the senate to seek council approval for policy initiatives related to human and financial resources. The university is administered by a senior management team. At HKU, the senior management team comprises the VC as the chief executive officer, the deputy vice-chancellor (DVC, also called provost), pro-vice-chancellors (PVCs, or vice-presidents), the registrar, and the director of finance. In HKU, the VC is the only senior management team member who sits on the council; in other universities, such as CUHK and EDUHK, the VC and PVCs are also ex-officio council members.

As such, state–university relations in Hong Kong are quite different from those in mainland China. First, Hong Kong universities do not have specified political task, while mainland universities are required to implement the state's education policy, and to train students to be builders and successors of socialist undertakings (NPCSC, 2015, Article 4). Second, Hong Kong has the UGC to mediate between the government and public universities, while their mainland counterparts are under the central leadership and administration of the State Council (Article 13), and are caught in the dilemma between meeting the CPC's political requirements and striving for university autonomy (Pan, 2009; Zha, 2012).

Third, in terms of university governance, Hong Kong universities do not have a political leadership, while the CPC controls mainland universities through a dual (administrative and political) leadership system. Under the university president responsibility system, mainland university presidents are responsible for administering university affairs, whereas the university Party secretary oversees political work on campus (Article 39). However, in mainland China, administrative leadership is subordinated to political leadership, and university president is subject to the guidance of the CPC university Party committee, which is headed by the university Party secretary. For example, in Peking University (China's first university, established in 1898), the university Party committee has governance power in most important areas (such as university structure and development, and recruitment and appointment of key university personnel), whereas the university president is mainly an implementer of the committee's decisions (Peking University, 2014).

Fourth, university presidents in Hong Kong are not necessarily Chinese citizens, can hold foreign passports, and are appointed by their university council without consulting the Hong Kong government. In mainland China, university presidents must be Chinese citizens, and they and the university Party secretaries are appointed by the state (NPCSC, 2015, Article 40). Unlike Hong Kong, in addition to academic achievements, CPC membership is an essential criterion for university presidency in mainland China. Peking University President Jianhua Li (2015—present) and Tsinghua University President Yong Qiu (2015—present) joined the CPC in 1976 and 1985, respectively; in addition to their presidential duties, both concurrently serve as deputy university Party secretaries, an arrangement that facilitates the integration between politics and university governance and leadership.

Fifth, Hong Kong academics have enjoyed academic freedom in deciding and conducting their teaching and research topics, but political censorship and self-censorship in teaching and research are quite common in mainland universities.

Despite legal promises of autonomy in teaching and research (NPCSC, 2015, Articles 33–34), mainland academics have to conduct their duties while obediently observing the state's political bottom line, while at the same time challenging norms to expand the scope of academic freedom and autonomy (Du, 2018).

Managerialism and the Regulation of Hong Kong Higher Education

Despite being provided legal protection and institutional defense, UGC-funded institutions' autonomy is relative, not absolute. Because they rely heavily on government funding, they cannot do whatever they wish, but must observe the rules and policy framework set by the UGC. When first established, in 1965, the UGC's major functions were to review universities' development plans, facilities, and financial needs, and advise the government on its education funding applications to the legislature (Legislative Council Secretariat, 2007). After the Hong Kong government began to use NPM to reform itself and its public institutions (Cheung, 2009) in the 1990s, the UGC began to shape the development of public higher education in response to challenges from changing domestic and global contexts. It also started to tighten its control over its institutions by urging them to ride the international trends of accountability, performativity, and competition for limited resources. Since then, the UGC has gradually institutionalized market values and NPM mechanisms in public higher education. As a result, UGC-funded institutions' academic structures, institutional development, and direction and performance in research, teaching, and governance are subject to more external influences from the UGC, which factors its supervisory expectations and assessment results into its funding decisions.

UGC as a Principal Shaper of Public Higher Education's Developments

In the 1990s, as its major sponsor, the UGC began to play a very important role in shaping public higher education's development, by controlling its academic structure and size. Hong Kong had originally adopted the British academic structure—6 years of primary education, 5 years of secondary education, 2 years of matriculation in preparation for university education, and 3 years of university education. Except for CUHK, which advocated four years of university education, degree programs in all UGC-funded institutions were 3 years in length; despite strong resistance, in 1989, the Hong Kong government forced CUHK to change the length of its undergraduate programs from 4 years to 3. This changed again after Hong Kong returned to China; in 2012, the Hong Kong government forced all UGC-funded institutions to convert

their first-degree courses from 3 years to 4, to harmonize Hong Kong's academic structure with that of the mainland.

The government also maintained tight control over subsidized student enrolment in UGC-funded institutions. It greatly expanded subsidized first-year-first-degree places from slight over 8,500 places (about 10% of the age cohort) in 1990, to about 15,000 places (about 18% of the age cohort) in the mid-1990s (UGC, 2000). Since then, the government has kept a similar subsidized quota in UGC-funded universities, while allowing the rapid expansion of private postsecondary education, such as associate degree programs and self-funded degree programs.

As the government's major funding allocator, the UGC has, since the 1990s, played a leading role in setting specific development directions for its institutions, in response to changing external and domestic contexts. Anticipating the return of Hong Kong to China in 1997, the UGC (1993) asked its institutions to keep themselves distinct from mainland China by ensuring their graduates were high-quality bilingual (Chinese and English) manpower for Hong Kong and mainland China, to help Hong Kong maintain its international position, and encouraged them to recruit undergraduate and postgraduate students from outside Hong Kong. After the 1997 handover, the UGC recommended that the governing body of each institution conduct an internal review of the fitness and purpose of its governance and management structures, and define their university's role as either research- or teaching-intensive (Sutherland, 2002). Later, the UGC (2010) set internationalization and strengthening collaboration with mainland China as two central themes for its institutions to embrace, and urged them to develop strategies to implement the two initiatives and ensure they permeated all institutional activities. To implement its policy directions, the UGC often uses funding as a financial incentive.

Regarding the internationalization of universities' student composition, for example, in 1993 the UGC allowed the UGC-funded institutions to officially admit nonlocal students to subsidized sub-degree, undergraduate and postgraduate programs (2% of approved total student number) (University Grants Committee, 1999). In 2008, the UGC increased the quota to up to 20% of UGC-approved student number targets: 4% within and 16% outside approved numbers (Secretary for Education, 2012). This expansion, however, made mainland China the major source of nonlocal students. In 2015/16, UGC-funded programs enrolled a total of 15,730 nonlocal students, 76% of whom were mainland students (Audit Commission, 2016). To some extent, this helped facilitate the cultural exchange of students between Hong Kong and mainland China; however, the Audit Commission (2016) criticized the UGC for being unable to achieve "true internationalization" by attracting a "greater diversity of nationalities and cultural backgrounds."

UGC as the Main Promoter of NPM Culture and Practice

Despite reiterating its respect for institutional autonomy, the UGC has, since the 1990s, increasingly involved itself in the institutionalization of NPM values and

quality audit practices in public higher education and has become a major monitor and auditor of the performance and quality of its institutions. In the late 1990s, the UGC (1999) began to shift its focus from the quantitative expansion of student quotas, to the pursuit of quality and efficiency. However, the UGC (2010) worried institutional autonomy risked having "varying degrees of poor leadership and disengaged academics" (p. 18).

The UGC uses two major means to legitimize its increased control over public higher education. First, when necessary, the UGC sets up panels, normally involving prestigious external scholars with strong university management experience, to review Hong Kong's higher education; it then "encourages" its universities to comply with the recommendations in the resulting reports (e.g., the 2002 Sutherland Report and the 2015 Newby Report). Second, the UGC (2010) has repeatedly stressed the need to balance institutional autonomy and accountability, such that public universities are held accountable for the quality of what they are funded to do, and has stressed that academics are not entitled to funding for whatever research they want to undertake. The UGC rationalized universities' striking such a balance as a "negotiated freedom" (Sutherland, 2002, p. 20). Specifically, the UGC (1996, 2004, 2017a) promotes the concepts of NPM—for example, the pursuit of excellence, international competition, quality assurance, accountability, fitness of purpose, and value for money.

As a result, compared to its original major functions (as presented earlier), the UGC's functions and scope of activities have significantly expanded. In its recent mission statement, the UGC (2017a) listed the following seven specific tasks, which reflect market or NPM ideas:

1. oversee the deployment of funds for the strategic development of the higher education sector,
2. support the continuous development of the higher education sector to achieve greater impact and recognition, and as a source of innovation and ideas for the community,
3. give steering advice to the higher education sector from a system perspective and facilitate institutions to fulfill their distinctive roles,
4. enhance the student experience and advance the international competitiveness in teaching, research, and knowledge transfer by institutions in accordance with their agreed roles,
5. facilitate the sustainable development of higher education to meet the demands of the changing times,
6. encourage deep collaboration among institutions to develop an interlocking system to increase international competitiveness of the sector, and
7. safeguard quality and promote efficiency, cost-effectiveness, and accountability in the activities of institutions. (p. 11)

Establishment of NPM Measures to Review and Audit University Performance

To institutionalize NPM, the UGC adopted six major, interrelated measures that increased its oversight and steering of public universities' research, teaching, and governance. The first was the delegation of regular supervision over UGC-funded institutions to two semiautonomous non-statutory bodies under its aegis—the Research Grants Council (RGC), established in 1991, and the Quality Assurance Council (QAC), founded in 2007. The RGC's major function is to assist the UGC in controlling academic research funding in UGC-funded institutions through allocating about one-quarter of recurrent grants to research, and setting up various competitive, earmarked research grants (e.g., the General Research Fund and Public Policy Research, which promoted public policy research between 2005 and 2013). The QAC helps the UGC audit and assure the quality of programs and quality assurance mechanisms in UGC-funded institutions. The UGC has also established numerous ad hoc task forces to review and audit its institutions, such as the Financial Affairs Working Group, which assists with and reviews financial governance.

The second measure was the introduction of competition between its institutions for research funding. In addition to its annual general research fund, the UGC created different funding schemes for which institutions could compete, to direct their research topics and modes. Two such major funds are the Areas of Excellence Scheme (AoES) and the Theme-based Research Scheme (TRS). In 2016/17, AoES and TRS amounted to HK$90 million and HK$230 million, respectively—over 25% of RGC's total research funding (UGC, 2017a).

These two schemes have shaped the mode and direction of UGC-funded institutions' research. AoES encourages evidence-based research and funds basic and applied research projects whose scope is broad, but "sufficiently focused" (RGC, 2017a). Under its General Research Fund, to which researchers can apply on an individual basis, AoEs requires research collaboration between institutions and/or interdisciplinary collaboration within the same institution. Unlike AoES, TRS sets research themes for which UGC-funded institutions may compete. Its major objective is to "focus" UGC-funded institutions' research efforts on "themes of strategic importance to the long-term development of Hong Kong" (RGC, 2017b). To that end, the Hong Kong government established, in 2009, a one-off research endowment fund of HK$18 billion, the investment income from which would be used to finance research projects on UGC-designated themes. In the eighth round of the scheme (2018/19), the chosen themes were promoting good health, developing a sustainable environment, enhancing Hong Kong's strategic position as a regional and international center, and advancing Hong Kong's emerging research and innovation (RGC, 2017b). Successful competition in these schemes brings UGC-funded institutions double benefits—direct funding for successful projects, and a higher chance of getting more funding through the research portion of the current block grants (more later).

The third measure was its adoption, beginning in 1993, of a performance- and zero-based model that links universities' recurrent funding level to their overall development and performance, particularly in teaching and research. For example, in 2010/11, a UGC committee (2011b) prescribed procedures for allocating the 2012/15 triennium grant. Specifically, the UGC set broad policy guidelines and student targets for public higher education, required its funded institutions to submit academic development proposals based on those guidelines, evaluated those plans (i.e., their role, strategy, research, teaching and learning, and community engagement), assessed and calculated the grant amount needed, and made recommendation to the government. For the 2016–19 triennium, block grants for UGC-institutions were split into three portions: teaching (about 75%), research (about 23%), and professional activity, such as staff's community services (about 2%) (University Grants Committee, 2013a). Recurrent triennial grants that specifically reference research funding are expected to provide institutions "the protection of academic freedom" (Sutherland, 2002, p. 34).

The fourth measure involved using RGC-organized research assessment exercises (RAE, adapted from Britain) to supervise and review the performance and quality of UGC-funded institutions' research. Five rounds of RAE have been conducted (1993, 1996, 1999, 2006, and 2014), with a sixth scheduled for 2020. The purpose of RAE is threefold: to ensure public accountability by assessing the quality of academics' research in the funding period; to inform research funding for the triennial recurrent block grant in the coming funding period; and to induce improvement in research (UGC, 2005). For each exercise, the RGC formed various assessment discipline-based panels with both local and nonlocal experts to assess research output items submitted by RAE-eligible academic staff. The RAE results informed the allocation of the research portion of the block grant to individual UGC-institutions. For example, in 2012/13, half of the research portion allotted to each institution was determined by its RAE results, and the other half by its overall performance in competition for RGC's earmarked grants (such as AoES and TRS) over the previous nine years (UGC, 2017a). Since their introduction in 1994, RAE exercises have changed the ecology of UGC-funded institutions (see Chap. 9).

Compared with past exercises, the 2014 RAE exercise was more rigorous. It ranked the quality of research outputs into five categories (four-star: world leading; three-star: internationally excellent; two-star: international standing; one-star: regional standing; and unclassified). The 2014 exercise extended the scope of assessment from research outputs alone, to include research inputs (i.e., whether the outputs were supported by external, competitively peer-reviewed research grants) and individual academic staff's esteem (whether they had received research awards and had attracted industrial research grants and contracts); research outputs accounted for 80% of assessment weighting, while the remaining measures accounted for 20% (UGC, 2013c). Unlike in previous exercises, most panel members and all panel conveners and deputy conveners in the 2014 RAE were nonlocal, to enhance assessment creditability and minimize conflicts of interest.

The fifth measure used by the UCG was to implement teaching performance quality audits, beginning with the 1993 teaching and learning quality process review

(TLQPR), in UGC-funded institutions. The purpose of the review was fourfold: to maintain teaching and learning as the primary mission of UGC-funded institutions; to enhance the quality of teaching and learning; to hold universities accountable for such quality; and to inform triennial block grant funding levels for teaching provision (UGC, 2003). As such, the review results could be punitive; in 1998–1999, the UGC decided to penalize one UGC-funded institution for not seriously addressing the TLQPR panel's recommendation by reducing its quota of postgraduate research students and associated funding (Brennan, Dill, Shah, Verkleij, & Westerheijden, 1999).

Since its establishment in 2007, the QAC has completed two quality audits of programs at the first-degree and higher levels of all UGC-funded institutions—the first between 2008 and 2011, and the second between 2015 and 2017. For each institutional audit, the QAC sits an audit panel comprising local and overseas higher education experts and overseas UGC members. Each institution is required to submit a self-assessment, after which the audit panel visits each institution (normally for one-and-a-half days) to validate the self-assessment by visiting selected faculties and departments, and by meeting faculty members and students. Each audited institution receives a review report, affirming its strengths, identifying areas for improvement, and making recommendations for action. It is then required to submit progress reports to the QAC, explaining what actions and measures have been taken to address the issues and concerns raised in the review report. All review reports are uploaded to the UGC's website for public access. In 2016, the QAC began to expand the scope of its audit to include sub-degree programs offered by the eight UGC-funded universities.

The sixth measure was the introduction of management accountability reviews of its institutions' management and financial governance. The UGC admitted it has to ensure university councils monitor management and expenditures using "good, solid, financial transparency and robust governance" (Public Accounts Committee, 2017, p. 62).

In the late 1990s, the UGC began to review its institutions' academic administration, research administration, human resources, finance administration, and other areas. Each review comprised four main stages: (1) a study of institutional documents on institutional context and management structures and processes; (2) preparatory visits by consultants from an external private agency to collect information on issues raised in the background documentation, and prepare a report for the review panel; (3) a site visit by the review panel, during which it would interview members of the governing board, senior management, heads of selected faculties, and both academic and nonacademic departments; and (4) completion of a comprehensive report on management effectiveness, including both good management practices and areas of concern or needing improvement. The institution would then provide an institutional statement describing their responses to the report, and actions taken to make improvements. Based on the Sutherland Report (2002), in the early 2000s, the UGC asked its universities to enhance the accountability and quality of their institutional governance, by reviewing their governance structures, increasing transparency and external participation of lay members, and undergoing a comprehensive management

audit. By 2009, all UGC-funded institutions had completed their internal reviews (see next section).

Moreover, between 2011 and 2013, the UGC conducted a review of its institutions' financial governance, including such areas as long-term financial outlook and cost-recovery and -charging mechanisms. The purpose of financial review was to improve UGC-funded institutions' financial transparency, to help their management teams and councils make decisions "in a better informed manner" (University Grants Committee, 2013a, p. 7), and ensure they were both financially sound and making appropriate use of public money (University Grants Committee, 2013b).

To follow up on this financial review, in 2014–15, the UGC asked each institution to explain how it had allocated costs for UGC-funded and non-UGC-funded activities. To ensure public money was used only on UGC-funded activities, in 2017, the UGC introduced the Academic Timesheet System, requiring academic, teaching, and research staff at UGC-funded universities to report their hours spent on UGC-funded activities. This initiative is well intended and is expected to minimize cross-subsidization of non-UGC activities with UGC resources, and to guard against the misuse of taxpayer money by universities for profit-making purposes, and thus should be supported. Despite this, the initiative has been strongly opposed by staff unions at UGC-funded universities, who argue that asking staff to keep a time log of their activities is "intrusive, degrading and infringing academic freedom" (Academic Staff Association of the University of Hong Kong, Confederation of Tertiary Institutes Staff Unions, City University of Hong Kong Staff Association, & Hong Kong Baptist University Faculty and Staff Union, 2017), and treats university staff as if they were workers in a factory. Moreover, they assert, it is not easy to make clear-cut distinctions between UGC- and non-UGC-funded activities in many cases, such as engagement in community services and participation in seminars and conferences.

Empowering and Regulating University Councils in Institutional Governance

Following in the footsteps of such countries as Britain and Australia (Fielden, 2008; Stuart, 2017), in the 2000s the UGC began to empower and regulate university councils, as a part of its NPM institutionalization, to improve its oversight capabilities and ensure university councils monitored their universities' management and expenditures using "good, solid financial transparency and robust governance" (Public Accounts Committee, 2017, p. 62). To that end, since the early 2000s, the UGC completed two important review reports on its institutions' governance—the 2002 Sutherland Report, and the 2015 Newby Report—which, together with follow-up reports by individual UGC-funded institutions, were important channels for transplanting governance concepts and practices from top modern universities in Anglophone countries, and adopting them into the Hong Kong public education system. With an emphasis on public accountability, the reports provided the UGC with a

legitimate mandate to force its institutions to review and change their governance and management structures, and laid a strong foundation for empowering university councils in internal governance, while simultaneously opening them to public scrutiny.

The first review report, *Higher Education in Hong Kong*, was completed in 2002 by Steward Sutherland (a UGC member and principal and vice-chancellor of the University of Edinburgh) and focused on UGC-funded institutions' governance and management structures. Sutherland (2002) found that university governance in UGC-funded institutions was marked by seven features: (1) wide distribution of governance across the institution; (2) collective responsibility; (3) large governing bodies; (4) wide representation of different stakeholders, ranging from internal members (including staff and students) to political, administrative, and other lay members; (5) consensus-based decision-making; (6) intertwined relations between advisory, governance, and management bodies; and (7) a lack of business skills applied in governing and management. This type of traditional governance was not in line with international governance trends in top, modern public universities around the world, particularly in terms of institutions' efficiency and flexibility when coping with the new demands, risks, and rapid changes of international competition in a global age.

To deal with these issues, Sutherland (2002) emphasized the importance of public universities' accountability to the public and highlighted the inevitable tensions between university autonomy and public accountability. To avoid meddling with university governance, Sutherland recommended the university council of each UGC-funded institution review its governance and management structures (including ordinance) to ensure fit for purpose, and urged the UGC to hold its institutions accountable by developing fit-for-purpose governance structures, and external and internal quality assurance processes.

In response to the Sutherland Report, different UGC-funded institutions began to review their university governance. HKU was one of the most responsive in terms of changing its governance and management structures. In 2002, HKU commissioned a panel, convened by John Niland (then the vice-chancellor of the University of New South Wales and a UGC member), to review its governance and management structures. In 2003, HKU (2003) accepted the recommendations of panel's review report, *Fit for Purpose*, and the university council abandoned its "advisory body" role and became HKU's de facto and *de jure* supreme governing body (Review Panel on the Centenary Ceremony, 2012, p. 129). It now has powers over and responsibilities for the university's direction, its policies and policy implementation in such important employment areas as appointments, contracts, developments and appraisals, promotions, and pay conditions (HKU, 2015). Similar to public universities in Britain and Europe, the HKU's council was downsized from 54 members, to not more than 24, and the ratio of external and internal members decreased to 2:1 from about 5:3, making internal members a minority. Moreover, the council operates on a trustee model, with responsibility for university governance shared among stakeholders. All council members are appointed or elected *ad personam* and are expected to be trustees who represent the university's interests, rather than those of the constituencies from which they were drawn. Staff and student council members are not required to step

down from offices in their respective associations, but are required to sign a written undertaking that they will serve in a "personal capacity, not necessarily adhering to the stance taken by their association" (Niland, 2009, p. 11).

Other UGC-funded institutions have made similar changes to their university governance, albeit at different paces. CUHK, which has the largest council and no student council member (see later), has not yet settled the final size and composition of its council (Taskforce for Reviewing the Size and Composition of the Council, 2016). By 2009, all UGC-funded institutions had reformed their governance and management structures, largely according to Sutherland's recommendations (Newby, 2015). Despite this, the UGC (2010) reminded university councils of its important role in checking and challenging university management, if necessary.

The UGC's second review report on university governance was *Governance in UGC-funded Higher Education Institutions in Hong Kong*, completed by Howard Newby (then a UGC member and former vice-chancellor of the University of Liverpool). This report focused on issues concerning the quality and effectiveness of university councils and emphasized the need to ensure university councils served the public good, by focusing on why and how to regulate them and assess their performance. Newby (2015) reaffirmed Sutherland's arguments for shared governance by legitimate stakeholders, and the need "to strike an appropriate balance university autonomy and public accountability" (p. 37). However, drawing on international comparison of top universities in such Anglophone countries as Canada, the UK, and the US, Newby argued that good and effective governance and robust accountability are not a threat to, but protection of university autonomy, and an important condition for a university's overall performance, particularly its research output.

Using university autonomy as a pretext for reinforcing public accountability, Newby (2015) made five recommendations concerning how the government, via the UGC, could regulate university councils' control of their institutions in general, and of their senior management teams in particular: (1) recruiting and appointing external council members based on a template of skills and expertise needed to govern universities, and providing them with necessary induction and professional development; (2) establishing a written accountability framework that clearly delineates the relationship between the government and university, and based upon which the council and vice-chancellor will annually report on the implementation of their fiduciary responsibilities; (3) asking universities to formulate key performance indicators that can be used by their councils to assess their progress in achieving institutional priorities and desired outcomes; (4) overseeing key strategic risks and conducting risk management by drawing up a risk register the council can use to assess how well senior management identifies, manages, and handles major institutional risks, particularly financial and reputation risks; and (5) publishing a detailed council delegation scheme, charting its subcommittees and their mechanisms for reporting to the council.

These recommendations all reflect a strong need to hold universities councils publicly accountable by regulating their university governance duties and empowering them to implement their fiduciary responsibilities. The first two recommendations could help clarify the role of the government in university governance and normalize

the recruiting of external council members based on clearly defined terms and conditions. The last three recommendations are related to the creation of internal structures mechanisms for university councils to steer, supervise, and assess their senior management teams. They are expected to help UGC-funded universities improve their governance structures and increase their transparency, thus helping the UGC and the public assess their performance and progress.

How Newby's recommendations will affect university governance in public universities remains to be seen. However, the UGC has struck a task force on the implementation of Newby's recommendations, and has asked its institutions to review their governance structures and processes, in light of those recommendations. In 2017, the UGC began to ask its institutions to submit a university accountability agreement with institutional performance measures and indicators, together with an academic development proposal when applying for funding for the 2019–22 triennium (Mok, c. 2017). Therefore, it is very likely that, similar to the 2002 Sutherland Report, UGC-funded institutions will follow through and act upon these new recommendations, and their senior management teams will be under tighter supervision by their councils, based on their self-designed key performance indicators.

Although Newby (2015) acknowledged "the recent political history in Hong Kong" when he conducted his consultation, in April 2015 (p. 19), his recommendations do not touch on some controversial political and university issues confronting UGC-funded institutions, including the civic engagement of students and academics in political affairs, the automatic chancellorship of the HKSARCE, the dominance of external members on empowered university councils, and internal conflicts between university councils and their students and staff over institutional autonomy. These issues will be examined in the next three chapters.

References

Academic Staff Association of the University of Hong Kong, Confederation of Tertiary Institutes Staff Unions, City University of Hong Kong Staff Association, & Hong Kong Baptist University Faculty and Staff Union. (2017). *Open letter on academic activity survey/academic timesheet system*. Hong Kong: Academic Staff Association of the University of Hong Kong.

Audit Commission. (2016). *Funding of universities by University Grants Committee*. Hong Kong: Audit Commission.

Brennan, J., Dill, D., Shah, T., Verkleij, A., & Westerheijden, D. (1999). *A campaign for quality: Hong Kong teaching and learning quality process review*. Hong Kong: University Grants Committee.

Cheung, B. L. (2009). Public management reform in Hong Kong. In S. Goldfinch & J. L. Wallis (Eds.), *International handbook of public management reform* (pp. 317–335). Cheltenham: Edward Elgar.

Chiu, P. (2017, April 2). Universities need autonomy and freedom of speech, says Oxford's vice-chancellor. *South China Morning Post,* p. A1.

Du, X. (2018). Role split phenomenon of academic staff in Chinese higher education: A case study of Fudan University. *Higher Education, 75*(6), 997–1013.

Fielden, J. (2008). *Global trends in university governance*. Washington, D. C.: World Bank.

Hong Kong Government. (2017). *The chief executive's 2017 policy address: We connect for hope and happiness*. Hong Kong: Government Logistics Department.

Legislative Council Secretariat. (2007). *Academic freedom and institutional autonomy of higher education in the United Kingdom, New Zealand and Hong Kong*. Hong Kong: Legislative Council.

Lingnan University. (2006). *2005/06 annual report*. Hong Kong: Lingnan University.

Lingnan University. (2016). *2015/16 annual report*. Hong Kong: Lingnan University.

Mok, K. H. (c. 2017). *Asserting institutional autonomy and addressing accountability: The changing university governance in Hong Kong*. Hong Kong: Lingnan University.

Morris, P. (2010). Academic freedom, university governance and the state: The Commission of inquiry into the Hong Kong Institute of Education. *Journal of Education Policy, 25*(5), 587–603.

National People's Congress. (1990). *The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China*. Hong Kong: HKSAR Basic Law Advisory Committee.

National People's Congress Standing Committee. (2015). *Zhonghua Renmin Gongheguo Gaodeng Jiaoyufa* [The Higher Education Law of the People's Republic of China (Revised)]. Beijing: China Law Publishing House.

Newby, H. (2015). *Governance in UGC-funded higher education institutions in Hong Kong*. Hong Kong: University Grants Committee.

Niland, J. (2009). *Five year review of fit for purpose*. Hong Kong: University of Hong Kong.

Pan, S.-Y. (2009). *University autonomy, the state, and social change in China*. Hong Kong: Hong Kong University Press.

Peking University. (2014). *Beijing Daxue Zhangcheng* [The charter of Peking University]. Beijing: Peking University.

Public Accounts Committee, Legislative Council. (2017). *Report of the Public Accounts Committee on the Reports of the Director of Audit on the Accounts of the Government of the Hong Kong Special Administrative Region for the Year Ended 31 March 2016 and the Results of Value for Money audits (Report No. 67)*. Hong Kong: Legislative Council.

Quacquarelli Symonds. (2017). *QS world university rankings 2016–2017*. Retrieved from https://www.topuniversities.com/university-rankings/world-university-rankings/2016.

Research Grants Council. (2017a). *Areas of excellence scheme 2018/19 (eighth round)*. Hong Kong: Research Grants Council.

Research Grants Council. (2017b). *Theme-based research scheme 2018/19 (eighth round)*. Hong Kong: Research Grants Council.

Review Panel on the Centenary Ceremony. (2012). *Report of review panel on the centenary ceremony held on August 18*. Hong Kong: University of Hong Kong.

Secretary for Education. (2012, December 5). *LCQ18: Non-local students enrolled in UGC-funded institutions*. Retrieved from http://www.info.gov.hk/gia/general/201212/05/P201212050310.htm.

Stuart, D. (2017, March 1). University challenge. *Australian Institute of Company Directors Magazine*. Retrieved from http://aicd.companydirectors.com.au/membership/company-director-magazine/2017-back-editions/march/university-challenge.

Sutherland, S. R. (2002). *Higher education in Hong Kong*. Hong Kong: University Grants Committee.

Taskforce for Reviewing the Size and Composition of the Council, Chinese University of Hong Kong. (2016). Second consultation document on the desirable size and composition of the council. Hong Kong: Chinese University of Hong Kong.

Times Higher Education. (2017). *World university rankings 2016–2017*. Retrieved from https://www.timeshighereducation.com/world-university-rankings/2017/world-ranking.

University Grants Committee. (1993). *Higher education 1991–2001: An interim report*. Hong Kong: Government Printer.

University Grants Committee. (1996). *Higher education in Hong Kong*. Hong Kong: Government Printer.

University Grants Committee. (1999). *Report for July 1995 and June 1998*. Hong Kong: University Grants Committee.

University Grants Committee. (2000). *Facts and figures 1999*. Hong Kong: University Grants Committee.

University Grants Committee. (2003). *Second round teaching and learning quality process reviews: Review template*. Hong Kong: University Grants Committee.

University Grants Committee. (2004). *Hong Kong higher education: To make a difference, to move with the times*. Hong Kong: Printing Department.

University Grants Committee. (2005). *Research assessment exercise 2006—Guidance notes*. Hong Kong: University Grants Committee.

University Grants Committee. (2010). *Aspirations for the higher education system in Hong Kong*. Hong Kong: University Grants Committee.

University Grants Committee. (2011a). *Grants for UGC-funded universities as a whole, 2003–04 to 2009–10*. Hong Kong: University Grants Committee.

University Grants Committee. (2011b). *New quest for excellence in higher education (annual report 2010–11)*. Hong Kong: University Grants Committee.

University Grants Committee. (2013a). *"3+3+4"—Nurturing our talents (annual report 2012–13)*. Hong Kong: University Grants Committee.

University Grants Committee. (2013b). *Financial affairs working group report*. Hong Kong: University Grants Committee.

University Grants Committee. (2013c). *Research assessment exercise 2014—Guidance notes*. Hong Kong: University Grants Committee.

University Grants Committee. (2016). *50th anniversary album*. Hong Kong: University Grants Committee.

University Grants Committee. (2017a). *Annual report 2016–17*. Hong Kong: University Grants Committee.

University Grants Committee. (2017b). *Grants for UGC-funded universities as a whole, 2009–10 to 2015–16*. Hong Kong: University Grants Committee.

University Grants Committee. (2017c). *UGC notes on procedures* (2017th ed.). Hong Kong: University Grants Committee.

University of Hong Kong. (2003). *Fit for purpose report: A review of governance and management structures at The University of Hong Kong*. Hong Kong: University of Hong Kong.

University of Hong Kong. (2006). *The review 2006*. Hong Kong: University of Hong Kong.

University of Hong Kong. (2015). *Guide and code of practice for members of the council*. Hong Kong: University of Hong Kong.

University of Hong Kong. (2016). *The review 2016*. Hong Kong: University of Hong Kong.

Zha, Q. (2012). Intellectuals, academic freedom, and University Autonomy in China. In H. G. Schuetze, W. Bruneau, & G. Grosjean (Eds.), *University governance and reform: Policy, fads, and experience in international perspective* (pp. 209–224). Palgrave Macmillan.

Chapter 4
Civic Engagement of Students and Academics in Political Events

Abstract This chapter first examines how the changing domestic political context has confronted Hong Kong higher education institutions and their governance, particularly during HKSARCE C. Y. Leung's tenure. Specifically, it focuses on two definitive political events in post-1997 Hong Kong—the 2012 anti-national movement and the 2014 Occupy Central—that revealed significant differences between the political ideology of many Hong Kong people and the central and Hong Kong governments, regarding the "one country, two systems" framework, and involved students' and academics' civic engagement in political movements as a means of negotiation, to test the authorities' bottom lines, and to curb government initiatives they deemed unacceptable. However, the two events fostered greater distrust between the central government and Hong Kong people, and further revealed that governments ultimately determined what type and extent of civic engagement was acceptable and would be tolerated.

The preceding chapter examined Hong Kong's basic state–university relationship and how its public higher education has followed the international trend of institutionalizing market concepts and NPM values and practices to reshape state–university relations and regulate university autonomy and governance in Hong Kong. This chapter begins by examining how the changing domestic political context (particularly increasingly tense central–local relations) has confronted higher education institutions and their governance in Hong Kong, particularly during the tenure of HKSARCE C. Y. Leung (2012–2017). Specifically, the chapter focuses on students' and academics' civic engagement in political movements concerning the future of Hong Kong in relation to mainland China.

In the early 2010s, Hong Kong people's political struggles with the central government and the Hong Kong government under HKSARCE C. Y. Leung were intensified in society, and extended to university campuses, resulting in challenges to public university governance. This is reflected in two related, definitive political events. The first was the 2012 anti-national education movement, initiated by students and co-led by students and parents opposed to the Hong Kong government's adoption of a new mandatory Moral and National Education subject in primary and secondary schools—something protestors felt would brainwash students. The second event

was the 2014 Occupy Central, a collective civil disobedience campaign for greater democracy, initiated by academics and led by students. Many university students who participated in Occupy Central also participated in the anti-national education movement as secondary school students. These two events involved the use of people's power to demonstrate in and occupy important areas for about 10 and 79 days, respectively, but were received with different levels of tolerance by the Hong Kong and central governments.

These two events, this chapter argues, revealed significant differences between many Hong Kong people (particularly students and young people) and the central and Hong Kong governments, in terms of their political beliefs and ideals concerning how Hong Kong should be governed within the "one country, two systems" framework. Specifically, both events demonstrated many Hong Kong people's increased awareness and extent of civic engagement in matters concerning Hong Kong–mainland relations, and their struggles for a better future for Hong Kong under Chinese sovereignty. Students and academics, as citizens, play an important role as public intellectuals in Hong Kong's public affairs. Some chose large-scale demonstrations as a means of negotiation, to test the authorities' bottom lines, and to curb government initiatives they deemed unacceptable. However, the local and central governments ultimately determined what type and extent of civic engagement was acceptable and would be tolerated.

The chapter first investigates the causes and development of the 2012 anti-national movement, which signaled students' and young people's awareness of and participation in civic engagement. Next, it examines the proposal of a university academic calling for Occupy Central, the contribution of other university academics and students to making proposals to advance democracy in Hong Kong in 2014, and how all this widened the political gap between Hong Kong and the central authorities.

Anti-national Education Movement in 2012: Student- and Parent-Led Demonstration

Since 1997, fostering Hong Kong people's sense of belonging to and identification with China has been of great concern to both local and central governments. In response to central government efforts to reinforce Hong Kong youngsters' national identity, the Hong Kong government introduced, in 2012, a new, independent, and mandatory subject (Moral and National Education (MNE)) across all primary and secondary school grades. However, students and parents, fearing the Hong Kong government would use this subject to indoctrinate students with biased information about China, started the anti-national education movement and occupied the foregrounds of the government headquarters for about 10 days. The movement ended after the Hong Kong government withdrew the subject from the curriculum.

Efforts to Reinforce National Education in Hong Kong

Before the handover in 1997, the British colonial administration assisted in preparing Hong Kong students to become Chinese nationals. During Hong Kong's transition from a British colony to a special administration region of China, the latter was keenly interested in Hong Kong's citizenship education policy and curriculum (Ng, 2007). The outgoing colonial government was under pressure to prepare students for their new roles as PRC and HKSAR citizens (Morris, 1995). Accordingly, it revised its Guidelines on Civic Education, expanding the scope of citizenship from the personal, moral, and local dimensions of citizenship to include, for the first time, national citizenship within a multidimensional framework (including personal, social, Hong Kong, China, and world domains) (Curriculum Development Council, 1996; Education Department, 1985).

In the first 10 years after the handover, the Hong Kong government introduced various initiatives to promote national education in schools. Based on the multidimensional framework of the 1996 Guideline, in 1998, the Curriculum Development Council (1998) released its first syllabus for teaching civic education to junior secondary students. The syllabus covered the principle of "one country, two systems," the founding and development of the PRC, and its national flag, anthem, and emblem. Except for a very small minority of secondary schools that taught civic education as an independent, time-tabled subject in the early 2000s, all Hong Kong secondary schools adopted cross- and extra-curricular approaches to civic and citizenship education (Schulz, Ainley, Fraillon, Kerr, & Losito, 2010). The Hong Kong government also used other means to promote national education, including cultural exchanges in which students visited mainland China, emphasizing Chinese history and culture as core elements of learning, offering Putonghua (China's common oral language) as a time-tabled subject, and holding national flag-raising ceremonies in schools (Law, 2004).

These initiatives, however, were insufficient to reinforce students' national identity, and more efforts at promoting national education were expected. In one public activity in Hong Kong celebrating the tenth anniversary of the handover, then-President Hu (2007) publicly expressed, for the first time, his (and his government's) concern about the need to foster a strong sense of national identity among the young people of Hong Kong and to promote cultural exchanges with their counterparts on the mainland.

Hong Kong Government's Response to the Central Government's Urge

In a policy address several months later, then-HKSARCE Donald Tsang (2005–2012) explicitly spelt out the importance of national identity to Hong Kong (Hong Kong Government, 2007). He urged Hong Kong people to recognize Hong Kong was "a

Chinese city" (and global city), and encouraged them to become new Hong Kong people whose destiny was closely linked to the development of both Hong Kong and China. He further expanded the scope of and increased subsidies for students' cultural exchanges with the mainland. In his 2010 policy address, Tsang announced MNE would become a mandatory independent subject for all grades, and would be implemented in primary schools in 2012–13, and in secondary schools in 2013–14 (Hong Kong Government, 2010). He asked the Curriculum Development Council to review the curriculum framework for citizenship education in primary and secondary schools and develop the curriculum for MNE.

In April 2012, the Curriculum Development Council (2012) officially issued its report, *Moral and National Education: Curriculum Guide (Primary One to Secondary Six)* (hereafter, *MNE Curriculum Guide*), 1 year after having released the draft version for consultation. The *MNE Curriculum Guide* expected schools to schedule up to 50 h (1–2 lessons per week) to teach MNE through various activities. It proposed assessment, but not examination, for this subject. Similar to the *1996 Guidelines on Civic Education in School* and the 2008 *Revised Curriculum Framework for Moral and Civic Education*, the *MNE* Curriculum Guide adopted a multidimensional citizenship education framework encompassing personal, family, society (Hong Kong), country (China), and world domains. Interweaving these levels/domains were five types of selected positive values and attitudes to be promoted among students—attitudes when doing things, attitudes toward people, community betterment, universal betterment, and ideals. In particular, the *MNE Curriculum Guide* stressed fostering students' Chinese virtues (e.g., benevolence, righteousness, courtesy, and wisdom) and universal values (e.g., peace, justice, freedom, democracy, human rights, and respect). It also emphasized developing students' ability to discern the meaning and values embedded in life and events, and equipping them with the skills needed for independent, critical thinking from multiple perspectives.

Hong Kong People's Collective Fear of Indoctrination

However, many Hong Kong people feared the government would use the MNE subject to indoctrinate students, by providing biased information favoring China and the central government. This collective fear started among secondary students, then spread to parents, and finally led to a large-scaled anti-national education movement.

The national citizenship dimension of the *MNE Curriculum Guide* received the strongest resistance. During the 2011 consultation period, objections to the MNE initiative were very small in scale. The Council of Grant Schools (comprising 22 famous, traditional, elite schools) publicly demanded the government drop the MNE initiative (Chong, 2011). Some secondary students and pro-democracy activists suspected the government of using MNE to brainwash young people (Yam, 2016). On May 29, 2011, 20 days after the consultation began, some senior secondary students who had been born near the time of the 1997 handover (including Joshua Wang, Alvin Lam, Agnes Chow, and Tommy Cheung, who withdrew in October 2013 to

run for the presidency of CUHK Student Union) formed a student activist group, Scholarism, to oppose the introduction of MNE into schools. Scholarism joined the annual 1 July demonstration, but voiced their own separate protest item, condemning the MNE subject as a means of indoctrination and demanding the inclusion of content on controversial issues, such as the 1989 Tiananmen Square Incident. Some parents also joined another protest organized by Scholarism, in August 2011.

After the release of *MNE Curriculum Guide* in April 2012, Hong Kong people's fears about indoctrination began to grow, for three main reasons. First, few Hong Kong people trusted the CPC, as they or their parents or grandparents had come to Hong Kong in the 1950s and 1960s to escape communist rule. They also had negative impressions about the CPC's pivotal role in the Cultural Revolution (1966–1976) and the military suppression of the 1989 student movement in Beijing.

Second, Hong Kong people's collective fear was also partly due to the Hong Kong government's inept promotion of the MNE. First, the Education Bureau allowed only a very short consultation period (4 months), relative to other subjects—Liberal Studies, for example, had a 1-year consultation period. This gave Hong Kong people the impression the government did not want genuine consultation and would not give them enough time to express their views. Second, the Hong Kong government wrongly positioned the MNE as a values cultivation subject, by overstressing the importance of cultivating students' attitudes about, passion for, and affection toward China, and not emphasizing knowledge and skills in learning MNE. This position was related to the *MNE Curriculum Guide,* which repeatedly stressed the affective domain of learning and specified the basis of learning and teaching was "to be triggered by passion" (Curriculum Development Council, 2012, p. 149). The Hong Kong Association of the Heads of Secondary Schools (2012) criticized the *MNE Curriculum Guide* for "over-emphasizing" the affective domain of national education (such as sharing common joys and sorrows with the nation and fostering sentiments toward the nation).

Third, in addition to cognitive and behavioral domains, the Curriculum Development Council (2012) proposed assessing the affective domain of student learning in MNE. Specifically, it considered the assessment of students' attitudinal changes very important, and reminded teachers they "should pay attention to any triggered affection or changes in attitudes by observing their [students'] learning process" (p. 103). However, unlike knowledge and skills, the affective dimension is difficult to assess. Using whether students are emotionally touched as a criterion for assessment, the Hong Kong Association of the Heads of Secondary Schools (2012) pointed out, might encourage them to fake an emotional response to attain a high score. Moreover, to get a holistic picture of students' change, the *MNE Curriculum Guide* encouraged teachers to invite other stakeholders to be assessors, including students, peers, and parents. However, this was considered controversial, particularly for assessing students' daily attitudes and behaviors.

Fourth, Hong Kong people's collective fear of indoctrination was intensified by state officials' views on MNE. Hong Kong people had no strong resistance to learning about China's past and contemporary developments, but worried about whether the MNE would be used to indoctrinate and teach students only the good aspects of

China. However, during the 2011MNE consultation period, then-Director General Hao Tiechuan of the China's Liaison Office's Department of Publicity, Cultural and Sports Affairs, on his blog commented national education was intended for "brainwashing" students, noting that critical thinking is to be nurtured in universities, not at the primary and secondary school levels (Fung, 2011). A senior state official, Director Wang Guangya of the Hong Kong and Macau Affairs Office, highlighted that MNE should help Hong Kong students understand why and how China chose socialism, and why the CPC has been its ruling Party since 1949 (Ip, 2011).

In late June 2012, as the deadline for MNE implementation approached, Hong Kong people's fear of indoctrination reached a climax, due to Scholarism's exposure of a Chinese booklet (*China's Model*) funded by the Education Bureau and distributed by the National Education Services Centre to schools for reference in teaching national education. The booklet described the CPC as "progressive, selfless, and united" and criticized the US's multi-party system for victimizing its people (Advanced Institute for Contemporary China Studies, 2012). This, however, was not how most Hong Kong people generally perceived the CPC. To critics of MNE, this booklet provided a vivid picture of the subject's biased, pro-China content, and failure to mention such problems as corruption among senior Party and state officials. On a phone-in radio program (to which the author listened), then-Secretary for Education Eddie Ng admitted this part of the booklet was "biased."

Final Struggles of Students and Parents with the Hong Kong Government

Owing to this booklet, during the summer of 2012, resistance to the MNE initiative rapidly strengthened, and the fear of brainwashing quickly spread across the territory. Within 2 weeks in July, two important groups were formed. The first one was Parents Concern Group on National Education, whose convener was a senior CUHK lecturer, Eva Chan. The second was a broader, umbrella group called the Civil Alliance Against National Education, whose member groups included Scholarism, the Parents Concern Group on National Education, Hong Kong Professional Teachers Union (Hong Kong's largest teachers' union), the Hong Kong Federation of Students (intervarsity student organization), and the Civil Human Rights Front.

These two anti-national education groups published a joint statement asking the government to stop the planned September 2012 implementation of MNE (Parents' Concern Group on National Education, 2013). On July 29, 2012, the groups organized a demonstration in which over 90,000 people (including many young parents and their children) participated. However, the Hong Kong government insisted on implementing the MNE subject as scheduled.

To force the government to withdraw the *MNE Curriculum Guide*, the anti-national groups launched an occupation of the foreground of government headquarters (later called Civic Square) from August 30 to September 9, 2012. The occupation

started with the hunger strike of three secondary school students from Scholarism (including Ivan Lam). After their strike ended, another was launched by university students and some social activist veterans of the 1970s. Reportedly, a total of 300,000 people participated in this campaign at various times. On September 7, about 120,000 people reportedly surrounded the government headquarters; the following evening, newly elected HKSARCE C. Y. Leung (who had only assumed office in July) scrapped the scheduled implementation of the MNE Subject, and allowed schools to decide when and how to promote national education (Hong Kong Government, 2012b). One month later, the government shelved the *MNE Curriculum Guide* (Hong Kong Government, 2012a).

However, some radical pro-establishment groups (e.g., Caring Hong Kong Power, established in June 2011) were disappointed with the government's decision on MNE. They organized rallies and activities in support of the MNE subject, and criticized anti-national education supporters, including Scholarism, for contributing to the "de-Sinification" of Hong Kong by removing China-specific elements from the curriculum and denying students the right to learn about China's history, national situations, and development (Takungpo Reporter, 2012a, 2012b).

Despite the withdrawal of the *MNE Curriculum Guide*, the implementation of national education in the school curriculum has not ceased. In a press conference on June 21, 2017, incoming Secretary for Education Kevin Yeung revealed that elements of national education had been embedded in various subject curricula and school activities (Lam & Cheung, 2017). Three days later, outgoing Secretary for Education Eddie Ng confirmed that most schools had continued to promote national education in their curricula in various ways, despite the 2012 protests (Zhao, 2017).

Despite this revelation, the anti-national education movement was of great significance to Hong Kong people in three ways. First, the movement started with the civic engagement of secondary students and was sustained by the participation of hundreds of parents, who had seldom cared about politics previously, but still took part in the demonstration. Second, like the half-million-strong 1 July 2003 march (examined in Chap. 3), the movement ended peacefully, despite government headquarters having been seized for nearly 10 days. Third, also like the 2003 demonstration, the anti-national education movement was one in which Hong Kong people used their popularly derived power to force authorities to suspend a major government initiative. This could be interpreted as Hong Kong people's successful indirect resistance to the central government's request for enhanced national education in Hong Kong. However, also like the 2003 demonstration, the 2012 anti-national education movement weakened the trust between Hong Kong people and the local and central governments. Both protests might have given Hong Kong people a false hope that popular protest could force the central government to grant Hong Kong greater democracy; however, as presented in the next section, this strategy did not work at all in 2014, when Occupy Central movement protested the central government's increasing governance of and control over Hong Kong.

Occupy Central in 2014: Academic-Initiated and Student-Led Social Campaign

Occupy Central was a radical social movement in pursuit of universal suffrage in Hong Kong, and can be seen as the extension of the anti-national education campaign to the political realm. Many secondary students who had participated in the anti-national education campaign had been promoted to higher education institutions and continued their civic engagement in Occupy Central; a well-known example was Joshua Wong (a cofounder of Scholarism). Unlike the 2012 anti-national education campaign, which was a direct negotiation between Hong Kong people and the local government, Occupy Central was an effort by Hong Kong people to negotiate indirectly (and unsuccessfully) with the central government for greater democracy. Also, unlike the 2012 anti-national education campaign, which was begun and led by secondary school students and their parents, Occupy Central was initiated by university academics and later led by university and secondary school student leaders. Finally, unlike the anti-national education movement, Occupy Central blocked major roads in areas near Hong Kong's economic and political centers for 79 days, involved a violent confrontation between protesters and police, and was condemned as illegal by the Hong Kong government and central authorities. Occupy Central significantly deepened social divisions in Hong Kong and tore Hong Kong people apart more than had the anti-national education campaign.

Academic-Initiated Occupy Central Campaign

Despite the central government's obvious reluctance, many Hong Kong people fought for the realization of genuine universal suffrage without political screening in the early 2010s (and still do). They believed the central government would eventually grant them universal suffrage because, despite rejecting HKSARCE Donald Tsang's (2007) call for universal suffrage for the 2012 HKSARCE and Legislative Council elections, the NPCSC (2007) stated the 2017 HKSARCE election "may be implemented by the universal suffrage method," as may the election of all lawmakers to the Legislative Council in 2020. However, many Hong Kong people did not trust the central government to act on the NPCSC's 2007 suggestion in time for the 2017 HKSARCE election. To force the central government's hand, two academics (Benny Tai Yiu Ting, associate professor in law of HKU and Kin-man Chan, associate professor in sociology, CUHK), and a Christian pastor (Yiu-ming Chu) launched the Occupy Central campaign in 2013 and planned to have the occupation last for only a few days in early October 2014, rather than 79 days starting in late September 2014. They were later known as the Occupy Central trio.

In a January 16, 2013 article published in the *Hong Kong Economic Journal*, a Chinese-language newspaper, Tai (2013) proposed using civil disobedience as a strategy for negotiating with the Hong Kong and central governments. He expressed

his frustration that, although many Hong Kong people had sought universal suffrage since the mid-1980s, mainland authorities were unlikely to allow it in 2017. He further questioned the effectiveness of conventional methods of pursuing universal suffrage and gaining authorities' support (e.g., holding annual 1 July rallies and occupying government headquarters). He proposed mobilizing at least 10,000 people to block traffic and paralyze Central, in a nonviolent, peaceful civil protest. On March 26, 2013, Tai and his two partners announced the Occupy Central Manifesto, which stated elections in Hong Kong needed to be universal and fair, and meet three major political equality criteria: an equal number of votes per person, equal weighting of each vote, and no unreasonable restrictions on the nomination of candidates (Occupy Central, 2013). It warned that if the electoral reform the government proposed in 2014 did not meet these criteria, they would launch Occupy Central. Later, Tai published several news articles in the same newspaper explaining the use of civil disobedience as a strategy to force the central government to allow Hong Kong to hold genuine universal suffrage. In 2013, however, his articles did not initiate wider public attention and discussion (Hong Kong Journalists Association, 2015).

While the Occupy Central trio continued to solicit public support, the Hong Kong government conducted consultations and solicited proposals for amending electoral methods for inclusion in the HKSARCE's need-assessment report to the NPCSC—the first step of the five-step reform mechanism. The consultation period ran from December 2013 to May 2014; its theme was, "Let's talk and achieve universal suffrage."

Seizing this opportunity, a number of university academics collaborated with political parties and/or social elites to form ad hoc groups for drafting, promoting, and putting forward reform proposals on how to elect HKSARCE in the 2017 election (Law, 2017). The Alliance for True Democracy was convened by Joseph Cheng, a chair professor at CityU, while one of the cofounders of Hong Kong 2020 was HKU's then-law dean, Prof. Johannes Chan, who was also the main character in HKU's appointment saga (see Chap. 5). The pro-establishment Silent Majority for Hong Kong also had senior academics as its cofounders, including Chak-yan Chang (a CUHK professor of government and public administration) and Lok-sang Ho (an LU economic professor). Numerous academics proposed new electoral methods for selecting the 2017 HKSARCE, either through cross-institutional collaboration or as individuals. Group proposals included one proposed by 18 scholars from 6 tertiary education institutions (Eighteen Scholars' Proposal, 2014) and one by 13 serving or retired economics and social science scholars from 6 universities (G13, 2014). Individual proposals included those by HKU law professors Johannes Chan, Michael Davis, and Simon Young (Law, 2017).

Thus, the government received numerous proposals. The most radical one, a civic nomination proposal, was put forward by Scholarism and supported by the Hong Kong Federation of Students (HKFS, a joint student organization of student unions of tertiary institutions). It proposed that the nomination committee should comprise directly elected legislators to enhance its legitimacy, and that HKSARCE candidates should be nominated by 1% (about 35,000) of registered voters from the 2012 Legislative Council election. The most conservative proposal was put forward by the

largest pro-establishment Party, the Democratic Alliance for the Betterment of Hong Kong (2014), which strongly opposed the civic nomination and suggested the election committee composition for the 2017 election be the same as the 2012 HKSARCE nomination committee. Between these two extremes were many proposals, including those put forward by academics from different universities (Law, 2017).

During the consultation, public debate on electoral methods reform became intense, and Tai's Occupy Central proposal began to gain support from pan-democratic parties and two student groups—Scholarism and the HKFS. The former had led the 2012 anti-national education campaign, while the latter comprised representatives from the student unions of eight UGC-funded institutions and had been active and outspoken on social and political affairs. These student groups helped the Occupy Central trio spread the beliefs and goals of Occupy Central on university and school campuses (Law, 2017).

Despite their promotion of civil disobedience, Benny Tai and his Occupy Central cofounders adopted a rational approach to examining proposals, soliciting popular support, and engaging Hong Kong people in the pursuit of universal suffrage without political screening. First, on March 30, 2014, Tai organized an academic conference in HKU's law faculty, and invited local and overseas scholars with relevant expertise to compare and evaluate different HKSARCE electoral reform proposals, of which three were recommended for government consideration and adoption. Second, between June 2013 and May 2014, the Occupy Central trio hosted three deliberation days (one at HKU and two at CUHK) and invited Hong Kong citizens to participate. On the third deliberation day (May 6, 2014), the trio invited participants to deliberate on three electoral reform proposals and choose the one they preferred most.

Third, to further enhance the legitimacy of their recommended proposals, between June 20 and 22, 2014, the Occupy Central trio conducted (with the help of HKU Public Opinion Programme (2014)) a civil referendum in which permanent residents aged 18 or above could vote (online or in polling stations) for one of three electoral proposals for the advancement of Hong Kong democracy, and on whether the Legislative Council should veto the government's proposal, which did not give Hong Kong genuine universal suffrage without unreasonable restrictions. On both items, voters were given the option to abstain. The plebiscite got an extremely good response, with 793,000 Hong Kong people aged 18 or above (more than 10% of the population) participating, 91% of whom chose the civic nomination model proposed by Scholarism, and 89% of whom agreed the Legislative Council should veto the government's proposal (Public Opinion Programme, 2014).

To regain popular support, in mid-July 2014, pro-establishment forces represented by the Alliance for Peace and Democracy (APD, set up on July 3, 2014 and supported by over 1000 pro-establishment groups) organized an anti-Occupy Campaign. The APD wanted to get at least 800,000 signatures within one month, to overshadow the 793,000 people who voted in the Occupy Central's civic referendum. Between July 19 and August 17, 2014, the APD got over 1.8 million signatures from Hong Kong people, including then-HKSARCE C. Y. Leung and other top government officials; the success of this signature campaign was reported by the Commissioner's Office of China's Foreign Ministry in the HKSAR (2014). However, the APD's signature

form's validity was questionable, in that, while it included four positions—I oppose violence; I oppose Occupy Central; I support peace for Hong Kong; and I support democracy for Hong Kong (APD, 2014)—it did not allow respondents to indicate separately their preferences for each, and assumed their blanket agreement if they signed the form. Moreover, it tied three items with which reasonable people would be expected to agree (I oppose violence, I support peace, and I support democracy) to a sole controversial item (I oppose Occupy Central). Finally, the form did not mention to respondents that the 2017 HKSARCE election would feature political screening. These two signature campaigns marked the severely widening political division among Hong Kong people over the scope and pace of universal suffrage in Hong Kong.

Central Government's Intervention

As the Occupy Central campaign grew stronger, the central authorities, unlike in 2012, explicitly stepped in and showed their supreme authority over Hong Kong's political future. This, as mentioned in Chap. 2, involved two major events—the issuance of State Council's White Paper on Hong Kong, and the NPCSC's decision on universal suffrage in Hong Kong.

While the Occupy Central trio was organizing the plebiscite, on June 10, 2014, the State Council (2014) issued its White Paper, *The Practice of the "One Country, Two Systems" Policy in the Hong Kong Special Administrative Region* (hereafter, White Paper). After Tibet and Xinjiang (which have longstanding issues of independence from China), Hong Kong is the third administrative area on which State Council has issued White Papers detailing national policy on local development. The White Paper's major tone can be seen as discouraging Hong Kong people's quest for genuine universal suffrage without political screening in the 2017 HKSARCE election. The White Paper clearly stated that the principle of "two systems" is "subordinated to and derived from the principle of "one country," and that Hong Kong's high degree of autonomy is subject to the central government's authorization. For the first time, the State Council stated the central government had "comprehensive jurisdiction" over Hong Kong, could give direct instructions to the HKSARCE, and had supervisory power over Hong Kong. The White Paper also warned Hong Kong people that Hong Kong only had as much power and autonomy as the central government was willing to give, and that Hong Kong had no "residual powers." It reiterated that Hong Kong should be governed by an administration mainly comprised of patriots, and that a basic political requirement for the HKSARCE and other principal officials was loving the country (China). It also stressed that judges and other judicial personnel should love China as they were part of the administration, and were thus subject to central government oversight. The supremacy of "one country" over "two systems" was reiterated by President Xi (2017), who considered the former the "roots" of the latter.

Many Hong Kong people interpreted the White Paper as a threat to Hong Kong's autonomy and a significant sign of China's intent to further tighten its control over Hong Kong. This was reflected in the messages Hong Kong people expressed on the annual the 1 July march, in 2014. As the author observed on scene, a large banner carried by the rally organizer leading the possession was emblazoned with the march's main themes ("safeguard Hong Kong people's autonomy," "do not fear CPC intimidation," "demand direct civic nominations," and "abolish functional constituencies") and subthemes ("we choose our own government" and "down, down [HKSARCE] C. Y. Leung") . Pan-democratic groups also expressed their dissatisfaction with the White Paper in various ways. For example, the Civic Party (the second largest pan-democratic Party, established in 2006 mainly by legal professionals) displayed banners demanding the State Council withdraw the White Paper. Another group enlarged the front cover of the White Paper and displayed it upside down at a location on the march's route. Another banner read, "The White Paper means the end of the principle of two systems."

It is unclear how much the White Paper and the 1 July demonstration of 2014 affected HKSARCE C. Y. Leung's needs analysis report, which was submitted to the NPCSC on July 15, 2014. In the report, Leung recommended the 2017 HKSARCE election be conducted using a "one person, one vote" method, but asserted the method was not needed for the 2016 Legislative Council election (HKSARCE, 2014, p. 13). However, Leung reaffirmed the "constitutional powers of the Central Authorities" over Hong Kong's political structure and claimed the Hong Kong people generally agreed the HKSARCE should love the country and love Hong Kong (p. 5). Moreover, Leung treated views expressed by pro-establishment and pan-democratic forces differently, using far more space to present and explain the former's views and affording little space for the latter's. Although the report briefly mentioned the latter's civic nomination proposal, it specifically cited the view, expressed by some legal bodies, that the proposal "was not in compliance with the Basic Law." At a later press conference, Leung was asked why he had not presented Hong Kong people's diverse reform proposals and views in a fair manner (Hong Kong Government, 2014b).

Upon consideration of Leung's report, on August 31, 2014, the NPCSC (2014) issued a decision that was tougher than many Hong Kong People expected and beyond what Leung's report proposed. First, it enshrined the White Paper's position on the HKSARCE's political eligibility by stipulating s/he must "a person who loves the country (China) and Hong Kong." Regarding the HKSARCE election, the NPCSC disagreed there was a need to amend the 2017 HKSARCE electoral methods, and stipulated the Nomination Committee's composition must mirror that of the 2012 HKSARCE Election Committee (1200 members elected in four sectors); only two or three candidates could stand for election, and must be approved by over 50% (i.e., at least 601) of Nomination Committee members before being placed on the ballot. The decision allowed the central government to control the outcome of the HKSARCE election by limiting the number of candidates and demanding they be politically acceptable to the central government. The NPCSC's decision, together with the White Paper, disappointed many Hong Kong people and triggered, as described in the next section, a series of protests culminating in the occupation of areas near Central.

Table 4.1 Representatives from HKFS and Scholarism in Occupy Central in 2014

	Position in student activist group	Affiliated university and position
HKFS		
Alex <u>Chow</u> Yong Kang	General Secretary (2014–15)	HKU, undergraduate student
Lester <u>Shum</u>	Deputy Secretary (2014–15)	CUHK, Vice-President of CUHK Student Union
Yvonne <u>Leung</u> Lai Kwok	Committee member	HKU, President of HKU Students' Union (2014–15), university council member (2014–15)
Tommy <u>Cheung</u> Sau-yan	Committee member (2014–15)	CHUK; President of CUHK Student Union (2014–15)
Nathan <u>Law</u> Kwun-chung	Committee member (2014–15) Chairman (2015–16) (Lawmaker, October 2016–July 2017)	LU, Acting President of LU Students' Union
Eason <u>Chung</u> Yiu-wah	HKFS Executive Secretary (2014–15) HKFS Chairman (2016–17)	CHUK; former President of CUHK Student Union (2013–14)
Scholarism		
Joshua <u>Wong</u> Chi-fung	Convener	Open University of Hong Kong, student, year 1
Agnes <u>Chow</u> Ting	Spokesperson	HKBU, student, year 1
Lok-hin <u>Chan</u>	Core member	CUHK, student, year 1
Ivan <u>Lam</u> Long-Yin	Cofounder (one of 3 students who participated in the hunger strike in Occupy Central)	
Oscar <u>Lai</u> Man Lok	Spokesperson	Hong Kong College of Technology, student

Note Information collected by the author from different online sources; surnames are underlined

Student-Led Occupation of Central

In the summer of 2014, student activists, particularly student leaders from the HKFS and Scholarism, began to assume leadership of Occupy Central (Table 4.1), while the Occupy Central trio mostly worked behind the scenes. The two student groups organized a series of rallies to force the central government to withdraw the White Paper and NPCSC's 2014 Decision and grant Hong Kong greater democracy. It should be noted that some Scholarism leaders who had participated in the 2012 anti-national education movement had become college students by 2014.

   Prelude to Occupy Central. The actual occurrence of Occupy Central was facilitated by two events organized by the HKFS and Scholarism. The first was a mock Occupy Central, which took place on July 1, 2014. After the annual 1 July rally,

the two student organizations called for protestors to occupy the area in front of the HKSARCE's offices. After a nearly 5-hour standoff, over 500 protesters were arrested, including over 70 university students and the students' union presidents from four UGC-funded universities and institutes (Ming Pao Reporter, 2014).

The second event was a week-long (September 22–26, 2014) HKFS-organized intervarsity class boycott of eight UGC-funded institutions and other tertiary institutions—the largest such boycott in the history of Hong Kong higher education. Its purpose was to urge the NPCSC to withdraw its decision, create political equality by abolishing functional constituencies in Legislative Council, and accept civic nominations in the 2017 HKSARCE election. On 22 September 2014, the boycott launch ceremony was held on CUHK campus, and attended by over 13,000 students and their supporters. The HKFS moved the venue for later class boycott gatherings from university campuses to areas near the government headquarters. Several hundred academics signed a joint statement in support of the class boycott, and dozens addressed students and protesters.

Echoing the HKFS, on September 26, 2014, Scholarism called for a class boycott in secondary schools, and invited secondary students to join the protest at the government headquarters. In response to the call by Joshua Wang of Scholarism, at about 10:30 pm, dozens of university students and secondary school students stormed into the foreground of the government headquarters (known as Civic Square in the 2012 anti-national education campaign). The police used pepper spray to disperse protesters, and some students and protesters used an umbrella to protect themselves against the spray. Wang was arrested at the scene, and other students were charged later, including Alex Chow and Nathan Law. In 2017, these three student leaders were sentenced to jail for storming Civic Square.

The arrest of students further provoked Occupy Central supporters, who then surrounded government headquarters. On the night of 27 September 2014, students reoccupied Civic Square, supported by thousands of Hong Kong people surrounding them with open umbrellas to prevent their being cleared by the police. However, the police used batons and pepper spray to clear the demonstration areas.

Occupy Central Proper. As a result of the police's clearance actions, at about 1:00 am on September 28, 2014, Benny Tai, of the Occupy Central trio, decided to advance the date of the occupation from early October, and announced its immediate start. In response, more people came to support students, and the demonstration spread to the major road to the Central. By that afternoon, the Hong Kong Government (2014a) called a press conference and issued a strong statement condemning the Occupy Central as illegal, stating that the police would be "determined to handle the situation appropriately in accordance with the law." Three hours later, the police fired 87 tear gas bombs at 9 locations to disperse the unarmed protesters. On the second day of Occupy Central, the occupation quickly spread to other busy areas, including Causeway Bay, Tsim Sha Tsui, and Mongkok. The government adopted a hardline approach to handling the occupation, including spraying more pepper spray and firing more tear gas canisters; however, this did not deter protesters, and more students and Hong Kong people joined the occupation.

After its start, the leadership of the civil disobedience movement was quickly transferred from the Occupy Central trio to the HKFS and Scholarism, with the former being gradually marginalized by the latter. As Wong and Chung (2016) observed, the HKFS played a more influential role and received more media attention than Scholarism, because more university students participated in the occupation than secondary students. While the HKFS took the leading role, student representatives from about 20 tertiary education institutions formed a joint committee in which important decisions about the occupation were made (Browningsun, 2014).

Later, the confrontation between students and the police became increasingly tense, and universities began to play the role of pacifier and middleman between students and the government. Many Hong Kong people feared the police would use force to disperse students and other protesters, and the heads of all UGC-funded universities urged their students to leave the occupation areas. On September 29, 2014, the VC of HKU, Mathieson (2014), condemned the use of violence by any party, and condemned the police for using tear gas against unarmed people. On October 2, 2014, Mathieson and CUHK's VC Joseph Sung went to the occupation site to calm students, encourage them to leave, and remind them of their personal safety. Later, the Hong Kong government agreed to talk to Occupy Central's student leaders. On October 21, 2014, five HKFS leaders held a live televised meeting with five government officials, including then-Chief Secretary for Administration Carrie Lam (who became the fifth HKSARCE in July 2017). Before the meeting, an HKU academic coached the five students. The meeting was chaired by LU's VC Leonard Cheng and ended without compromise from either side.

Despite these efforts and the voices asking them to stop the occupation, HKFS student leaders and Scholarism decided to continue the occupation. They were criticized by radical protesters for having achieved nothing in their meeting with the government, and a significant split emerged between occupy protesters about whether more rigorous actions were needed to force the authorities to compromise. The leadership of the HKFS and Scholarism was challenged, and radical protesters began to act on their own. The occupation ended with violent confrontations between protesters and the police, and many protesters, including university students, were arrested and taken to court. After 79 days, the curtain was drawn on Occupy Central.

Occupy Central was condemned by both the central and Hong Kong governments as illegal. State-run newspapers and local pro-establishment newspapers labeled it an act of terrorism and an attempt to seize power, and the trio were branded as "extremists" for fomenting political confrontation with the central government in violation of the Basic Law, and for creating chaos for Hong Kong and the nation (Global Times Editor, 2014; Xu, 2013; Yang, 2013).

The Hong Kong government pressed charges against key activists, including the Occupy Central trio and key student leaders. As of January 2017, 955 activists had been arrested, 81 convicted, and 216 were in judicial process. In August 2016, the three student leaders (Joshua Wong, Alex Chow, and Nathan Law) were convicted in the Eastern District Court of storming the foreground of the government headquarters (which kicked-off the occupation) and sentenced to community service by the trial magistrate (2016), who believed they were not motivated by personal interest and

Table 4.2 Different sentences handed out by Eastern District Court and High Court

	Offence	Sentenced by Eastern District Court (August 2016)	Sentenced by High Court (August 2017)
Joshua Wong (scholarism)	Unlawful assembly	80 h of community service	6-month jail
Alex Chow (HKFS)	Unlawful assembly	3-week jail (with 1–year suspension)	7-month jail
Nathan Law (HKFS)	Inciting others to take part in an unlawful assembly	120 h of community service	8-month jail

Note Information from Eastern District Court (2016) and High Court (2017)

did not intend to hurt others (Table 4.2). Wong and Law completed their ordered community service, but the Department of Justice successfully appealed the penalty. On August 17, 2017, the High Court (2017) ruled the lower court had erred by not considering the deterrence principle in handing out sentences, and sentenced the three ex-student leaders to 8- to 13-month jail terms, based on the court's new sentencing guidelines. After being jailed for over two months, they appealed to the Court of Final Appeal and were allowed out on bail. On February 6, 2018, the Court of Final Appeal (2018) ruled against the government, stating the new sentencing guidelines could not be retroactively applied, and upheld the original sentences by the Eastern District Court. This, however, implies that, had the incident happened after the enactment of the new penalty standards, the tougher penalties would have applied.

More students who had participated in Occupy Central were prosecuted. In January 2018, five students were convicted of contempt of court in relation to a clearance of the occupation in late 2014 (High Court, 2018). Lester Sum (a deputy general secretary of HKFS and Vice-President of CUHK Student Union) was fined HK$10,000 and given one year in jail, suspended for one year. Jason Szeto (CUHK Student Union's secretary general for external affairs) was fined HK$10,000 and sentenced to six weeks' imprisonment, suspended for 18 months. Joshua Wong (Scholarism's convener) was sentenced to immediate imprisonment for 3 months. Yeung-yuk Kwok, who was not a leader in the occupation was given a 6-week jail sentence, suspended for 12 months. The fifth had been a senior secondary student in 2014, and was sentenced to imprisonment of one month, with a 12-month suspension.

The charges against activists leading the civil disobedience movement are expected to be more serious. In January 2018, the Occupy Central trio, two HKFS student leaders (Tommy Cheung and Eason Chung, then-president and previous president of CUHK Student Union, respectively), and three other protest leaders were charged with incitement to incite public nuisance, and attended a pretrial review of their cases in court (Siu, 2018). At the time of this writing, their formal trials have been completed, but their verdicts have not been announced.

Post-Occupy Central Analysis. After the occupation, many studies explored the causes of the largest and longest occupation in Hong Kong since the handover. Jones (2017) considered the outburst an expression of Hong Kong people's strong sense of increasing isolation and helplessness, and their fears surrounding the strong political domination of the central authorities in Beijing. Similarly, Augustin-Jean & Cheung (2018) attributed the outbreak of the occupation to Hong Kong people's concerns about the erosion of freedoms and civil liberties guaranteed by the Basic Law, and their desire to decide their own future.

From a different angle, Bush (2016) contended the occupation reflected structural problems in Hong Kong, which "advocates political freedoms and rule of law but lacks competitive elections for higher offices," and in which social and economic inequalities are perpetuated by the concentration of political and economic power in the hands of the elite (p. 20). Bush further argued that Hong Kong is no longer merely an economic city whose major reason for existence is the pursuit of money (one reason the central government and pro-establishment forces support), but has become a political city, marked by struggles between pro-democratic and pro-establishment forces, and Hong Kong people's struggles with the local and central governments. More succinctly, however, Hong Kong has competitive political elections, but political inequality, as examined in Chap. 2, has been institutionalized in both its political structure and elections, such that the processes and outcomes thereof are manipulated and controlled by the central authorities and their agents in Hong Kong. Such institutionalization is further reinforced by the cooption of local elites into state political organs and local statutory and advisory bodies. Occupy Central was more an objection to political inequality and China's increased control over Hong Kong, than to social and economic inequalities.

Although there could be many explanations for it, the development of Occupy Central, together with the anti-national education movement, portrayed the civic engagement trajectory of many Hong Kong people—particularly students, young people, and academics—from high hope for, to great despair about the political future of Hong Kong. The success of the 2003 demonstration in forcing the Hong Kong government to withdraw the National Security (Legislative Provisions) Bill, coupled with the 2012 anti-national education movement's ability to force government to shelve MNE, gave many Hong Kong people (including the academics of the Occupy Central trio and the student leaders of the HKFS and Scholarism) hope that the peaceful use of popular power in large-scale demonstrations was a viable means of forcing the authorities to once more offer concessions. However, popular power in the 2014 Occupy Central movement did not lead to greater democracy and any political concessions by local and central governments on universal suffrage without political screening (Cheng, 2016).

On the contrary, the occupation ended in great disappointment for many Hong Kong people, particularly university students and young people, and increased political polarization and social divisions in Hong Kong to such a severe extent that, in her election campaign to become HKSARCE, Lam (2017) pledged her top priority if elected would be "to unit everyone in society" (p. 5); her two opponents made similar promises. It remains to be seen how many more decades will pass

before the central government grants Hong Kong people genuine universal suffrage in HKSARCE elections, without political screening (if ever it does), and how long Hong Kong will take to recover from the "wounds" arising from these wide and deep political and social divisions. The involvement of academics and students in Occupy Central had other repercussions, however. The following chapters examine how political division and struggles for greater democracy extended to university campuses, challenged university governance, and were responded to.

References

Advanced Institute for Contemporary China Studies, Hong Kong Baptist University. (Ed.). (2012). *Zhongguo Moshi Quoqing Zhuanti Jiaoxue Shouce* [China's model: Manual for teaching and learning national developments]. Hong Kong: National Education Centre.

Alliance for Peace and Democracy. (2014). *Sign for peace and democracy movement*. Hong Kong: Alliance for Peace and Democracy.

Augustin-Jean, L., & Cheung, A. H. Y. (2018). *The economic roots of the Umbrella movement in Hong Kong: globalization and the rise of China*. Abingdon, Oxon: Routledge.

Browningsun. (2014, September 19). *A talk with the President of HKUSU Leung Lai-kwok, Yvonne*. Retrieved from https://hongkongwatch.wordpress.com/2014/09/19/a-talk-with-the-president-of-hkusu-leung-lai-kwok-yvonne/.

Bush, R. C. (2016). *Hong Kong in the shadow of China: Living with the Leviathan*. Washington, DC: Brookings Institution.

Cheng, E. W. (2016). Street politics in a hybrid regime: The diffusion of political activism in post-colonial Hong Kong. *The China Quarterly, 226,* 383–406.

Chong, D. (2011, June 28). Schools pan 'national education'. *South China Morning Post*.

Commissioner's Office of China's Foreign Ministry in the Hong Kong Special Administrative Region. (2014, November 5). *Over 1.8 million HK citizens sign against occupy central*. Retrieved from http://www.fmcoprc.gov.hk/eng/xwdt/xjlc/t1207234.htm.

Court of Final Appeal. (2018). *Between secretary for justice and Wong Chi Fung, between secretary for justice and Law Kwun Chung, between secretary for justice and Law Kwun Chung*. Hong Kong: Court of Final Appeal.

Curriculum Development Council. (1996). *Guidelines on civic education in schools*. Hong Kong: Government Printer.

Curriculum Development Council. (1998). *Civic education: Secondary 1–3*. Hong Kong: Printing Department.

Curriculum Development Council. (2012). *Moral and national education curriculum guide (primary one to secondary six)*. Hong Kong: Logistic Department.

Democratic Alliance for Betterment of Hong Kong. (2014, April 22). *Proposals of the 2017 chief executive election and 2016 Legco election*. Retrieved from http://www.dab.org.hk/eng?st=22&t=5&m=1&n=1669.

Eastern District Court. (2016). *Hong Kong Special Administrative Region v. Joshua Wong, Nathan Law and Alex Chow: Reasons for sentence (ESCC 2791/2015)*. Hong Kong: Eastern District Court.

Education Department. (1985). *Guidelines on civic education in schools*. Hong Kong: Government Printer.

Eighteen Scholars' Proposal. (2014, April 4). *Achieving true democracy under the Basic Law*. Retrieved from www.facebook.com/ScholarProposal.

Fung, F. W. Y. (2011, May 12). State brainwashing perfectly all right, liaison official blogs. *South China Morning Post*. Retrieved from http://www.scmp.com/article/967464/state-brainwashing-perfectly-all-right-liaison-official-blogs.

G13. (2014). *A method for the formation of the nominating committee for the selection of the chief executive of the HKSAR in 2017*. Hong Kong: G13.

Global Times Editor. (2014, June 30). Gao Qiyi Dayouxing Bu Fuhe Xianggang Liyi [Organizing large-scale demonstration on 1 July: Not in the interests of Hong Kong]. *Huanqiu Shibao* [Global Times].

High Court. (2017). *Secretary for Justice v. Joshua Wong and two other persons (CAAR 4/2016)*. Hong Kong: High Court.

High Court. (2018). *Between secretary for justice and Chau Wan Ying, Chu Wai Lun, Chu Pui Yan, Kwok Yeung Yuk, Shum Lester, Chiu Chi Sum, Chan Po Ying, Cheung Kai Hong, Kwan Siu Wang, Hung Cheuk Lun, Fung Kai Hei, Choi Tat Shing, Szeto Tze Long Jason, Wong Chi Fung, Mak Ying Sheung, and Wong Ho Ming: Reasons for sentence*. Hong Kong: High Court.

Hong Kong Association of the Heads of Secondary Schools. (2012). *Our views and suggestions on the moral and national education curriculum guide—An open letter to the secretary for education (17 August)*. Hong Kong: Hong Kong Association of the Heads of Secondary Schools.

Hong Kong Government. (2007). *The 2007–08 policy address: A new direction for Hong Kong*. Hong Kong: Government Logistics Department.

Hong Kong Government. (2010). *The 2010–11 policy address: Sharing prosperity for a caring society*. Hong Kong: Government Logistics Department.

Hong Kong Government. (2012a, October 8). *Curriculum guide of moral and national education subject formally shelved*. Retrieved from http://www.info.gov.hk/gia/general/201210/08/P201210080622.htm.

Hong Kong Government. (2012b, October 8). *Transcript of remarks by Secretary for Education and Chairperson of Committee on initiation of moral and national education subject*. Retrieved from http://www.info.gov.hk/gia/general/201210/08/P201210080646.htm.

Hong Kong Government. (2014a). *Government response on start of "Occupy Central"*. Hong Kong: Hong Kong Government.

Hong Kong Government. (2014b, July 15). *Transcript of remarks at press conference on release of constitutional development public consultation reports*. Retrieved from https://www.doj.gov.hk/eng/public/pr/20140715_pr1.html.

Hong Kong Journalists Association. (2015). *Sanxia Ren Qing Shi* [People, emotion and events under the Umbrella]. Hong Kong: Hong Kong Journalists Association.

Hong Kong Special Administrative Region Chief Executive. (2007). *Report by the Chief Executive of the Hong Kong Special Administrative region to the Standing Committee of the National People's Congress on the Public consultation on constitutional development and on whether there is a need to amend the methods for selecting the chief executive of the Hong Kong Special Administrative Region and for forming the Legislative Council of the Hong Kong Special Administrative Region in 2012*. Hong Kong: Logistic Department.

Hong Kong Special Administrative Region Chief Executive. (2014). *Report by the chief executive of the Hong Kong Special Administrative Region to the Standing Committee of the National People's congress on whether there is a need to amend the methods for selecting the chief executive of the Hong Kong Special Administrative Region in 2017 and for forming the Legislative Council of the Hong Kong Special Administrative Region in 2016*. Hong Kong: Hong Kong Government.

Hu, J. T. (2007, July 1). Zai Xianggang Tebie Xingzhengqu Huanying Wanyan Shang De Jianghua [Speech at the welcoming dinner in the Hong Kong Special Administrative Region, 30 June]. *Renmin Ribao* [People's Daily], 1.

Ip, C. (2011, June 14). Wang puts positive spin on national education: HKMAO chief believes learning more Chinese history would help narrow mainland-Hong Kong gap. *South China Morning Post,* p. A1.

Jones, B. C. (2017). Introduction. In B. C. Jones (Ed.), *Law and politics of the Taiwan Sunflower and Hong Kong Umbrella Movements* (pp. 1–12). Abingdon, Oxon: Routledge.

Lam, C. (2017). *Connecting for consensus and a better future: Manifesto of Carrie Lam Chief Executive Election 2017*. Hong Kong: Campaign Office of Carrie Lam.

Lam, J., & Cheung, E. (2017, June 22). Hong Kong election loser tipped for No 2 job in education bureau. *South China Morning Post,* p. 4.

Law, W.-W. (2004). Globalization and citizenship education in Hong Kong and Taiwan. *Comparative Education Review, 48*(3), 253–273.

Law, W.-W. (2017). Higher education in post-1997 Hong Kong: Politics, academic freedom, and civic engagement. In G. Postiglione & J. Jung (Eds.), *The changing academic profession in Hong Kong* (pp. 39–75). Cham, Switzerland: Springer.

Mathieson, P. (2014, September 29). *Message from the President and Vice-Chancellor*. Retrieved from http://www.hku.hk/press/news_detail_11745.html.

Ming Pao Reporter. (2014, July 3). 511 Beibuzhe Bufen Mingdan [Incomplete list of arrested people]. *Ming Pao* [Ming Pao News], p. A1.

Morris, P. (1995). Preparing pupils as citizens of the special administrative region: Curriculum change and control during the transition period. In P. Morris (Ed.), *Curriculum development in Hong Kong* (2nd ed., pp. 118–141). Hong Kong: University of Hong Kong, Faculty of Education.

National People's Congress Standing Committee. (2007). *Guanyu Xianggang Tebie Xingzhengqu 2010 Nian Xingzheng Zhangguan He Lifahui Chansheng Banfa Ji Youguan Puxuan Wenti De Jueding* [Decision Concerning the Method for the Selection of the Chief Executive and Legislative Council in 2012 and the Problems related to Universal Suffrage]. Beijing: National People's Congress Standing Committee.

National People's Congress Standing Committee. (2014). *Quanguo Renmin Daibiao Dahui Changwu Weiyuanhui Guanyu Xianggang Tebei Xingzhengqu Xingzheng Zhangguan Puxuan Wenti He 2016 Nian Lifa Hui Chansheng Banfa De Jueding* [Decision of the Standing Committee of the National People's Congress on issues relating to the selection of the Chief Executive of the Hong Kong Special Administrative Region by universal suffrage and on the method for forming the Legislative Council of the Hong Kong Special Administrative Region in the year 2016]. Beijing: National People's Congress Standing Committee.

Ng, K. H. (2007). Political context, policy networks and policy change: The complexity of transition in Hong Kong. *Pacific Review, 20*(1), 101–126.

Occupy Central. (2013). *Occupy central with love and peace: Manifesto*. Hong Kong: Occupy Central.

Parents' Concern Group on National Education. (Ed.). (2013). *Baba Mama Shang Zhangchang* [Moms and dads go to the battlefield]. Hong Kong: Enrich Publishing.

Public Opinion Programme. (2014, June 29). *Results of "6.22 Civil Referendum"*. Retrieved from http://hkupop.hku.hk/english/release/release1164.html.

Schulz, W., Ainley, J., Fraillon, J., Kerr, D., & Losito, B. (2010). *ICCS 2009 international report: Civic knowledge, attitudes, and engagement among lower-secondary school students in 38 Countries*. Amsterdam: International Association for the Evaluation of Educational Achievement.

Siu, J. (2018, January 11). Case against occupy trio 'unconstitutional'. *South China Morning Post,* p. C2.

State Council. (2014). *The practice of the "one country, two systems" policy in the Hong Kong Special Administrative Region*. Beijing: Foreign Languages Press.

Tai, Y. T. (2013, January 16). Gongmin Kangming De Zuida Shashang Li Wuqi [The largest mass destruction weapon of civil disobedience]. *Xinbao Caijing Yuekan* [Hong Kong Economic Journal Monthly], p. A16.

Takungpo Reporter. (2012a, October 15). Aigang Liliang Zhouri Youxing Cheng Guojiao [Caring Hong Kong power's rally for national education on Sunday]. *Takungpo* [Takung News], B11.

Takungpo Reporter. (2012b, October 15). Yuqian Shimin Youxing Cheng Guojiao [Over a thousand people's rally for national education]. *Takungpo* [Takung News], p. B1.

Wong, W.-K., & Chung, S. (2016). Scholarism and Hong Kong federation of students: Comparative analysis of their developments after the umbrella movement. *Contemporary Chinese Political Economy and Strategic Relations: An International Journal, 2*(2), 865–884.

Xi, J. (2017, July 1). *Address at the meeting celebrating the 20th anniversary of Hong Kong's return to the motherland and the inaugural ceremony of the Fifth-Term Government of the Hong Kong Special Administrative Region.* Retrieved from http://news.xinhuanet.com/english/2017-07/01/c_136409940.htm.

Xu, S. (2013, November 4). Dai Yaoting Goungchule Biantian De Jihua [Tai Yiu Ting reveals the scheme of conspiracy]. *Wenweipo* [Wenwei News], p. A16.

Yam, S.-Y. S. (2016). Education and transnational nationalism: The rhetoric of integration in Chinese national and moral education in Hong Kong. *Howard Journal of Communications, 27*(1), 38–52.

Yang, S. (2013, May 31). 'Occupy' disrupts social order. *China Daily (HK Edition),* p. 9.

Zhao, S. (2017, June 25). Minister slams 'brainwashing' education claim. *South China Morning Post,* p. 4.

Chapter 5
Collision Between Politics and University Autonomy: HKU's Governance Crisis in PVC Appointment Saga

Abstract   This chapter scrutinizes the first repercussion of Occupy Central on university governance in Hong Kong: a territory-wide controversy over HKU's appointment of a liberal scholar to a senior management position. It argues that this intramural personnel issue was complicated by the pro-democracy Occupy Central, leaks of confidential information from HKU and a confidential UGC report on the research performance of its public universities, and orchestrated personal and political attacks on the sole internal candidate by pro-establishment and pro-Beijing newspapers. However, HKU council handled these external pressures poorly, using various tactics to delay its consideration for over a year before eventually rejecting the candidate. The leaked reasons for the rejection further revealed two major concerns about the managerial model of university governance: the competing interests among council members, and the dominance and political role of external council members in university governance.

Building on the earlier discussion of academics' and students' civic engagement for greater democracy in Hong Kong, this and the next three chapters examine three specific issues that arose after the 2014 Occupy Central, concerning politics and the governance of public universities: HKU's senior university management appointment saga; the university students and staff's intervarsity campaign to end the HKSARCE's ex-officio role as chancellor of public universities; and the emergence of voices for Hong Kong independence on university campuses. These issues are situated in increasingly tense local–central relations (as presented in Chap. 2) and can be interpreted as an extension of social division and struggles for greater democracy from politics, to the public higher education system. This chapter focuses on the governance crisis faced by HKU (founded in 1911, the oldest university in Hong Kong) due to its handling of the political controversy over the appointment of a liberal scholar—alleged to have covered for and support his colleague, Benny Tai, cofounder of the Occupy Central—to a senior university management position. The controversy raised concerns about whether and to what extent HKU's institutional autonomy was threatened by external political interference, and revealed problems related to the dominance of external members of the university council in areas of university governance.

Between 2014 and 2015, HKU faced a territory-wide controversy over its appointment of a liberal scholar to a PVC position. This intramural personnel issue, this chapter argues, was complicated by the pro-democracy Occupy Central, leaks of confidential information from HKU and a confidential UGC report on the research performance of its public universities, and orchestrated personal and political attacks on the sole internal candidate by pro-establishment and pro-Beijing newspapers. However, HKU council handled these external pressures poorly, using various tactics to delay its consideration for over a year before eventually rejecting the candidate. The leaked reasons for the rejection, which were widely reported in the mass media, further revealed two major concerns about the managerial model of university governance: the competing interests among council members, and the dominance and political role of external council members in university governance. The council's inability to effect damage control in this crisis unnecessarily created further opportunities for an attack on both the candidate and HKU, and dragged HKU into the public spotlight in a negative manner for a long time.

The chapter first introduces how the HKU saga began and how the main character, Prof. Johannes Chan, was involved. Next, it traces how two major pro-establishment, Chinese newspapers leaked confidential information from HKU and UGC to smear Chan and HKU, and pressure its council. Third, the chapter examines how HKU council delayed its decision to ease hostile external pressures, and how dominant external council members shaped the final decision. Fourth, it traces how the council's reasons for rejecting the candidate were leaked and discusses the reliability of their reporting in the mass media. Finally, the chapter concludes with an examination of the leaked reasons for rejecting the candidate, and the reactions of different parties to HKU council's use of these reasons.

The Beginning of HKU's PVC Appointment Saga

The appointment dispute started with HKU VC Prof. Peter Mathieson's urgent need to set up his senior management team, comprising five PVCs. In February 2014, per its normal practice and procedure, HKU council set up search committees for the five PVC positions, each of which launched a global recruitment effort, identified appropriate candidates, and made recommendations to the council. In meetings in November 2014 and February 2015, the HKU Council (2014, 2015) accepted four committees' recommendations and appointed PVCs for teaching and learning, institutional advancement, research, and global affairs, respectively.

However, the nomination and appointment of the fifth PVC, for the academic staffing and resources (ASR) portfolio, was controversial. A pro-Beijing newspaper, *Wenweipo*, revealed the candidate was an internal one, Prof. Johannes Chan and questioned his suitability for the senior management post, citing his earlier sympathetic comments on 2014 Occupy Central and critical remarks on the NPCSC's decision concerning the 2017 HKSARCE election (Chung, 2014). Chan had been unanimously recommended by the search committee in November 2014 as the sole

candidate, but his nomination was not forwarded to the council for consideration until June 2015. Unlike nominations for other PVC posts, the council delayed its consideration to September 2015 and finally declined to appoint Chan PVC (ASR).

Johannes Chan was a practicing senior legal professional and senior academic at HKU. He is the only honorary senior counsel in the city, having been awarded the title in 2003 for his contributions to the legal profession in Hong Kong. Chan had been the law dean of HKU for 12 years (2002–2014). He specialized in human rights and constitution and administrative law, and was known as a liberal legal scholar (Siu & Lee, 2016). He was vocal on legal issues and was seen a moderate, pro-democracy critic of government's 2014 political reform in Hong Kong (Ng, 2015b). In a Chinese-language newspaper article, *We Have Waited Long Enough*, Chan (2013) suggested the simplest way to prevent Occupy Central and its political consequences would be to allow genuine universal suffrage without political screening in the 2017 HKSARCE election; unless elected through universal suffrage, he argued, the new HKSARCE could not effectively govern Hong Kong. This article was incorporated as a preface to the Chinese book, *Occupy Central*, by his subordinate at HKU's law faculty, Benny Tai—one of the Occupy Central trio. As the law dean, Chan was Tai's supervisor. As shown in the next sections, Chan's alleged ties to Tai, who was the first to call (in late 2012) for Occupy Central, became thorny issues in his appointment.

Concerted Smear Campaign Against the Sole Nominee for a PVC Post at HKU

Johannes Chan's nomination and appointment were complicated by deliberate, concerted, external political attacks on him and HKU by two local pro-establishment newspapers (*Wenweipo* and *Takungpo*), which are state-funded and are seen as the central government's mouthpieces in Hong Kong. Between November 2014 and early September 2015, they published nearly 350 news articles denouncing Chan (Ching, 2015), three of which were particularly serious, as they alleged illegal leaks of confidential HKU and UGC information, and set the tone for a smear campaign by other local pro-establishment forces and two state-funded newspapers in Beijing.

The first serious attack centered on Chan's alleged connection to the 2014 Occupy Central, which was based on private emails that were gained by illegally hacking Benny Tai's account and others' and that were deliberately leaked to the media at the height of Occupy Central in October 2014 (Ng, 2015b). The emails revealed Tai had received donations to HKU, supposedly to support activities connected to Occupy Central. One donation to the university, made on behalf of the law faculty, was made through Chan, the law dean. This became ammunition the local newspapers used to attack Tai, Chan, and HKU.

The second attack sought to prevent Chan from getting a senior administration position at HKU. On 26 November 2014 (i.e., one day after the HKU council approved the first two PVCs), *Wenweipo* leaked to the public that Chan had been recommended

as the sole candidate to the council for a PVC post (Chung, 2014); however, HKU had neither announced the recommendation, nor revealed the candidate's identity (High Court, 2016). Based on criticisms from unidentified sources, *Wenweipo* indirectly accused HKU of being a "major hotbed" (*zhuyao wenchuang*) for the Occupy Central. It explicitly questioned whether Chan was suitable for the PVC position, and made three specific allegations against him: allowing Tai to ignore his duties while spending time on the movement; sheltering Tai's handling of external donations; and violating professional legal ethics by expressing support for the "illegal" Occupy Central (Chung, 2014). The allegations centered on his ability to administer teaching staff in his faculty, his professional integrity in handing financial matters, and his political neutrality when making human resources decisions.

The third attack challenged Chan's leadership abilities and research contributions to the law faculty, which is a vital benchmark of world-class universities and an important source of HKU's income from the UGC. On 27 January 2015, the UGC announced the results of the 2014 RAE audit of all UGC-funded institutions' research performance between 2007 and 2013. However, one day earlier, *Wenweipo* claimed it had obtained the 2014 RAE results, and printed a full-page "exclusive report" (*dujia baodao*) showing how HKU's law faculty's research performance, under Chan's leadership, had trailed not only its counterpart in CUHK, but also other disciplines within HKU. The exposé, by reporter Gao (2015), included two screenshots of the RAE report, one a paragraph commenting on the performance gaps between institutions, the other a table showing the percentage differences in the performance rankings of three law faculties (HKU, CUHK, and CityU) in Hong Kong. Gao attributed the HKU law faculty's research lag to Chan, accusing him of focusing more on politics than academic matters, and repeating three allegations that had been made against him in November 2014. Using the same leaked RAE results, another *Wenweipo* reporter, Gan (2015), in another full page article, criticized HKU for trailing a younger institution, HKUST, in overall research performance, and accused HKU's VC Peter Mathieson of tolerating staff and students' involvement in Occupy Central, and of concentrating on political, rather than academic, affairs.

The leak of the 2014 RAE report raised important questions about how the UGC kept confidential information. In response to media enquiries, on February 5, 2015, the UGC (2015) issued a statement categorically denying it had leaked the document, and stating it had kept the 2014 RAE results "strictly confidential until the public announcement on January 27, 2015" (i.e., one day after the *Wenweipo* exposé) and that UGC members had returned all related confidential papers after the meeting. However, the UGC refused to respond when asked whether it had sent copies to the Education Bureau or the HKSARCE Office. Unlike the UGC, the Hong Kong government neither admitted nor denied receiving a copy of the report. It is still unknown who leaked the RAE report, and whether the UGC or Hong Kong government had conducted an internal investigation about the leak. However, the smear campaign against Chan and HKU's law faculty revealed the ability of "hidden forces" to get access to and use confidential UGC data to politically attack not only an individual academic they deemed unacceptable, but also his/her faculty and university. The deliberate, vicious media attack on Chan and HKU was seen as the suppression

of political dissidents (Ming Pao Editor, 2015). If the government was involved in the leak, it could be perceived as political interference with university autonomy in internal personnel affairs.

The peak of the smear campaign was August 2015, one month before the HKU council rejected Chan as the new PVC (ASR). During this month, the two pro-establishment newspapers published 122 news articles against Chan (Ching, 2015), with two Beijing-based state newspapers (*People's Daily* and *Global Times*) joining them. On 3 August 2015, *People's Daily* (overseas edition) even published an article suggesting Chan withdraw his nomination (Wang, 2015).

HKU Council's Tactics and Crisis in Handling the Appointment Controversy

The intense smear campaign by Beijing-funded and pro-establishment media against Chan placed great pressure on HKU council in its consideration of the PVC(ASR) appointment. In 2015, the council had 23 members—15 external members (including the chairman, 1 nominated by the council, and 6 delegates of top state organs) and eight internal members (Table 5.1). Although the other four PVC appointments were made relatively quickly, consideration of the fifth PVC(ASR) lasted an exceptionally long time, over a year. In November 2014, the selection committee—consisting of VC Mathieson (chair), the DVC (later VC of another UGC-funded university, HKBU), two professors, and an external council member—unanimously recommended Chan as the sole candidate. This recommendation was not immediately forwarded to the council for consideration at its December 2014 meeting, but was held until the September 2015 meeting, at which it was rejected (Chan & Kerr, 2016). The appointment dispute, this section argues, compounded by the HKU council's deliberate, but poor response to external media pressure, became a crisis of university governance.

The HKU council's first tactic, initiated in October 2014, was to strike an Audit Committee to address allegations of irregularities in donations made through Benny Tai and Johannes Chan to the university, but redirected to support Occupy Central. Conducting such an investigation is an appropriate and reasonable step for any university governing body to take; however, HKU had been repeatedly pressured by the Secretary of Education to conduct such a probe (Lam & Ng, 2015).

The Audit Committee (2015b) found the donations had been used to sponsor academic seminars by HKU's law faculty on political reform proposals for the 2017 HKSARCE election, an HKU-based Public Opinion Programme for conducting a "referendum" on these proposals, and research on Occupy Central. It identified problems with the involved parties' acceptance, administration, utilization, and reporting of donations, and explicitly stated that the university lacked clear guidelines on and detailed procedures for donations. However, the Audit Committee did not criticize Chan, but rather Tai and the PVC (University Relations), who

Table 5.1 HKU council's membership and members' affiliation to local and state organs, 2015

	HKU Council	Local organs	State organs
External members (15)			
Appointed by the chancellor (7)	Edward Leong (chair, stepped down in Nov 2015)		
	Benjamin Pi Cheng Hung		
	Leonie M. F. Ki		CPPCC
	Ayesha M. Lau		
	Arthur Li (appointed as member in March 2015, and as chairman on December 31, 2015)	Executive Council	CPPCC
	Margaret Leung		CPPCC
	Martin C. K. Liao	Legislative Council	NPC
Appointed by the Council (6)	Peter K. K. Wong		CPPCC
	Edward Chen		
	Abraham Shek	Legislative Council	
	Kai-man Wong		
	W. C. Cheng		
	Vacant		
Elected by the Court (2)	Man Cheuk Fei		
	Rosanna Wong Yick-ming		CPPCC
Internal members (8)			
Vice-chancellor	Peter Mathieson		
Elected teachers (4)	Kie-chung Cheung		
	Sun Kwok		
	Chung-mau Lo		
	Kwok-yung Yuen		
Elected non-teacher (elected)	Felix K. Y. Ng		
Undergraduate student (elected)	Billy Fung		
Postgraduate student (elected)	A. W. R Arokiaraj		

Note Complied by the author from HKU (2015a), CPPCC (2017) and NPC (2014)

supervised the Development & Alumni Affairs Office (DAAO), which centrally coordinated and handled donations.

However, in a special meeting on March 25, 2015, the HKU council (quite unusually) was not satisfied with the Audit Committee's report as written and treated it as an interim report. The council further instructed the Committee to include its views on individuals' and units' responsibilities when accepting and utilizing donations. One month later, the Audit Committee supplemented its report by specifying the responsibilities of the five persons involved in the acceptance, administration and/or utilization of donations. It used very strong words to specify the errors of all parties (except Chan). Specifically, it stated the conduct of Benny Tai had "deviated" from the university's guidelines; the PVC (University Relations) made "an unsatisfactory decision" in instructing the DAAO to process the donations; and the Director of the DAAO "did not follow through" on verification of the donor's name, and her office "failed to fulfill its [processing and reporting] duties" in a timely manner. In its Letter of Elaboration, the Audit Committee (2015a) revealed a new person had been "invited" to join its discussions and "provide advice on the normal practices in the academic community from his experience." It was later reported this new person was an external council member and former VC of another university; Chan questioned this ad hoc arrangement on further review, calling it "dubious" (Ming Pao Reporter, 2015b).

In comparison, the Audit Committee's (2015a) comments about Chan were mild. It felt Chan "fell short of the expected standards" by accepting a donation to the university on behalf of his faculty through Benny Tai without informing his secretary and the DAAO of the name of the donor within a reasonable timeframe, but did not explain what those standards were. In his defense, Chan (2015) argued that the Report did not suggest the donation came from "an unknown source" or "a disreputable source," and that the "expected standards" were "unknown, non-existent, vague, or ambiguous," and reasserted his faculty office had informed the DAAO to approach Benny Tai directly for information on the donor. As the donation investigation did not find Chan had committed serious professional or administrative misconduct, the donation issue was not a reason for him to withdraw his nomination, nor for the council to reject it.

The HKU council's second tactic in response to media and pro-establishment newspapers concerns was to postpone its consideration of the PVC(ASR) appointment, twice. After accepting the Audit Committee's supplementary report, the council added the PVC(ASR) issue to the agenda for its June 30, 2015 meeting, but then decided to postpone its consideration until after the appointment of the new DVC (High Court, 2016). The decision was made in the context that the then-DVC had resigned and would step down with effect from July 3, 2015 (HKU, 2015b). As reported in the media, the council voted on the postponement, with 12 members (mostly external council members) voting in favor of it and six (staff and students) against it (Zhao, 2015). However, the decision was supported by VC Mathieson and the then-DVC, who were, respectively, chairman and a member of the search committee (Chan & Kerr, 2016). The explanation for the delay was that it was important to consult the new DVC's views on the PVC(ASR) portfolio, because the latter would

be directly accountable to the former in the new senior management structure (Zhao, 2015). The council's decision shocked the community and received severe public criticism. Despite this, in its 28 July 2015 meeting, the council again postponed consideration of the appointment, for the same reason. After learning of the second postponement, some HKU students and unidentified outsiders stormed into the council venue, and the meeting was adjourned (High Court, 2016). In early September 2015, HKU's convocation urged the council to either approve or disapprove the nomination, and to provide clear reasons for its decisions.

On September 29, 2015, after nearly 1 year of controversy and delay, the HKU council (at a meeting attended by 21 council members, including the outgoing chairman) finally considered and rejected the selection committee's nomination of Chan as the fifth PVC. The vote was by secret ballot, with 12 council members (mostly internal members, including the VC, 2 student representatives, and 3 elected staff) voting against the nomination and eight (virtually all external members) in favor of it; the chairman did not vote (e.g., Singtao Daily Reporter, 2015; Zhao, Ng, & Chan, 2015).

Leaks of Audio Recordings of 29 September 2015 Meeting

The HKU council's final decision to reject its selection committee's sole nomination did not end the PVC appointment dispute; rather, it drew more public attention and criticism. Immediately after the September 29, 2015 council meeting, HKU Students' Union president Billy Fung (who was a student council member) broke the confidentiality rule by calling a press conference and revealing the names of and reasons given by eight of the 12 council members who voted against the nomination. They included seven pro-establishment, external members (including Prof. Arthur Li, Ms. Leonie Ki, and Dr. Rosanna Wong) and one internal member (Prof. C. M. Lo) (Singtao Daily Reporter, 2015; Zhao et al., 2015). Fung's critics condemned him for breaking confidentiality and questioned the reliability of his information (Wenweipo Reporter, 2015a). However, his supporters (including pan-democratic lawmakers) commended him for his spirit of whistleblowing.

The PVC appointment saga was pushed to its climax when audio recordings of parts of the 29 September 2015 meeting were leaked to the public. The High Court (2015, 2016) well documented the leak sequence and whose speeches were featured. In late October 2015, a private radio station, Hong Kong Commercial Broadcasting, aired two recordings featuring parts of speeches by two external council members (Prof. Arthur Li and Ms. Leonie Ki), as well as uploading the two recordings and their transcripts to its website. HKU council immediately and successfully applied for an interim injunction to stop further leaks of the meeting contents. Despite the court order, however, in November 2015, other audio clips and transcripts of the meeting were made accessible on an online discussion platform based in Taiwan (which is not under Hong Kong jurisdiction). They featured speeches by another four council members, including three external members (Dr. Rosanna Wong, Mr. Peter Wong,

and Mr. Martin Liao), one internal member (Prof. C. M. Lo), and VC Mathieson's responses to Rosanna Wong and C. M. Lo. The Hong Kong media immediately reported the contents of these newly leaked audio recordings.

The HKU council has never publicly confirmed nor denied the leaked comments concerning Chan's appointment. While little doubt was cast on the reliability of the audio clips themselves, much effort was made to condemn the leaks. First, outgoing Council Chairman Leong condemned Fung and those involved in the illicit recording and audio leaks for breaching confidentiality. Second, the Education Bureau (2015) immediately issued a statement condemning the unauthorized recording and leaking of confidential council discussions, asserting the government would "not condone such acts"—despite having remained silent when pro-establishment newspaper *Wenweipo* leaked the 2014 RAE results.

Third, no media (including pro-establishment media) suggested the clips were fabricated, probably because the voices of some—such as Arthur Li and VC Mathieson—were so familiar to journalists, and the leaked names and reasons largely matched what Fung had revealed earlier. Instead, the audio leaks were criticized for being deliberately selective in exposing those who had opposed the appointment, while ignoring those who had supported it (Chugani, 2015). Later, *Ming Pao*, a well-regarded local Chinese-language newspaper, reported its unidentified inside source had confirmed the leaked contents were true (Ming Pao Reporter, 2015c). More interestingly, the two state-funded, pro-establishment newspapers (*Wenweipo* and *Takungpo*), which had earlier challenged Fung's trustworthiness, did not challenge the reliability of the leaked audio recordings; instead, they used them to further criticize and devaluate Johannes Chan and his supporters (see examples in Takungpao Reporter, 2015; Wenweipo Reporter, 2015b).

Fourth (and more important), on November 30, 2015, in granting the interlocutory injunction before a formal trial, the High Court (2015) mentioned that the content of the leaked audio recordings posted on Taiwanese online discussion forums were "apparently of what was said at the 29 September 2015 Meeting (featuring speeches by Prof C.M. Lo, Mr. Peter Wong and Mr. Martin Liao)" (brackets are included in the original text).

Leaked Reasons of HKU Council for Rejecting Chan

The leaked audio recordings covered the reasons offered by six HKU council members for their opposition to Chan's nomination, and VC Mathieson's attempt to defend the nomination. The reasons for rejecting Chan were similar to those used by pro-establishment newspapers and forces in their earlier smear campaign and reflected political considerations more than the leadership and management experience called for in the global recruitment advertisement.

The first reason was related to Chan's academic qualifications and achievements. At least two council members—Arthur Li (a CPPCC deputy who was appointed as an external member by the HKSARCE in March 2015, and who became the council

chairman in January 2016) and C. M. Lo (an elected, internal member)—argued that Chan did not have a doctorate and questioned his ability to supervise or handle the promotion of staff members who did (Lai, Zhao, & Siu, 2015; Lau, 2015). Li further questioned Chan's leadership ability, and attributed (incorrectly, as explained later) his success as an elected dean to his being a "nice guy" to everybody in his law faculty. Lo criticized Chan for not having strong academic publication record, and further commented that assistant professors in his own department (within the medicine faculty) with a similar publication record would be in trouble. Another lay council member, Martin Liao (then an NPC member) also questioned Chan's academic achievements, and criticized him for the low number of Google searches for his published works in the past 5 years (Ming Pao Reporter, 2015c). In response, VC Mathieson explained the selection committee had considered Chan's academic credentials (Lau, 2015). Mathieson clarified that having a PhD and multiple publications were not listed as requirements in the recruitment advertisement and commented that it was difficult to translate publication records across disciplines

The second major leaked reason was disguised as resistance to external political interference with university governance. Arthur Li (whose external council member appointment was opposed by students, alumni, and staff) accused some political parties of forcing the HKU council to approve Chan's nomination because they wanted him to be HKU's equivalent of a mainland China university's party secretary (Lai et al., 2015). Li's comment implied he did not wish HKU's governance to be like that of mainland universities, in which party secretaries usually wielded more power than university presidents. The third external council member, Leonie Ki, then a CPPCC member, questioned Chan's integrity, and accused him of creating controversy and trying to force council members to approve his appointment by proclaiming his nomination before the council knew of it and using external and internal forces to coerce, intimate, and even threaten council members (Ming Pao Reporter, 2015a).

The third major leaked reason was related to the second and concerned the candidate's political position. The fourth external council member, then-CPPCC member Rosanna Wong, reportedly claimed HKU and Hong Kong society had been torn apart for over two-and-a-half years (i.e., from about the start of the 2013 call for Occupy Central) (Cheung, 2015). She rejected Chan because she believed he had a "strong political position," and felt appointing him would risk further dividing both HKU and Hong Kong society; she did not, she claimed, want the successful candidate to politicize his/her workplace. Similarly, the fifth external council member, Peter Wong, also then a CPPCC member, rejected the nomination because of the alleged political controversy surrounding Chan, and the potential schism his appointment might bring to HKU (Ming Pao Reporter, 2015c).

Reactions of the HKU Community and Local Community

Different parties had different reactions to these leaked reasons. The pro-establishment media, for example, used them to explain why Chan was not appropriate for the PVC(ASR) position (Takungpao Reporter, 2015; Wenweipo Reporter, 2015b). For others within and without the HKU community, however, the leaked reasons led them to sharpen their criticism of the Council's decision. For example, on 4 October 2015, the Faculty of Law (2015) issued a strong statement defending Chan's scholarship and leadership, and refuting "in the strongest possible terms [the] unfair criticisms" of Chan made in the council meeting.

The saga was perceived by many within the HKU community as a threat to HKU's autonomy and academic freedom. On 6 October 2015, about 2000 HKU staff and students participated in an on-campus silent march to defend university autonomy and protest the council's decision (Ng, 2015a). Five days later, the HKU Students' Union, HKU Staff Association, and HKU Alumni Concern Group co-hosted an on-campus gathering with the theme, Protect Institutional Autonomy and Resist the Intervention of Black Hands. The gathering was attended by hundreds of HKU students and alumni, as well as many outsiders. Externally, in a January 2016 Legislative Council meeting, pan-democratic lawmakers pointed to the saga—together with the HKSARCE's refusal to endorse HKU's honorary degree nominees and insistence on appointing Arthur Li HKU's new council chairman (see Chap. 6)—as proof the HKSARCE had exercised "excessive powers" and politically interfered with university autonomy and academic freedom; pro-establishment lawmakers strongly disagreed (Legislative Council, 2016, p. 8).

To conclude, the 2014 Occupy Central influenced how the HKU council, as the university's highest governing board, handled internal personnel issues. The appointment of a scholar to a senior university management position is normally a routine exercise at any university. However, when strong external interferences step in, even routine exercises in university governance can become very complicated. HKU is no exception. The way HKU council handled the PVC appointment dispute drew vast attention and criticism within and beyond the HKU community and raised concerns about whose interests council members represented, and external council members' dominance of and political role in university governance. HKU's VC Mathieson (2016) rightly criticized his council's handling of the appointment controversy as "an example of bad governance." An external review of HKU's university governance admitted the council's refusal to appoint Chan, and the HKSARCE's appointment of Arthur Li as HKU council chairman, showed the "collision between institutional autonomy and politics" and were part of the backdrop for HKU's review of its governance structure (Review Panel on University Governance, 2017). The Occupy Central as a civil disobedience movement, as shown in the next chapter, was a great challenge to not only HKU, but also other UGC-funded universities and the Hong Kong government. It was a challenge to the dual role of the HKSARCE as head of the city and ex-officio chancellor of all public universities, as well as to his/her power to appoint external council members, who could become conduits for external political interference in their governing boards.

References

Audit Committee. (2015a). *Letter of elaboration*. Hong Kong: University of Hong Kong.

Audit Committee. (2015b). *Report to the council on a matter of public concern as to certain donations received by the University*. Hong Kong: University of Hong Kong.

Chan, J. M. M. (2013). Women Deng Doule [We have waited long enough]. In Y. Tai (Ed.), *Zhanling Zhonghuan Heping Kangzheng Xinzhanshi* [Occupy central] (pp. 10–11). Hong Kong: Enrich Publishing Ltd.

Chan, J. M. M. (2015). *Responses of professor Johannes Chan to the extracts from the report and the letter of the audit committee to the council of the University of Hong Kong*. Hong Kong: University of Hong Kong.

Chan, J. M. M., & Kerr, D. (2016). Academic freedom, political interference, and public accountability: The Hong Kong experience. *AAUP Journal of Academic Freedom, 7,* 1–21.

Cheung, T. (2015, November 10). What they said: New HKU leak reveals dispute over pro-vice chancellor choice. *South China Morning Post*. Retrieved from http://www.scmp.com/news/hong-kong/politics/article/1876948/what-they-said-new-hku-leak-reveals-dispute-over-pro-vice.

Chinese People's Political Consultative Conference. (2017, June 29). *Dishierjie Quanguo Weiyuanhui Weiyuan Mingdan* [List of the 12th national committee members, 2012–2018]. Retrieved from http://www.cppcc.gov.cn/zxww/2014/02/27/ARTI1393487184783942.shtml.

Ching, C. (2015, September 10). Zunzhong Shishi: Gangda Xiaoyou Buben! [Respect the truth: HKU alumni are not stupid] *Hong Kong Economic Journal Forum*. Retrieved from http://forum.hkej.com/node/125612.

Chugani, M. (2015, December 23). A matter of opinion, without the smears, on HKU Pro-vice-chancellor controversy. *South China Morning Post*. Retrieved from http://www.scmp.com/news/hong-kong/politics/article/1893888/matter-opinion-without-smears-hku-pro-vice-chancellor.

Chung, C. M. (2014, November 26). Chuansheng Gangda Fuxiaozhang Chen Wenmin Shou Zhiyi [Johannes Chan who was tipped to be a Vice-President of the University of Hong Kong was questioned]. *Wenweipo* [Wenwei News], p. A8.

Education Bureau. (2015). *Statement regarding the public disclosure through the media of an audio clip carrying confidential content suspected to have been recorded without authorisation at a closed-door meeting of the council of The University of Hong Kong*. Hong Kong: Education Bureau.

Faculty of Law, The University of Hong Kong. (2015, October 4). *Press statement on 4 October 2015*. Retrieved from http://www.law.hku.hk/faculty/statement.php.

Gan, Y. (2015, January 26). Gangda Tuishai Pingfen Yuanxun Keda [HKU is fading and its scores far behind HKUST]. *Wenweipo* [Wenwei News], p. A3.

Gao, Y. (2015, January 26). Chen Wenmin Yihai Gangda Faxueyuan Canshu Zhongda [Johannes Chan makes HKU's law faculty lose to CUHK's]. *Wenweipo* [Wenwei News], p. A2.

High Court. (2015). *Between the University of Hong Kong (plaintiff) and Hong Kong Commercial Broadcasting Co Ltd (1st defendant) and the person or persons unknown (2nd defendant)*. Hong Kong: High Court.

High Court. (2016). *Between the University of Hong Kong (plaintiff) and Hong Kong Commercial Broadcasting Co Ltd (1st defendant) and the person or persons unknown (2nd defendant)*. Hong Kong: High Court.

Lai, Y., Zhao, S., & Siu, P. (2015, October 29). HKU audio leak: Johannes Chan a 'nice guy' but unqualified for deputy head position, says council member Arthur Li. *South China Morning Post*. Retrieved from http://www.scmp.com/news/hong-kong/education-community/article/1873109/hku-audio-leak-johannes-chan-nice-guy-unqualified.

Lam, J., & Ng, J. (2015, May 27). HKU head backs calls for probe into Benny Tai. *South China Morning Post*, p. C1.

Lau, S. (2015, November 26). Fourth leak from University of Hong Kong council meetings shows president supported liberal scholar's bid for post. *South China Morning Post*.

Retrieved from http://www.scmp.com/news/hong-kong/education-community/article/1883389/fourth-leak-university-hong-kong-council-meetings.

Legislative Council. (2016). *Minutes of meeting held on Monday, 11 January 2016*. Hong Kong: Legislative Council.

Mathieson, P. (2016). *A view from the University Sector, including International Comparisons*. Speech delivered at the Project Citizens Forum "Governance in Hong Kong: Are the Pillars Crumbling?" Hong Kong.

Ming Pao Editor. (2015, February 13). Chongji Xueshu Daya Zuezhe Jiang Hui Yinfa Qunqi Fantan [Assaulting scholarship and suppressing scholars would invite rebound]. *Ming Pao* [Ming Pao News], p. A2.

Ming Pao Reporter. (2015a, October 31). Pizhi Weihe Xiaowei Chen Wenmin Chi Ji Wenfeng Feibang [Johanese Chan who was accused of intimidating council members criticizes Lione Ki for Defamation]. *Ming Pao* [Ming Pao News], p. A2.

Ming Pao Reporter. (2015b, October 28). Wei Juankuan Fengbao Kangbia Zhiyi Wei Gongzheng [Defending for donation crisis, questioning the violation of justice]. *Ming Pao* [Ming Pao News]. Retrieved from http://news.mingpao.com/pns/dailynews/web_tc/article/20151028/s00002/1445968710513.

Ming Pao Reporter. (2015c, November 26). Zai you Luyin Liuchu Lu Chao Xueli Buru Zhuli Jiaoshou [More audio leaks, Lo Said Chan's academic achievements were weaker than an assistant professor]. *Ming Pao* [Ming Pao News], p. A1.

National People's Congress. (2014). *Xianggang Daibaiotuan Diabiao Mingdan* [List of the Hong Kong delegates to the 12th national congress, 2012–2018]. Retrieved from http://www.npc.gov.cn/delegate/dbmd.action?id=d5.

Ng, J. (2015a, October 7). 2,000 HKU students and staff joined silent march to protest liberal scholar's rejection from key post. *South China Morning Post*. Retrieved from http://www.scmp.com/news/hong-kong/education-community/article/1864546/hku-staff-and-students-hold-silent-march-demand.

Ng, J. (2015b, June 16). HKU body set to vote on funds report. *South China Morning Post,* p. C1.

Review Panel on University Governance. (2017). *The report of the review panel on University Governance*. Hong Kong: University of Hong Kong.

Singtao Daily Reporter. (2015, September 30). Chen Wenmin Fuxiao Renming Gangda Xiaoweihui Foujue, 8 Piao Zancheng 12 Piao Fandui [HKU council rejects the appointment of Johannes Chan to be a pro-vice chancellor by 12–8]. *Xingdao Ribao* [Singtao Daily], p. A5.

Siu, J., & Lee, E. (2016, July 9). HKU granted ban on disclosure of council meetings. *South China Morning Post,* p. A5.

Takungpao Reporter. (2015, 29 October). Luyin Neirong Zhiyi Zhengdang Ganyu [Leaked Recordings: Questioning the Interference of Political Parties]. *Takungpao* [Takung News], p. A1.

University Grants Committee. (2015). *University Grants Committee's response to enquiries on result announcement of research assessment exercise 2014*. Hong Kong: University Grants Committee.

University of Hong Kong. (2015a). *Calendar 2015–16*. Hong Kong: University of Hong Kong.

University of Hong Kong. (2015b). *HKU announces senior staff movement*. Hong Kong: University of Hong Kong.

University of Hong Kong Council. (2014). *Summary of matters dealt by the council (25 November)*. Hong Kong: University of Hong Kong.

University of Hong Kong Council. (2015). *Summary of matters dealt by the council (24 February)*. Hong Kong: University of Hong Kong.

Wang, D. (2015, August 3). Gangda Fuxiaozhang Renming Shijian Chixu Faxiao [HKU PVC appointment saga continues to ferment]. *Renmin Ribao Haiwaiban* [People's Daily, Overseas Edition], p. 3.

Wenweipo Reporter. (2015a, September 30). Gaungda Foujue Chen Wenmin Ren Fuxiao [University of Hong Kong Rejects Chan to be Pro-Vice Chancellor]. *Wenweipo* [Wenwei News], p. A2.

Wenweipo Reporter. (2015b, October 29). Yase Zhiyi Chen Wenmin Bei Zhengdang Ancha Ru Gangda [Arthur questions whether political parties want to place Johanese Chan at HKU]. *Wenweipo* [Wenwei News], p. A2.

Zhao, S. (2015, July 29). HKU students rally to call for end to delay in appointment of liberal scholar to key position. *South China Morning Post*. Retrieved from http://www.scmp.com/news/hong-kong/education-community/article/1844319/hku-students-rally-call-end-delay-appointment.

Zhao, S., Ng, J., & Chan, G. (2015, September 30). HKU council votes 12-8 against Johannes Chan. *South China Morning Post,* p. A1.

Chapter 6
Intervarsity Campaign for Abolishing the Colonial Chancellor System

Abstract This chapter turns to another significant post-Occupy Central issue concerning politics and university governance—the intervarsity campaign for ending the role of the Beijing-appointed HKSARCE as ex-officio chancellor of all public universities in Hong Kong. The chapter shows that the student- and staff-initiated intervarsity abolition movement extended their pursuit of greater democracy from the political arena to higher education. Staff and students questioned the HKSARCE's dual roles as city head and university chancellor, his/her unchecked appointment power, his/her appointees' ties to local and central authorities, and the dominance of external members in council membership across public universities. While they used different strategies to force university councils and the government to review the HKSARCE's role in university governance and amend university ordinances, the universities remained highly reluctant to change the chancellor system and the managerial model of governance dominated by external members.

This chapter turns to another significant post-Occupy Central issue concerning politics and university governance—the intervarsity campaign for ending the HKSARCE's role as ex-officio chancellor of all public universities in Hong Kong. This issue is not about governance of a single university, but rather of all public universities in Hong Kong. The 2012 anti-national education campaign and 2014 Occupy Central, as demonstrated in Chaps. 2 and 4, alerted many Hong Kong people, particularly students and young people, that Hong Kong was falling under the increasingly tight control of the central government. After failing to attain their goals in the Occupy Central demonstration, university students found a new battle in their fight for greater democracy in their universities and the public higher education system. Post-1997 Hong Kong inherited the British colonial system, in which the city's head also served as the chancellor of publicly funded universities or tertiary institutions and enjoyed the legal power to appoint chairpersons and a significant number of external members to university councils. This gave the government leeway to exercise control over public universities. Following the international managerial trends in university governance, university councils, as examined in Chap. 3, had been downsized and empowered, and external council members now constituted a majority on the councils. After the failure of Occupy Central, the conflict inherent in the

HKSARCE acting as both city head and university chancellor, his/her unchecked appointment power, his/her appointees' ties to local and central authorities, and the dominance of external members in council membership became important concerns of university students and staff.

The intervarsity abolition movement initiated by university students and staff, as the chapter argues, extended their pursuit of greater democracy from the political arena to higher education; however, the movement was unlikely to succeed without the strong support of university councils, the legislature, and the government. After HKU's PVC appointment saga and the failure of its student union, staff association, and convocation in stopping the HKSARCE's appointment of Prof. Arthur Li as an HKU council member in March 2015, students and staff from eight UGC-funded universities began to question the continuation of the colonial chancellor system. They expressed deep concerns about the power of the HKSARCE, as chancellor, to appoint external members to councils, and the influence those appointees had on university affairs. However, any change to the chancellor system involves amending university ordinances, a complicated process involving gaining the approval of the council/court, the HKSARCE as chancellor, and the Legislative Council, which has been controlled by pro-establishment lawmakers since 1997. Compared to pan-democratic lawmakers and university staff, student unions at UGC-funded universities have been more active and organized in campaigning to change the chancellor system. They have used different strategies to force their university councils and the government to review the HKSARCE's role, as chancellor, in university governance, and to amend university ordinances. While they have convinced their universities to consider reviewing their governance structure, the universities remain highly reluctant to propose changes to the chancellor system. If this very first step cannot be achieved, there is no hope for the abolition movement to succeed.

This chapter first discusses the dual roles of the HKSARCE as head of the city and chancellor of public universities, and his/her power to influence the UGC and individual UGC-funded universities. This is followed by an examination of HKSARCE C. Y. Leung's attempt to change the colonial tradition and practice of chancellorship from one of self-restraint, to one characterized by the exercise of power over university governance. Third, the chapter examines the intervarsity campaign for abolishing the HKSARCE's role as ex-officio chancellor of public universities, and students' reasons and strategies for pushing this campaign. Finally, the chapter discusses the responses of individual public universities to the abolition issue.

Head of Government as the Chancellor of Public Universities: A British Colonial Practice in Postcolonial Hong Kong

In Hong Kong, the current higher education administration system has loopholes that can become doorways for the government's political intervention in university gov-

ernance. Chief among these is the HKSARCE's dual role. On the one hand, s/he is the head of the government which, via the UGC, steers and oversees the governance and development of, and allocates resources to, public universities. On the other, s/he is also the ex-officio chancellor of all public universities, with substantive legal authority and power over them. However, until HKSARCE C. Y. Leung assumed the chancellorship in 2012, this dual role had not been a major public concern. Since then, however, it has spawned an intervarsity campaign to abolish the HKSARCE's automatic chancellorships. The central debate, this section argues, is about how to balance public accountability and institutional autonomy in UGC-funded universities, yet guard against potential political interference by the government, under Chinese sovereignty.

HKSARCE as the Head of Government Over the UGC

Similar to his/her colonial predecessors, the post-1997 HKSARCE, as Hong Kong's head of government, has the power to control the UGC, which advises the government on higher education policy and the allocation of resources to UGC-funded universities. As such, the UGC's independence from the government has been questioned. In its report on allegations that education officials had interfered with the academic freedom and autonomy of the UGC-funded Hong Kong Institute of Education (now called EDUHK), witnesses told the government-appointed Commission of Inquiry the UGC was "a rubber stamp" that "uncritically cooperates" with education authorities to achieve government objectives, and recommended "a board independent of the government" be established to advise on policies related to teacher education institutions and their development (Yeung & Lee, 2007, p. 110).

Structurally, the UGC is not completely independent of the government, as it is "responsible" to the Education Bureau (Yeung & Lee, 2007, p. 108), it "formally reports" to the HKSARCE, its secretariat is a government department, led by a secretary-general who is a "civil servant" (Legislative Council Secretariat, 2007, pp. 50, 56). Although s/he reports to and is appraised by the UGC chairperson, the UGC secretary-general's appraisal must be countersigned by the Permanent Secretary for Education. Moreover, the HKSARCE not only appoints the UGC chairperson, s/he also determines its membership. By longstanding practice, the UGC, as mentioned in Chap. 3, comprises both local and nonlocal academics and lay (nonacademic) members.

While all UGC chairs and members are appointed by the HKSARCE, there are no published criteria for those appointments (Legislative Council Secretariat, 2007), allowing the HKSARCE considerable room to maneuver in his/her selections. In April 2013, then-HKSARCE C. Y. Leung appointed Chi-kong Cheung, a member of the Executive Council (the highest level organ assisting the HKSARCE in policymaking) as a lay member of the UGC. Cheung's appointment caused some concern in the higher education community, because he was known for being Leung's strong political supporter, and had written news articles defending Leung and his policies,

and criticizing the design of university-based public polls showing Hong Kong citizens' stronger sense of local identity than Chinese identity (Law, 2017).

HKSARCE as the Ex-Officio Chancellor of Public Universities

By law, the chancellor of each UGC-funded universities is the head of government—i.e., the HKSARCE (or Governor in the colonial period). The HKSARCE is also the ex-officio chancellor of the publicly funded HKAPA, and the self-funded Open University of Hong Kong (OUHK). Moreover, the HKSARCE is not a symbolic figurehead, performing merely ceremonial functions; on the contrary, s/he not only has the legal duty to govern UGC-funded institutions, HKAPA, and OUHK, but also the legal power to do so, and therefore can directly and indirectly influence university governance.

First, the HKSARCE, as chancellor, can indirectly influence university governance through his/her power to appointment a significant portion of the external members on university councils. In Hong Kong as in other countries, the 2002 Sutherland report led many public institutions to adopt an international managerial trend of downsizing their university councils; specifically, nearly half of UGC-funded institutions cut council membership to around 25 members. Since then, however, the average size of university councils in Hong Kong has climbed to 31, ranging from 23 (CityU) to 56 (CUHK, which has studied reducing to about 30) (Table 6.1). Like many European universities (Fielden, 2008), UGC-funded have diverse university councils, with both internal (staff, administrators, students) and external members. Most councils' members are external, ranging from 50% (HKBU) to 76% (LU) in 2016 (62% on average).

The HKSARCE, as ex-officio chancellor, is entitled to appoint a majority of these external members. In 2016, the average rates of direct appointment and appointment upon nomination were 34.4% and 41.6%, respectively (Table 6.1), with LU's council having the highest percentage of HKSARCE-appointed members (76%). CUHK's council had the lowest percentage (10%), since it was having more internal members due to the inclusion of college heads and faculty deans as internal members, and was the only public university with three external members drawn from the Legislative Council. In HKAPA and OUHK, the proportions of HKSARCE-appointed council seats were 56% and 83%, respectively (Hong Kong Professional Teachers' Union, 2016). More important, unlike their counterparts in the UK and New Zealand, who are elected from among council members, in Hong Kong, the university council chairpersons of all UGC-funded universities are appointed by the HKSARCE; CUHK's council is entitled to recommend its own council chairperson to the HKSARCE for appointment (Legislative Council Secretariat, 2007). In addition, deputy council chairpersons and treasurers must be external members; in some universities, such as HKBU, members are appointed to these powerful positions by the HKSARCE. At HKU, despite being only 29% of total council members, HKSARCE-appointed members wield "the most significant substantive power" (Review Panel on Univer-

Table 6.1 Number of council members appointed by the HKSARCE, 2016

University	Total number of members[f]	Number of external members	Number of members appointed by HKSARCE		Percentage of members directly appointed by HKSARCE (%)	Percentage of members appointed by HKSARCE (%)
			Appointed directly	Appointed upon institution's nomination		
HKU	24	16	7	–	29	29
CUHK	56	31[a]	6	–	10	10
HKUST	27	17	9	–	33	33
PolyU	25	17	9	–	36	36
CityU	23	15	7	8[b]	30	65
HKBU	36	18	15	3[c]	42	50
LU	33	25	18	7[d]	55	76
EDUHK	26	15	15[e]	–	58	58
Total	250	154	86	18	34.4	41.6

Note [a]Including three legislators (elected from the Legislative Council, not appointed by the HKSARCE). [b]Nominated by CityU's council. [c]Nominated by the Baptist Convention of Hong Kong. [d]Nominated by the Lingnan Educational Organization Limited. [e]Including one public officer from the Education Bureau. [f]Except for CUHK, which has no student representatives, all universities have one to three student council members. Adapted from Legislative Council Secretariat (2007) with updated figures calculated from UGC universities' ordinances and websites

sity Governance, 2017, p. 30), as they do in most other UGC-funded universities, except for CUHK.

The HKSARCE's criteria, if any exist, for appointing council members and chairs are neither public nor transparent. In his report to the UGC, Newby (2015) criticized the HKSARCE's appointment of external members as not being in line with practices in most other countries, where governing bodies appoint their own members. He further criticized such appointments as lacking "systematic consideration" of the skills and expertise universities need to discharge their duties (p. 20).

Second, the HKSARCE, as chancellor, can become directly involved in university governance. Common to all institutions are the HKSARCE's legal powers and duties, such as presiding at convocations, conferring degrees and academic awards, and accepting institutional reports, financial statements, and auditors' reports (Education Bureau, 2015). Different ordinances at different UGC-funded universities give the HKSARCE different powers over different areas of their internal governance. In HKU, for example, the HKSARCE is authorized by HKU ordinance to receive staff appeals and review university council decisions concerning the termination or appointment of any teacher or officer (Legislative Council, 2011, Section 12). S/he can accept or refuse the recommendations of the university's honorary degrees committee, based on what s/he "thinks fit" (Section 10 and Statue III). S/he has the power to amend and repeal university statutes proposed by the council or the court, and to add statutes s/he deems appropriate (Section 13). Similarly, in CUHK, the HKSARCE is legally entitled to approve or disapprove council statutes concerning university governance and administration (Legislative Council, 2008), and

can request information concerning the university's welfare and make recommendations to the council as s/he deems appropriate (Statute 4). Unlike other UGC-funded universities, EDUHK's ordinance gives the HKSARCE the power to issue directives regarding "the exercise of its powers or the achievement of its objects," with which EDUHK must comply (Legislative Council, 2002, 2016). However, the other five UGC-funded universities have no similar provisions regarding the HKSARCE's power over internal governance and administration.

During the colonial period, this practice was not challenged. Although the HKU Students' Union requested abolishing the governor's automatic chancellorship in 1991, the challenge quickly lost momentum, largely because Hong Kong governors exercised self-restraint and followed the British tradition of acting as a ceremonial figurehead, rather than intervening in university affairs. No governor engaged in intense public confrontation with the students or staff of Hong Kong's public tertiary institutions while acting as chancellor.

Change of HKSARCE's Approach to Chancellorship: From Self-restraint to Exercising Power Over Universities

Hong Kong's first two chief executives (C. H. Tung and Donald Tsang) continued their colonial predecessors' approach to university governance by exercising self-restraint and playing mainly a ceremonial and honorary role. This changed after C. Y. Leung became the third HKSARCE (2012–2017). After assuming power, Leung sidelined the Liberal Party, whose founding chairman, James Tien, had frequently criticized him and was axed by the CPPCC for not supporting Leung. Leung also adopted a hardline approach to pressure groups, media, and pan-democratic lawmakers, who used filibustering to block the passage of government bills and budgets (Goodstadt, 2018). In his role as chancellor, Leung made several moves his critics saw as threatening institutional autonomy and academic freedom.

First, in his 2015 policy speech, HKSARCE Leung criticized *Undergrad*, the official magazine of the HKU Students' Union, for publishing an issue advocating the need for Hong Kong people to decide their future and "find a way to self-reliance and self-determination" after 2047 (the last year China was obliged to allow Hong Kong to keep its capitalist system and way of life unchanged) (Hong Kong Government, 2015, para. 10). Such high-profile public criticism of a student magazine was unprecedented, and immediately drew the attention of the Hong Kong public, particularly young people, to the issue of Hong Kong independence. As such, the space for discussing this politically sensitive issue was quickly broadened from university students' publications to the public sphere in Hong Kong. Although he was not the first to criticize the rise of pro-independence voices, Leung was mocked by pan-democrats and his critics, who called him the "father" of Hong Kong independence.

Second, in 2015, Chancellor Leung was alleged to have used his power to veto HKU's awarding of honorary degree to several nominees (including his 2012 election opponent, Henry Tang); while the HKU Ordinance gave Leung the power to reject honorary degree nominees, there was no hard evidence to support the allegation he had done so. In response to media questions, Leung neither admitted nor denied the veto; instead, he merely expressed that he had performed his public duties according to the relevant university ordinance (Cheng, 2015). HKU authorities declined to comment; however, 2 years later, without naming any parties, HKU's Review Panel on University Governance (2017) revealed HKSARCEs had approved, and "on occasion" rejected, the nominations made by HKU's honorary degrees committee (p. 37). This suggests at least one HKSARCE had exercised his veto power and gone beyond what was expected of a symbolic figurehead.

Third, unlike his colonial predecessors, who appointed elites or celebrities without strong political affiliation, Leung used his appointment power to place his political allies on university councils. This was strongly protested by student unions; for example, in 2016, the LU Student Union protested the appointment of two council members who were seen as Leung's supporters, and who had opposed students' participation in the Occupy Central protest.

During his tenure (2012–2017), Leung appointed three then-Hong Kong delegates to state organs to be council chairmen of UGC-funded universities: Herman Hu was appointed and reappointed as CityU's council chairman in October 2012 and January 2015, respectively; Andrew Liao became HKUST's council chairman in March 2015; and Arthur Li was appointed as HKU council chairman in January 2016. Hu had been a state lawmaker in the NPC (2012–2017), while Liao and Li had been members of both the CPPCC (2012–2017) and the HKSAR's Executive Council.

Li's appointment as HKU council chairman in particular caused a huge controversy and led to serious protests in the HKU community, particularly among students and alumni. Despite his lack of direct connection with and sufficient knowledge of HKU, Li was deemed qualified to be its council chairman because of his strong professional and administrative experiences in higher education. Li was a former dean of medicine (1992–1996) and former vice-chancellor of CUHK (1996–2002) and had been secretary (2002–2007) of the Education and Manpower Bureau (now called the Education Bureau), to which the UGC reported. However, because of his strong leadership style at CUHK, Li had been dubbed the "Tsar" or "King Arthur." In 2007, as education secretary, he was accused of interfering with the academic freedom and institutional autonomy of the Hong Kong Institute of Education (now EDUHK) (Morris, 2010). While he was cleared by a government-appointed commission of inquiry, his permanent secretary was found to have improperly interfered with the Institute's staff's academic freedom (Yeung & Lee, 2007).

The controversy over Li's appointment started even before he became an HKU council member, in March 2015, as it was already "rumored" that the HKSARCE would appoint Li to succeed the outgoing HKU council chairman, Edward Leong, in November 2015. Many HKU students and alumni suspected Li's appointment was a strategic move by the government to "tidy up" HKU after the Occupy Central,

in which a number of its undergraduate students and one staff member had played important leadership roles. In October 2015, nearly one-third of HKU students (5316 students; 33.2%) voted on Li's appointment in a general poll, with 90% of voters agreeing with the assertion Li was "not suitable to hold any position under the governance structure" of HKU (Cheung, 2015). Similarly, on November 29, 2015, the HKU Convocation (a statutory body of over 162,000 alumni) held an extraordinary general meeting (the largest in its history) to enable alumni to express their views on the issue. In the meeting, 97.8% of the 4454 voters present agreed Li was "not suitable" to be the council chairman, because he did "not have the trust, confidence and respect" of HKU staff, students, and alumni (Convocation of the University of Hong Kong, 2015b). Despite the strong opposition of students, staff, and alumni, then-HKSARCE Leung exercised his power as chancellor to appoint Li as HKU council chairman, on December 31, 2015.

Students' Strategies for Promoting the Abolition Campaign

Students were the strongest force in the intervarsity campaign for abolishing the chancellor system. They adopted two different strategies to advance the campaign, resulting in different outcomes. The first strategy was to strengthen the legitimacy of the abolition campaign and garner wider on-campus and societal support by conducting general polls on institutional autonomy. This strategy was first employed by the Convocation of HKU (2015a). On September 1, 2015, the Convocation held its first extraordinary general meeting since 1985 (and largest ever), at which 82.4% of the 9298 voters (including 45 proxies) supported abolishing the HKSARCE's role as HKU chancellor; 83.4% supported that, if the HKSARCE continued as chancellor, his/her role should be ceremonial only.

Before conducting their polls, student unions used various channels (including Facebook, sharing sessions, and a Q&A booklet) to alert fellow students of the potential political threat the HKSARCE's role as chancellor represented to institutional autonomy, and to explain why the role should be abolished (HKFS, 2016). From late 2015 to early 2016, student unions from all UGC-funded institutions conducted their own referenda on campus (except for CityU, whose students' union council had been shut down). In PolyU, over 4200 students cast votes (turnout rate, 24%), with an overwhelming majority favoring abolishing the HKSARCE as default chancellor (85%), abolishing the HKSARCE's power to appoint external members to the university council (90%), and increasing the proportion of elected staff and student members on the council (89%) (Hong Kong Polytechnic University Students' Union, 2016). Student unions from other public universities reported similar voting results.

Following in the footsteps of the student unions, in March 2016, staff unions of eight UGC-funded institutions (together with other concerned groups) conducted an unprecedented, cross-institutional referendum on institutional autonomy. Over 4500 of the 26,332 full-time academic and nonacademic staff (17%) participated in the referendum, with voter identities being authenticated before balloting (Public Opin-

ion Programme, 2016). An overwhelming majority of voters favored the abolition of the HKSARCE's powers to appoint council members (92%) and increasing the ratio of elected staff and student council members (94.8%).

Unlike the first strategy, which was rational and peaceful, students' second abolition strategy was radical. Between mid-2015 and early 2016, to urge their university councils to review the chancellorship system and increase the proportion of internal council members, the student unions of HKU, CUHK, HKBU, and LU organized students to demand direct dialog with their council chairmen, besiege the council meeting venues to block council members from entering or leaving, and/or impede council meetings.

The two most serious sieges were made by the HKU Students' Union. The first (examined in Chap. 5) happened after the HKU council's second postponement, on July 28, 2015, of its consideration of the PVC(ASR) appointment; the meeting was also the first attended by Arthur Li as a council member. The second siege took place on January 26, 016, when Arthur Li chaired his first meeting as the new council chairman, and involved hundreds of HKU students and alumni, some students from other universities, and some pan-democratic politicians. Students demanded a direct dialog with the council chairman; in response, the council proposed a taskforce to review university governance. However, this news was not sufficiently nor correctly communicated to student protesters by either university authorities or Billy Fung, then-president of HKU Students' Union (2015–16) and student councilor at the meeting, and protesters thought the council had delayed the taskforce's establishment. Many of them, together with Fung, unsuccessfully attempted to forcibly enter the venue. Students later surrounded and shouted at council chairman Arthur Li, VC Mathieson and some pro-establishment council members; the latter felt their personal safety had been threatened by the former, and two council members were sent to hospitals.

The second strategy was detrimental to the movement, and greatly weakened the public support and legitimacy the abolition campaign had gained to date. The first besieging and storming of an HKU council meeting was quickly and widely condemned. Three days later (July 31, 2015), an internally elected council member, Prof. Kwok-Yung Yuen, resigned. While acknowledging the "injustice in the system," Yuen (2015) condemned students for using verbal and physical violence to disrupt council meetings, and insisted that such violence cannot change injustice. He suggested that "those in power… have the primary responsibility to… remove these injustices." Yuen's remarks suggest students' violent behavior was unacceptable and could discredit their movement, and that the council needed to attend to their concerns.

The consequences of the second besieging were even more serious. One day after the protestors' second incursion, VC Mathieson (2016) sent a mass email to staff, students, and alumni, condemning the students' inappropriate behaviors as "mob rule," and revealing his decision to make video footages of the incident available to the police. He considered the case serious, as it had involved both criminal acts and property damage, and instructed the university administration to refer the case to the police. Later, at an off-campus press conference, new council chairman Arthur

Li, accompanied by Mathieson, reportedly accused (without evidence) students of acting as if they "were on drugs" or had been "poisoned" by drugs and "manipulated" by the pan-democratic camp (Zhao, 2016).

Later, two student protest leaders, Fung and the HKU Students' Union's then-secretary for external affairs, were prosecuted. In July 2017, Fung was convicted on three counts (disorderly conduct in a public place, criminal damage, and attempted forcible entry) and the other student leader on one count (obstructing public officers in their performance of public duty) (Siu, 2017). They were sentenced to 240 h and 200 h of community service, respectively. More important, however, was that students lost the moral legitimacy they had accumulated through the first strategy, and public attention shifted from a rational discussion of the problems arising from the existing chancellor system to a critique of students' violent behaviors.

UGC-Funded Universities' Responses to the Abolition Campaign

Despite criticisms of their violent behaviors, the efforts of student abolition campaigners and their supporters were not fruitless. UGC-funded universities, as mentioned earlier, were required to follow 2015 Newby's recommendations, and review their governance structures. This created an opportunity for abolition supporters to force university councils to include in their governance reviews the issues of UGC-appointed members and the chancellorship. Universities reacted differently, based on internal and external pressures, and their responses were far from what abolition supporters wanted.

Two UGC-funded universities—EDUHK and LU—indicated they would not change their chancellorship practice. Although they were amending their institution's ordinance in anticipation of being upgraded to university status, EDUHK authorities did not want to complicate and prolong the amendment process in the Legislative Council, which was dominated by pro-establishment lawmakers. Unlike EDUHK, LU (which has the highest percentage of CE-appointed members) explicitly opposed changing the chancellor system. In a January 2016 council meeting, a majority of LU's council members reportedly voted against a student motion that a panel be struck to review its chancellor system; this decision was reported in local and mainland news (e.g., China Daily Reporter, 2016; Singtao Daily Reporter, 2016), but was not mentioned at all in LU's (2016) Summary of Discussions and the Decisions of the Council Meeting. Two new HKSARCE-appointed external council members, Junius Ho and Maggie Chan (then a CPPCC member for Hunan Province), publicly admitted their objection to changing the chancellorship system. Chan (2016) even issued a public statement expressing her objection, in which she argued universities should focus on teaching and research, not political wrestling.

Unlike LU and EDUHK, three other UGC-funded universities included the issues of chancellorship and council composition in their governance reviews. In June 2015,

HKBU set up the Task Force on Review of the HKBU Ordinance (2015), which quickly scheduled consultation dates and issued a consultation paper reviewing ordinance provisions concerning the chancellorship and council composition. However, at the moment of this writing, the consultation has not started, as the taskforce decided to seek legal advice on issues related to legislation amendment before doing so.

Similar to HKBU, in January 2016, CUHK council struck an internal taskforce to review council composition. Unlike HKBU, however, CUHK's Taskforce for Reviewing the Size and Composition of the Council (2016) successfully carried out two rounds of consultation and, in September 2016, submitted its second (almost final) consultation report, which recommended reducing the council size to not more than 30 (the majority being external members), but preserving its original system of having the HKSARCE appoint the council chairperson based on the council's advice. It is very unlikely the final report (received by CUHK council in June 2017, but not yet available to the public) will differ greatly from the second report, especially as the CUHK university council earlier (January 2016) indicated that the council was "not the proper platform to discuss the issue" of abolition, because of the HKSARCE's constitutional status as its chancellor.

HKU seemed to provide critics of the current chancellor system with some hope. Despite the many controversies confronting it (as presented earlier), in January 2016, the HKU council established its Review Panel on University Governance (RPUG) to review the effectiveness of its university governance structure. Unlike its counterparts at HKBU and CUHK, the RPUG was external; its chair was Sir Malcolm Grant (Chancellor of York University, UK), while its two other members were Prof. William Kirby (Harvard University, US) and Mr. Peter Nguyen (a former high court judge in Hong Kong); both Grant and Kirby were former UGC members. In February 2017, the RPUG submitted its major report, in which it recommended that, in light of Hong Kong's current "fiercely political system," the chancellor's role should be "largely honorary" and that, to avoid the need to amend the ordinance, the next HKSARCE (who would be elected in March 2017) should delegate the power to appoint external members (including council chair) to the council (p. 32). Because of Hong Kong's politically uncertain future, the RPUG further recommended HKU should eventually have an "independent chancellorship," one separate from the government and appointed by the council on the recommendations of its nomination committee (p. 34). However, one RPUG member, Nguyen, submitted an addendum, in which, while expressing his overall support for the main report, he indicated he had found no concrete evidence of conflict of interest in the HKSARCE's actions as HKU's chancellor. Therefore, he opposed the eventual removal of the HKSARCE as HKU's chancellor, and recommended following CUHK's model of having the council chairperson appointed by the HKSARCE, based on the council's nomination.

In its February 2017 meeting, instead of accepting the recommendations in the main report, the HKU council set up an internal Working Party to look into the different views expressed by the RPUG members. The Working Party comprised six council members—five external members (of whom two, including the chairman, were HKSARCE-appointed), and one internal member (an elected teacher).

The Working Party (2017) wholly accepted most RPUG recommendations on less controversial issues, such as maintaining the balance of council constituencies and providing professional development for council members. However, citing its desire to avoid the uncertainty inherent in amending the legislation relating to the chancellorship and its powers, and seeking the HKSARCE's agreement to delegate power to the council, the Working Group did not accept, *inter alia*, Grant and Kirby's recommendations on most controversial issues, including the eventual separation of the HKU chancellorship from the HKSARCE, and the appointment of HKU council chairman and members by the council, rather than the HKSARCE. Instead, it accepted Nguyen's recommendation that HKU preserve the practice of having the HKSARCE serve as chancellor, with the power to appoint council chairperson and members. It suggested the council set up an advisory committee on its chairmanship to advise the chancellor on recent university developments and issues related to the appointment and recommend candidates to the chancellor for his/her consideration. In June 2017, all these recommendations were fully accepted by the council.

In 2018, following the Working Group's recommendations, the HKU council set up an advisory committee—comprised of the pro-chancellor (HKSARCE-appointed, court member), VC (internal council member), treasurer (external council member), and one council member elected from within the council—to nominate candidates to replace outgoing council chair Prof. Arthur Li, whose chairmanship was scheduled to expire at the end of the year. In October 2018, two council members, Davin Wong and Prof. Rosie Young, competed for the fourth seat in the advisory committee (Su, 2018). Wong was then the president of the HKU Students' Union and represented full-time undergraduate students on the council, while Young was a council-appointed member, famous endocrinologist, former dean of medicine (1983–1982), PVC of HKU (1984–1993), and former chair of the Education Commission who had advised the colonial government on education policy between 1993 and 1998. Young won the election by a vote of 14 to 3 (Su, 2018). As a result, the committee was dominated by external members. It later forwarded nominee(s) to HKSARCE Carrie Lam, as ex-officio chancellor, for her consideration in appointing a new HKU council chair.

Because of the lack of information in the public domain, the positions or tendencies of the councils of the remaining three universities (HKUST, PolyU, and CityU) on these issues remain unclear. In August 2015, the HKUST established its Task Force on Review of Council Effectiveness but assigned it the task of following up on Newby's 2005 recommendations, including the use of a skills template for appointing council members.

The setting up of such advisory committee was an important step in the history of HKU governance. However, it did not change the colonial tradition of the head of the city having final power to appoint the HKU council chair. On December 14, 2018, the HKSARCE reappointed HKU Council Chair Prof. Arthur Li to another 3-year terms, from January 1, 2019 (Hong Kong Government, 2018). It is still unknown whether the advisory committee nominated Li alone or submitted other name(s) for the HKSARCE's consideration, whether she chose from the committee's nomination list, nor what selection criteria she used. In response, HKU Students' Union, the Academic Staff Association of HKU, and the HKU Alumni Concern Group (2019),

together with over 30 student societies and student hall associations, protested Li's reappointment and urged their university council and court to amend HKU Ordinance and Statutes to remove the chancellor's power to appoint the council chair and other external members, and to make the chancellorship "a titular office," with only ceremony duties.

Moreover, the responses from the majority of UGC-funded universities seem to suggest they preferred the status quo—i.e., the colonial practice of the head of government, as university chancellor, having the power to appoint council chairs and external council members. They also preferred keeping the managerial trend of external members dominating council membership. If HKU, the city's oldest and leading university, cannot change its chancellor system, it is difficult to imagine that other UGC-funded universities will be able to, either. If a council does not agree to change, and to initiate that change from within at the outset, neither the HKSARCE, as chancellor, nor the pro-establishment-dominated Legislative Council have strong reasons to change the existing system. All this suggests the colonial practice is likely to be preserved in postcolonial Hong Kong under China's rule, for the foreseeable future, as might be external council members' dominance of Hong Kong university councils empowered by international managerial tendencies.

University students had high hopes for attaining greater democracy in university governance through the abolition movement, much as they had hoped to attain genuine universal suffrage without political screening by central authorities through Occupy Central. The abolition movement and Occupy Central both centered on a common figure—the HKSARCE—who lacks popular legitimacy to govern Hong Kong, is selected by a small circle of Hong Kong people in Beijing-controlled election, and who, as chancellor can influence and control—on behalf of the local and central governments—university council membership, and thereby university affairs. However, university students and many other people failed in both instances to realize their objectives, leading a number of students and people to see Hong Kong independence as a means to attain greater democracy or even full autonomy in Hong Kong, as examined in the next two chapters.

References

Chan, M. K. (2016, January 11). *Daxue Yingyi Jiaoxue Weiben, Bushi Zhengzhi Jueli De Changdi* [University should focus on teaching, not a venue of political wrestling]. Retrieved from https://zh-hk.facebook.com/twscmk/.

Cheng, K. (2015, September 30). Explainer: The HKU Council pro-vice-chancellor debacle. *Hong Kong Free Press*. Retrieved from https://www.hongkongfp.com/2015/09/30/explainer-hku-council-rejects-johannes-chan-appointment-to-pro-vice-chancellor/.

Cheung, A. (2015, November 24). Referendum results show HKU students' rejection of 'King Arthur'. *The Lion Post*. Retrieved from http://thelionpost.com/2015/11/24/referendum-results-show-hku-students-rejection-of-king-arthur/.

China Daily Reporter. (2016, February 23). *Lingnan University cancels meeting after fracas*. Retrieved from http://www.chinadailyasia.com/hknews/2016-02/23/content_15388605.html.

Convocation of the University of Hong Kong. (2015a). *Independent Report on Votes Counting in Extraordinary General Meeting Held on 1 September 2015*. Hong Kong: Convocation of the University of Hong Kong.

Convocation of the University of Hong Kong. (2015b). *Report on Votes Counting in Extraordinary General Meeting Held on 29 November 2015*. Hong Kong: Convocation of the University of Hong Kong.

Education Bureau. (2015). *Role of chancellor and composition of councils of University Grants Committee-funded institutions (For discussion in Legislative Council panel on education on 9 November 2015)*. Hong Kong: Education Bureau.

Fielden, J. (2008). *Global trends in university governance*. Washington, D. C.: World Bank.

Goodstadt, L. F. (2018). *A city mismanaged: Hong Kong's struggle for survival*. Hong Kong: Hong Kong University Press.

Hong Kong Federation of Students. (2016). *Referendum on institutional autonomy Q&A*. Hong Kong: Hong Kong Federation of Students.

Hong Kong Government. (2015). *2015 policy address: Uphold the rule of law, seize the opportunities, make the right choices*. Hong Kong: Government Logistics Department.

Hong Kong Government. (2018). University of Hong Kong Ordinance (Chapter 1053). *Gazette, 22*(50). https://www.gld.gov.hk/egazette/pdf/20182250/egn201822509182.pdf.

Hong Kong Polytechnic University Students' Union. (2016). *Quanmin Toupiao Jieguo Gonggao* [Announcement of referendum results]. Hong Kong: Hong Kong Polytechnic University Students' Union.

Hong Kong Professional Teachers' Union. (2016). *Zizhu Yuanxiao Xiaojian He Qi Guanzhi Tuanti Chengyuan Zhi Zucheng Ji Chansheng Fangfa Zhi Yijianshu* [Suggestions on the composition and selection method of the chancellor and governing bodies of public tertiary education institutions]. Hong Kong: Hong Kong Professional Teachers' Union.

Hong Kong University Students' Union, Academic Staff Association of The University of Hong Kong, & HKU Alumni Concern Group. (2019, January 1). *Change now or never: Joint appeal to the Chancellor, the Court and the Council for Amendments to the Statutes of the University of Hong Kong*. Retrieved from https://www.facebook.com/hkusupage/posts/2049742305084257.

Law, W.-W. (2017). Higher education in post-1997 Hong Kong: Politics, academic freedom, and civic engagement. In G. Postiglione & J. Jung (Eds.), *The changing academic profession in Hong Kong* (pp. 39–75). Cham, Switzerland: Springer.

Legislative Council. (2002). *The Hong Kong Institute of Education Ordinance*. Hong Kong: Legislative Council.

Legislative Council. (2008). *The Chinese University of Hong Kong Ordinance*. Hong Kong: Legislative Council.

Legislative Council. (2011). *The University of Hong Kong (Amendment) Ordinance*. Hong Kong: Legislative Council.

Legislative Council. (2016). *The Education University of Hong Kong Ordinance*. Hong Kong: Legislative Council.

Legislative Council Secretariat. (2007). *Academic freedom and institutional autonomy of higher education in the United Kingdom, New Zealand and Hong Kong*. Hong Kong: Legislative Council.

Lingnan University. (2016). *A summary of discussions and the decisions of the council meeting held on 12 January 2016*. Hong Kong: Lingnan University.

Mathieson, P. (2016). *Message from the President on the Council Meeting Last Night*. Hong Kong: University of Hong Kong.

Morris, P. (2010). Academic freedom, University governance and the state: The commission of inquiry into the Hong Kong Institute of Education. *Journal of Education Policy, 25*(5), 587–603.

Newby, H. (2015). *Governance in UGC-funded higher education institutions in Hong Kong*. Hong Kong: University Grants Committee.

Public Opinion Programme, The University of Hong Kong. (2016). *Referendum on institutional autonomy*. Hong Kong: Public Opinion Programme.

Review Panel on University Governance. (2017). *The report of the review panel on university governance*. Hong Kong: University of Hong Kong.

Singtao Daily Reporter. (2016). Lingda Xiaodonghui Foujue Chengli Xiaojianzhi Zhuanzezu [Lingnan University council rejected the establishment of a taskforce on chancellor system]. *Xingdao Ribao* [Singtao Daily].

Siu, J. (2017, July 21). Ex-student leaders face jail over HKU council siege. *South China Morning Post,* p. A3.

Su, X. (2018, October 14). Professor Rosie young wins place on University of Hong Kong committee as beaten rival bemoans lack of student voice in search for new chairman. *South China Morning Post*. Retrieved from https://www.scmp.com/news/hong-kong/education/article/2168409/professor-rosie-young-wins-place-university-hong-kong.

Task Force on Review of the HKBU Ordinance. (2015). *Review of the Hong Kong Baptist University Ordinance: Consultation paper*. Hong Kong: Task Force on Review of the HKBU Ordinance.

Taskforce for Reviewing the Size and Composition of the Council, Chinese University of Hong Kong. (2016). Second consultation document on the desirable size and composition of the council.

Working Party on the Recommendations of the Review Panel on University Governance. (2017). *Report of the working party on the recommendations of the review panel on University Governance*. Hong Kong: University of Hong Kong.

Yeung, C. K., & Lee, J. P. (2007). *Report of the commission of inquiry on allegations relating to The Hong Kong Institute of Education*. Hong Kong: Hong Kong Government.

Yuen, K.-Y. (2015, July 31). [Message from Professor K Y Yuen to the Council and Council Chairman, for the Information of Academic Colleagues].

Zhao, S. (2016, January 30). HKU chief Arthur Li's provocative drug slur against students will not help relations, say fellow council members. *South China Morning Post,* p. C2.

Chapter 7
Rise in Voices for Hong Kong Independence: The Emergence of a New Battle for Hong Kong Universities

Abstract This chapter turns to the third repercussion of Occupy Central on public universities by examining the rapid rise of pro-independence voices in Hong Kong society and university campuses after the occupation, and how local and central authorities and universities responded to students' advocacy and promotion thereof. The chapter shows that, after the failure of Occupy Central, a number of Hong Kong people, particularly young people (including university students and graduates), shifted their political goal to attaining either Hong Kong's self-determination within, or political independence from, CPC-led China. At the societal level, pro-independence localist youth political groups use different strategies and tactics to attain their new political goal, while pro-independence students conceptualized and promoted campus activities advocating Hong Kong independence. University heads, bowing to government pressure, warned students against the display and spread of independence messages on campus. One HKU academic who was an Occupy Central cofounder continued exploring China's political future, including the possibility of Hong Kong independence, subjecting himself to official condemnation and severe political attacks by pro-establishment forces and media.

The preceding two chapters presented the post-Occupy struggles in HKU's university senior management appointments and in university students' campaigns to abolish the HKSARCE's role as ex-officio chancellor of all Hong Kong public universities. This and the following chapters turn to the third issue arising from Occupy Central—the spread of the idea of Hong Kong independence within society and on university campuses. In the first 15 years following the handover, Hong Kong independence was not an issue that drew local or central government attention. However, after Occupy Central, the voice of Hong Kong independence, as examined in this chapter, began to bloom so quickly in society and on university campuses that local and central authorities and heads of universities had to issue statements condemning students' advocacy and promotion of Hong Kong independence. The next chapter will discuss whether a political red line has been institutionalized and whether the voices of Hong Kong independence will disappear in Hong Kong society and higher education.

The pro-independence movement, this chapter argues, is an extension of the social division that informed Occupy Central to the societal level and university campuses, albeit on a smaller scale. It is a new battlefield on which Hong Kong people are pitted against the Hong Kong and central governments over the issue of Hong Kong independence—the new political red line for society and education. Opposition to Hong Kong independence has become a political ideology fully supported by central and local authorities and their supporters, whereas the pro-independence or pro-self-determination political beliefs and ideals held by some Hong Kong people, including university student and graduates, are now political taboos and are severely condemned, threatened, and/or suppressed in society and on campus.

Specifically, this new battlefield grew out of Hong Kong people's complex feelings toward mainland China, including the anti-mainlander sentiments of those wishing to protect local interests and resources, and society's intense frustration with the failure of the student-led Occupy Central to gain greater democracy for Hong Kong. While most have begun to lose hope in a better, more democratic future for Hong Kong, a number of Hong Kong people, particularly those young people (including university students and graduates) who had participated in Occupy Central, continue to fight for the betterment of Hong Kong's political future, both in society and on university campuses. However, they have shifted their political goal from striving for genuine universal suffrage without political screening, to attaining Hong Kong's right to self-determination within, or political independence from CPC-led China. At the societal level, pro-independence localist youth political groups use different strategies and tactics to attain their new political goal, including violence and standing for election to the establishment. On university campuses, pro-independence students dare to conceptualize and debate Hong Kong independence through their students' union magazines, display banners and slogans supporting Hong Kong independence, and challenge university policies making a passing grade in Putonghua (China's common oral language) a graduation requirement. University heads, bowing to government pressure, have warned students, guarded against the display and spread of independence messages on campus. However, this did not stop one HKU academic, a cofounder of Occupy Central, from continuing to explore China's political future, including the possibility of it splitting into independent states, including Hong Kong. For his activities, he has been the target of severe political attacks by pro-establishment forces and media and of government condemnation.

The chapter first traces the emergence of Hong Kong people's anti-mainland sentiments and pro-independence localism. Next, it focuses on four pro-independence localist youth groups that were formed after Occupy Central; it examines their political advocacies and strategies for advancing their political agenda, and how local and central authorities have prevented them from running for political office. Third, the chapter investigates the extension of the struggle for Hong Kong independence from society to higher education institutions. Specifically, it examines the shift in student movements from striving for universal suffrage to seeking Hong Kong independence or self-determination, the controversies arising from the display of pro-independence banners and slogans on university campuses, and students' resistance to university policies making passing Putonghua a graduation requirement. Fourth, the chapter

examines why an academic's speech (outside of Hong Kong) on the future of China and Hong Kong can draw severe criticisms from all pro-establishment fronts, including the local and central governments.

Emergence of Anti-mainlander Sentiment and Pro-independence Localism

Pro-independence localism did not begin with a political agenda, but with Hong Kong people's negative sentiments about having to compete with growing numbers of mainlanders for Hong Kong's limited resources. Since 1997, social interaction and integration between Hong Kong and mainland people have greatly increased, due to the increase in cross-border marriages, mainland immigration into Hong Kong, and (more important) the drastic increase in the number of mainland people coming to Hong Kong for tourist and shopping purposes, particularly after 2003 (Law, 2017).

The recent massive influx of mainlanders into Hong Kong has created more opportunities for social conflict, including tensions and misunderstandings between Hong Kong people and mainland visitors in daily encounters because of differences in oral languages, lifestyle, habits, culture, and social manners—for example, how one behaves when queuing for public transportation (Hong Kong Management Association, 2016). Another type of conflict relates to the competition between mainland visitors and Hong Kong people for limited resources in Hong Kong, ranging from luxury goods and properties, to maternity ward beds, school places, and daily necessities (Lee, 2016; Sung, Ng, Wu, & Yiu, 2015). Parallel trading has become widespread in the areas bordering Hong Kong, seriously disturbing Hong Kong residents' daily lives. To date, however, the Hong Kong government has not been able to ease these problems.

These conflicts inevitably increased many Hong Kong people's dissatisfaction with mainlanders, with anti-mainlander sentiment reaching a climax between 2012 and 2015. This was fully reflected in a full-page advertisement, sponsored by a group of Golden Forum Netizens (2012), that was published in two Chinese-language newspapers (*Apple Daily* and *Sharp Daily*) on 1 February 2012. The advertisement featured a catchy headline—*Xianggang Ren Rengoule* (Hong Kong People Have Tolerated Enough)—over a picture showing a locust sitting atop Lion Rock Hill (a significant city landmark), derogatorily implying mainlanders were voracious pests who consumed everything in their path; the advertisement also asserted Hong Kong people might need to pay HK$1 million every 18 min to raise *shuangfei* children (whose parents are not Hong Kong permanent residents). Since then, radical localists have advocated putting Hong Kong people first, reducing the city's ties to the mainland, and preventing pregnant mainlanders from giving birth in Hong Kong (Ming Pao Editor, 2014). Protests erupted in 2014 and 2015 in which localists expressed anger toward mainland visitors and parallel traders (Hong Kong Management Association, 2016). The main organizer of the 2015 protests was Hong

Kong Indigenous, a pro-independence youth political group that arose following the 2014 Occupy Central (see next section). A common motto of these protests was "reclaiming" (*guangfu*) Hong Kong's trading areas for its people. Some protests involved violence and ended in chaos and arrests.

Facing great social pressure, the Hong Kong government under HKSARCE C. Y. Leung launched three measures to quell Hong Kong people's social discontent, including a zero-delivery policy forbidding mainland women from giving birth in Hong Kong, a restriction on the amount of milk powder exported, and the imposition of heavy additional stamp duties on individual or corporate buyers who are not permanent residents. While these measures have helped to reduce competition for local resources in these areas, social conflicts persist.

However, in the early 2010s, some localist groups began to radicalize anti-Mainlander sentiment and voices, by emphasizing political resistance to China's rule over Hong Kong. For example, the Hong Kong Autonomy Movement (formed in 2011) and Hongkongese Priority (founded in 2013) prioritized Hong Kong people's interests and the protection local identity and cultures (Chin, 2011; Hongkongese Priority, 2014), while simultaneously denouncing the imposition of Chinese national identity and integration with the mainland, and advocating Hong Kong's full (rather than high level) autonomy within or even independence from China. In January 2014, four members of Hongkongese Priority were arrested for having trespassed onto a People's Liberation Army's base while carrying colonial-era flags—seen as symbols of the independence movement (South China Morning Post Editor, 2014). Colonial-era flags and large placards touting Hong Kong independence are common sights at major public demonstrations (e.g., the annual 1 July rally) and are seen as challenging China's sovereignty over Hong Kong and promoting the latter's independence. This pro-independence movement, as examined in the next section, was attractive to and furthered by university students.

Growth of Localist Youth Power for Pushing for Hong Kong Independence

Occupy Central's failure to increase democracy in Hong Kong frustrated many young people, particularly university students, reinforced their negative sentiments against mainland China and the central government, and strengthened their determination to strive for Hong Kong independence. Four major political groups advocating Hong Kong's self-determination or independence emerged after the Occupy Central and ran candidates in local elections to bring their voices into the establishment—Hong Kong Indigenous (established in January 2015), Youngspiration (February 2015), the Hong Kong National Party (March 2016), and Demosisto (April 2016). The first three groups were not satisfied with the leadership of the HKFS and Scholarism, from which the fourth group had evolved.

All four pro-independence localist youth groups are led by recent university graduates or current university students and are attractive to university students and young professionals, particularly those who had participated in Occupy Central and/or in the 2012 anti-national education movement. Since Occupy Central, the four groups have become representative of young people's and university students' quest for greater democracy and even Hong Kong independence. The groups use localism as an umbrella concept to represent their goals of protecting Hong Kong's interests and uniqueness, resisting its integration with the mainland, and striving for greater autonomy or independence. All four consider wining seats in elections an important step toward Hong Kong independence; to advance that political agenda, some localist youths have even embraced violence, as in the 2016 Mongkok Riot. This has worried both the Hong Kong and central governments, which have used various means to ban Hong Kong independence advocates from standing for election and restrict the operation of pro-independence youth groups.

Universities and Colleges as a Major Source of Localist Youths

The first localist youth political group established after Occupy Central was Hong Kong Indigenous, which was founded in January 2015 by Ray Wong, then a 22-year-old graduate of a private tertiary institution. The group's spokesman was Edward Leung, a fourth-year HKU philosophy student who was 2 years older than Wong. Wong had participated in the 2012 Anti-national Education Movement, and both had been a part of Occupy Central, whose failure led both to lose confidence in nonviolent protest as a means of attaining greater democracy in Hong Kong.

The second post-Occupy localist youth group was Youngspiration, which had over 100 members, mainly students and young professionals. After the failure of Occupy Central, Youngspiration's founder, Baggio Leung (born, 1986), a former president of CityU Students' Union (2007–2008), established the group to continue the fight for greater democracy in Hong Kong. Its spokesperson, Donald Chow (born, 1993), had been deputy chairman of an alliance of secondary school students during the 2012 anti-national education movement, and participated in Occupy Central after becoming a student at Chu Hai College of Higher Education, a private college offering degree programs; he joined Youngspiration in 2015. Another spokesperson was Wai-ching Yau (born, 1991), who had just graduated from LU when she participated in Occupy Central.

The Hong Kong National Party, the third political group to arise, was established by Andy Chan (born, 1990) in March 2016, less than 1 year after he graduated from PolyU. In his final year, Chan took part in his first political activity, Occupy Central. He was disappointed by the HKFS's leadership during the occupation, and in early 2015 returned to PolyU and began a successful campaign to withdraw the PolyU Students' Union from the HKFS.

The fourth post-Occupy group, Demosisto, is a student activist group that arose from the ashes of Scholarism, which dissolved in April 2016. Demosisto had about

30 members. Most of its founding members were university students and former Scholarism members. Demosisto's founding standing committee consisted of president Nathan Law (born, 1993; LU student; HKFS); general secretary Joshua Wong (born, 1996; Open University of Hong Kong student, Scholarism), deputy president Oscar Lai (born, 1994; student of Hong Kong College of Technology; Scholarism), and Agnes Chow (born, 1996; HKBU student, Scholarism).

Advocacy for Independence or Self-determination of Hong Kong

Though the four groups arose out of a shared frustration with Occupy Central's failure, they quickly shifted their focus from seeking greater democracy for Hong Kong within China, to pushing for Hong Kong independence. They do not trust the CPC-led central government will grant Hong Kong greater democracy, and consider China's increasing control over Hong Kong a kind of "recolonization" (Veg, 2017). The groups promote Hong Kong's ethnic conscience and city-state conscience, emphasize self-determination as the city's future, and some support the use of violence to counter what they see as the violence inherent in a political system and institutions dominated by pro-establishment forces and Beijing loyalists (Veg, 2017). The Hong Kong National Party, this section argues, is the most explicit of the four in advocating for Hong Kong independence and challenging the Basic Law, while the other three tend to use localism to obscure their independence agenda.

The Hong Kong National Party (2018) considers Hong Kong to have been "colonized" by China in areas ranging from education and culture to economics and politics, and urges Hong Kong people to think of China as "the enemy." The party's founder, Andy Chan (2018), argued that Hong Kong will be truly democratic only when its sovereignty rests with the Hong Kong people, and that independence is "the only way to achieve this." As reflected in its political manifesto, the ultimate goal of the Hong Kong National Party (2016) is to further the cause of Hong Kong independence and reinforce Hong Kong people's sense of ethnic self-strengthening. The manifesto lists six political tasks: build an independent and free Republic of Hong Kong, safeguard and put Hong Kong people's interests first, consolidate Hong Kong's ethnic consciousness and define Hong Kong citizenship, support and participate in all effective democratic struggles, replace the Basic Law, which was not approved by the Hong Kong people, with a popularly constructed Hong Kong Constitution, and build a strong basis for Hong Kong independence by constructing and supporting pro-independence forces in areas ranging from the economy to education.

Unlike the Hong Kong National Party, Demosisto avoids using the term independence. Its manifesto expresses its dissatisfaction with Hong Kong being ruled by the CPC, and the need to unite Hong Kong people to fight totalitarianism through nonviolent means, overcome oppressors, and pursue the "dream of self-determination" for Hong Kong. Unlike the Hong Kong National Party, Demosisto argues that self-

determination and independence are not identical. It recognizes Chinese ethnic identity, but not China's national identity, and regards independence as an "ideal state" for Hong Kong, and therefore an option for its future.

Hong Kong Indigenous advocates placing the needs and people of Hong Kong first (*bentu youxian*). To that end, it has organized anti-mainlander protests in tourist or shopping areas and has called on the government to safeguard the interests of Hong Kong people. More recently, it has advocated protecting Hong Kong's interests through the use of force to resist the existing authoritarian regime, and to counter the "violence" inherent in Hong Kong's political system and infrastructure (*yiwu zhibao*) (Leung, 2016a). In public, Edward Leung has been more vocal about Hong Kong independence than Hong Kong Indigenous' founder, Ray Wong. Leung (2017) asserted large-scale protests like those organized by Occupy Central were not only ineffective in gaining greater democracy, but had plunged Hong Kong into a "democratic recession" (p. 33). On 5 August 2016, speaking at the "Safeguard Democracy, Seize Power" rally (Hong Kong's first-ever pro-independence rally, organized by the Hong Kong National Party), Leung (2016b) argued the sovereignty of Hong Kong belongs to the Hong Kong people, not the central authorities, nor the Hong Kong and Beijing governments. He expressed his mistrust that the Chinese government would grant Hong Kong democracy and freedom, and therefore further advocated Hong Kong people taking back their power to rule Hong Kong and overthrow the Chinese regime by all necessary means, including revolution, bloodshed, and sacrifice. He ended his speech by chanting the slogan of his 2016 Legislative Council by-election campaign, "Reclaim Hong Kong, Change the Era."

Similar to Hong Kong Indigenous, Youngspiration (2015a)—whose motto is "Equity and Justice, Hong Kong People First"—believes Hong Kong's interests and freedom have been encroached on by the recent huge influx of mainlanders, and emphasizes the need to respond by putting localist voices on district councils and the Legislative Council. In a press release, Youngspiration (2015b) stated its goals were to become Hong Kong's third (after the pro-establishment and pan-democratic camps) political force, develop localism, regain Hong Kong people's public power and right to speak out, emphasize Hong Kong first, and raise citizens' level of political participation. Youngspiration (2015a) urged Hong Kong people to protect their freedom and space for survival by developing a strong identity as Hongkongers, on five levels: identification with Hong Kong values (e.g., Hong Kong's history and culture, separation of powers, rule of law); being a part of Hong Kong's ethnicity and culture; putting Hong Kong's interests ahead of outsiders' in policy-making; safeguarding Hong Kong values and interests from encroachment; and possessing a "consciousness of being masters" (*zhuti yishi*).

Having lost confidence in nonviolent means since Occupy Central's failure, many youth localists, particularly Hong Kong Indigenous supporters, pursued their political agenda through more aggressive methods. In early 2015, for example, Hong Kong Indigenous organized "reclaim" (*guanfu*) protests in shopping areas popular among mainland visitors, in an effort to expel parallel traders and reduce their disturbance of Hong Kong people's life. The protests grew violent, and police arrested some protesters, including Ray Wong.

Another example of violent protest was the Mongkok Riot, which took place in the first 2 days of the 2016 Chinese New Year (8–9 February). It started with different localist factions—including Hong Kong Indigenous, which took a leading role and Scholarism, which later dissolved and became Demosisto—protecting unlicensed food vendors on Chinese New Year at Mongkok. While police tried to disperse the crowd, Wong called on the hundreds of protesters to continue to protest, and Edward Leung told them, "If you are a Hongkonger, let's protect our city and our culture" (Lau, 2018). The incident later became a violent confrontation, with protesters setting street fires, throwing bricks, and assaulting police officers, who responded with pepper spray and batons to disperse the crowd; one police officer even fired two warning shots to quell the protesters. Later, the Hong Kong government and Liaison Office condemned the violence as a riot. Over 90 people were arrested, including Ray Wong, Edward Leung, and some university students. To date, nearly 60% of those arrested have been prosecuted on a variety of charges, including arson, rioting, assault, and illegal assembly (Lau, 2018). Wong fled Hong Kong while on bail, while Leung was found guilty of committing criminal offence in the riot and sentenced to 6 years imprisonment in June 2018.

Some, but not all university student leaders, share Hong Kong Indigenous' views on the use of violence in public demonstration. About 2 weeks after the 2016 Mongkok Riot, newly elected CUHK Student Union president Ernie Chow stated that conventional and rational means were not effective in pushing authorities to listen to the people, and suggested there was "no bottom line" when it comes to striving for Hong Kong independence (Leung, 2016). Unlike her CUHK counterpart, HKU Students' Union president-designate Althea Suen, who supported Hong Kong independence, stated her union would "not provoke" fellow students to attack and harm other people. Despite these differences, many university students' determination to strive for greater democracy in or even independence for Hong Kong remains strong.

Running for Political Elections as a First Step to Push for Hong Kong Independence

While some localists advocated violent methods after Occupy Central, the four localist youth groups saw contesting seats in Legislative Council and district council elections as the first step toward Hong Kong independence. This worried local and central authorities, who introduced exceptional measures to prevent them from advancing their pro-independence agenda. The Hong Kong government introduced an unprecedented loyalty confirmation form to prevent pro-independence candidates from standing for political elections and used judicial review to outlaw pro-independence lawmakers for "improper" oath-taking, aided by the NPCSC's fifth interpretation of the Basic Law (as discussed earlier).

Youngspiration was the first group to take action, sending its founder and eight other members to contest seats in the November 2015 District Council election; only

one of its candidates (Po-yin Kwong, a physician) won election (Electoral Affairs Commission, 2016b). The second youth group to run candidates for election was Hong Kong Indigenous. In February 2016, while still an HKU student, Edward Leung represented Hong Kong Indigenous in a Legislative Council by-election to fill the vacant New Territories East geographical constituency seat. His election campaign slogan ("Reclaim Hong Kong, Change the Era") strongly pushed Hong Kong independence, as did his promotional materials. However, the Electoral Affairs Commission refused to help him distribute these materials, because they mentioned self-autonomy and advocated the use of force to resist and break forbidden areas. Leung received strong support from other political youth groups and his fellow HKU students, including former HKU Student Union president Billy Fung (who had been a whistleblower in the HKU appointment saga) and a committee member of *Undergrad*, an official HKU Students' Union magazine criticized by the HKSARCE for promoting Hong Kong independence. Despite this, Leung did not win the seat because he polled third, receiving just over 66,000 (15.4%) of the votes (Hong Kong Government, 2016).

The other unsuccessful Youngspiration and Hong Kong Indigenous candidates polled even better. In the 2015 District Council Election, Youngspiration's founder Baggio Leung received 39% of votes cast in his constituency, while its two spokespersons, Donald Chow and Wai-Ching Yau, received 22% and 38%, respectively, of the votes in theirs (Electoral Affairs Commission, 2016b).

These results suggested radical localism had found a political niche, that support for independence was widespread among the electorate, and that the political process was a viable path to independence. Leading members of all four youth political groups—Andy Chan (Hong Kong National Party), Edward Leung (Hong Kong Indigenous), Baggio Leung and Wai-ching Yau (Youngspiration), and Nathan Law (Demosisto)—declared their intention to stand for election to the Legislative Council in the general election of September 2016. Chan explicitly declared that getting seats on the Legislative Council was a first step to push for Hong Kong independence (High Court, 2018), while the other young political leaders were less explicit about the promotion of Hong Kong independence in their election campaign.

However, Chan's independence agenda, together with the unexpectedly strong showings by pro-independence candidates in earlier elections, caught the attention of the Hong Kong government. In July 2016, the Electoral Affairs Commission (2016a) made unprecedented changes to the nominating process for the September 2016 Legislative Council election. In addition to the standard nomination form, which included a declaration of support for the Basic Law and HKSAR, candidates now also had to submit a second form, confirm their support for three specific Basic Law provisions: that the HKSAR was an inalienable part of China (Article 1); that it was directly under central government authority (Article 12); and that no Basic Law amendment could contravene China's established policy on Hong Kong (Article 159). The form also reminded nominees it was an offence to make any false declaration or confirmation.

The Hong Kong government was alleged to use the confirmation form as a form of preelection screening, to deter candidates who explicitly advocated Hong Kong

independence from standing for election and entering the political establishment, and to oust any who managed to do so. In mid-July 2016, Andy Chan (Hong Kong National Party) signed and submitted his nomination form (indicating his support of the Basic Law and HKSAR), but neither signed nor submitted the new confirmation form. When asked by the returning officer for his constituency whether he would "continue to advocate and push for" Hong Kong independence, he did not reply (High Court, 2018), and was disqualified as a candidate. Unlike Chan, Edward Leung (Hong Kong Indigenous) signed and returned the confirmation form, and answered his constituency's returning officer's query; however, he, too, was disqualified by the returning officer. Wai-ching Yau (Youngspiration) did not sign the confirmation form and was not queried by election officials in her constituency, but was confirmed as a candidate for the 2018 Legislative Council general election, as were Baggio Leung (Youngspiration) and Nathan Law (Demosisto). All three won election, with 23-year-old Nathan Law, then an LU student, becoming Hong Kong's youngest ever lawmaker.

This suggests that signing and returning the confirmation form was not an important criterion for disqualifying a candidate, while the candidate's political stance was. Chan, arguing the confirmation form was unlawful, sought to have his disqualification overturned. The High Court (2018), in May 2018, ruled that while the form was "not a mandatory requirement," the returning officer was "entitled and empowered" to request further information to assist him/her in validating a nomination. However, it stipulated that, before disqualifying a candidate, the returning officer must show "cogent, clear and compelling" evidence he/she would not uphold the Basic Law and give him/her a "reasonable opportunity" to respond to any concerns raised.

What was alarming in the High Court's (2018) landmark ruling was that, according to existing law, returning officers had the legal authority to bar candidates because of their political views and beliefs, and that what candidates had said, written, posted, or done in the past could be used to deny them their right to stand for election. In the case of Andy Chan, his returning officer disqualified him based on news reports about him and the Hong Kong National Party, and videos and comments both had posted on social media stating election to the Legislative Council was the first step toward achieving Hong Kong independence and abolishing the Basic Law. However, the Hong Kong Bar Association (2018) rightly criticized the process of inquiring into candidates' personal/political beliefs for being a "political screening process," and a "closed door" exercise that was not regulated by a "fair, open, certain and clear procedure." It argued requiring candidates to uphold the Basic Law was too "vague and imprecise a political concept" to be interpreted and administered by returning officers (who are civil servants). However, this was not the issue the High Court dealt with in Chan's petition.

The Hong Kong Bar Association's strong objections notwithstanding, the confirmation form arguably offers the Hong Kong government a double layer of safety by listing specific Basic Law provisions candidates must support. The government can not only use the form to bar pro-independence candidates from standing for election, it can also use it to prosecute any successful candidate who later violates

these provisions during his/her tenure for making false declaration and ask the court to disqualify him/her. This can be seen as a form of censorship in political election.

Disqualification of Pro-independence Lawmakers

Despite winning seats in the 2016–2020 legislature, Baggio Leung and Wai-ching Yau from the Youngspiration and Nathan Law from Demosisto, together with three other pan-democratic lawmakers, were disqualified for improperly taking their oath of office at the 18 October 2016 swearing-in ceremony, before the 2016–2020 legislative session. According to the Court of Final Appeal's (2017) judgement, before the beginning of their oath-taking, Leung declared in public his determination to safeguard the interests of, while Yau pledged loyalty to, the Hong Kong nation (*xianggang minzu*). At the oath-taking, each used the term "Hong Kong nation," displayed a banner reading "Hong Kong is not China," and three consecutive times mispronounced the word "China" as "Sheen-na"—a Japanese term for China seen as pejorative by Chinese people. Yau thrice used an obscene word ("Ref-cking") in place of "Republic" when referring to the People's Republic of China. Nathan Law and three pan-democratic lawmakers also made alterations to their oaths. The Legislative Council's president declared Leung's and Yau's oaths were invalid, but permitted them to be retaken at the next session, on 19 October 2016; the oaths of the other four lawmakers were deemed valid.

However, on 18 October 2016, the HKSARCE and the Secretary for Justice sought judicial relief from the Court of First Instance to prevent the Legislative Council from re-administering the oath to Leung and Yau. After the hearing, but before the court rendered its verdict, the NPCSC (2016), as mentioned in Chap. 2, exercised its power to interpret the Basic Law's Article 104, and stipulated oath-taking must comply with the form and content prescribed by law, without alterations. Specifically, it ruled oath takers must swear solemnly and sincerely, read out the oath accurately and completely, and solemnly accept the content thereof, including phrases related to upholding the Basic Law and pledging loyalty to the HKSAR; otherwise, the oath is invalid, and the oath taker is disqualified from office. It further stipulated that no re-administration of an oath could be arranged. After the NPCSC published its interpretation, the Court of First Instance released a ruling disqualifying Leung and Yau, which it claimed had been made independent of the NPCSC's interpretation (Court of Final Appeal, 2017). Despite the court's clarification, the NPCSC's interpretation was seen as an intervention into the court process, and was criticized by the Hong Kong Bar Association (2016) as "a severe blow to the independence of the judiciary and the power of final adjudication of the Hong Kong court."

The Hong Kong government also used judicial review to successfully disqualify Nathan Law of Demosisto and the three pan-democratic lawmakers who did not closely follow the format and content of the oath during their oath-taking. As a result, the Hong Kong government outlawed six lawmakers, costing the pan-democratic camp its key minority status (i.e., one-third of all seats) in the Legislative Council,

and allowing the pro-establishment camp to amend the Legislative Council's (2018b) Rules of Procedure to restrict the pan-democratic camp's ability to filibuster controversial government proposals and bills and to pass the controversial bill on the joint checkpoint for cross-border high-speed link at West Kowloon (Lo, 2018).

Moreover, in the resulting by-elections, held in March 2018, the Hong Kong government continued to use returning officers' newly legitimized legal authority to invalidate the candidacies of pro-independence hopefuls, including Demosisto's Agnes Chow. In January 2018, while still an HKBU student, Chow submitted her signed nomination and confirmation forms; moreover, to prevent the government from challenging her eligibility, Demosisto removed striving for self-determination from its manifesto. Despite this, however, Chow's returning officer disqualified her, citing her affiliation with Demosisto, which had previously advocated democratic self-determination for Hong Kong and had listed Hong Kong's independence as a viable future option, and her past speeches on self-determination (Cheung, 2018). This was more restrictive than the treatment afforded her party chairman, Nathan Law, who had been allowed to stand for and win a seat in the 2016 Legislative Council election.

The Hong Kong government's different treatments of Nathan Law in 2016 and Agnes Chow in 2018 clearly suggest it has shifted its position, and now equates advocating Hong Kong's self-determination with promoting independence. In May 2018, Chow made an election petition to the High Court, on the grounds that, contrary to its ruling in the Chan case, she had not been given an opportunity to explain herself before her returning officer decided to invalidate her candidacy (Cheung, 2018). It remains to be seen whether Chow will win the appeal.

Moreover, the Hong Kong government has extended the strategy of disqualification to the lowest level of election. In early December 2018, Eddie Chu, an elected member of the Legislative Council legislator seeking a rural seat to represent his village, pledged his allegiance to the Basic Law and HKSAR and declared he did not support Hong Kong independence to his returning officer; however, the returning officer posed additional questions concerning his views on Hong Kong independence and self-determination and, based on Chu's answers, ruled that he had "implicitly" supported a 2016 joint statement of self-determination, and therefore disqualified him from running in the election (Hong Kong Government, 2018a). Chu became the tenth person to be disqualified for political reasons. Despite this, the Hong Kong government has not sought to remove Chu from the Legislative Council, probably because his legislature tenure expires in 2020, and it would take longer than that to remove him using judicial means. However, Chu's disqualification in the rural election suggests he would also be disqualified if he were to seek reelection to the Legislative Council in 2020.

All this suggests the Hong Kong government's disqualification strategy has become a convenient administrative means by which to preemptively block aspirants with officially unacceptable political stances from seeking election at various levels. While the government has repeatedly stated such disqualification is not political censorship, as disqualified aspirants could file a judicial petition, would-be 2018 candidates (e.g., Agnes Chow) were still effectively deprived of their right to run in Legislative Council by-elections and rural elections, due to their political beliefs and positions.

Development of Advocacy for Hong Kong Independence on University Campuses

The tussle between localist youths and local authorities over the issue of Hong Kong independence soon spread to university campuses. Following Occupy Central, the increased advocacy for Hong Kong independence in society was paralleled by the rise of pro-independence voices on university campuses. Occupy Central had increased university students' social and political awareness (as examined in Chap. 5) and was a catalyst for the growth in the number of university students and student unions who questioned and discussed Hong Kong's political future under the Chinese rule, on campus. Localist youth groups and university students were not totally separate; however, a number of students had dual identities; Nathan Law, for example, was both an active LU student leader and chairman of Demosisto.

Pro-independence students constructed a pro-independence localist ideology and proposed how to turn Hong Kong into an autonomous state after 2047. Controversies over the display of independence banners and slogans at different universities and the Putonghua course at HKBU revealed university students and student unions had a weak identification with mainland China, but a strong tendency to defend advocates of Hong Kong independence. This led to conflicts on multiple levels, with universities, government, and pro-establishment forces all condemning students' defense of the display of independence slogans as a breach of both Hong Kong law and the Basic Law.

Shift in University Students' Focus in Striving for Hong Kong Future

Like pro-independent localists, after Occupy Central, many university students concerned for Hong Kong's future began to change their focus from attaining genuine universal suffrage to exploring independence. They found the "one country and two systems" framework unworkable and did not believe simply changing the HKSARCE would ensure implementation of a better framework. Above all, they did not feel Occupy Central, in which the HKFS had taken a leading role, had advanced the democratic movement, and many urged their student unions to withdraw from the HKFS to protest its failure. In 2015, student unions at four UGC-funded universities—HKU, PolyU, CityU, and HKBU—voted to withdraw from the HKFS. The withdrawal was a severe blow to the HKFS and reduced its membership from seven student unions to four (CUHK, HKUST, LU, and private Hong Kong Shue Yan University). As the HKFS (2016) acknowledged, students' reasons for demanding withdrawal included the adverse impact of Occupy Central, severe divisions in society, and the HKFS's internal organizational problems.

Moreover, many university students began to adopt a hostile attitude toward the central authorities and distanced themselves from issues related to mainland China.

After Occupy Central, seven student unions, including those of HKU and CUHK, gradually stopped participating in the annual 4 June night vigil commemorating China's violent suppression of the 1989 Tiananmen Square incident. Since 1989, these annual vigils had been staged by the Hong Kong Alliance in Support of Patriotic Democratic Movements of China (2017), whose operational goals included releasing dissidents in mainland China, rehabilitating the 1989 pro-democracy movement, demanding accountability for the June 4 massacre, ending one-party (CPC) dictatorship, and building a democratic China. One of the Alliance's founding partners was the HKFS, and both it and individual university student unions had been strong supporters ever since. Now, however, student unions increasingly considered the 1989 incident too remote from their current membership, felt Hong Kong people had no obligation to venerate a mainland incident, and questioned why it was necessary to fight for democracy elsewhere before attaining it in Hong Kong (Tsang, 2018). In 2015, these student unions began not only to avoid in the annual vigil, but to organize competing localist forums on their own campuses. In 2016, the HKFS decided it should not be a member of any political group and withdrew from both the Alliance and the Civil Human Rights Front—organizers of the annual 1 July rally since 2003. Many student activists, as shown in the next sections, began to accept and promote the ideas of Hong Kong's self-determination or independence, instead.

The Rise and Fermentation of Pro-independence Voices on Campus

As it became a growing force in society, the ideology of pro-independence localism began to be conceptualized and spread on campuses. Although other student unions' magazines (e.g., CUHK Student Union's *Chinese University Student Press* and the HKBU Students' Union's *Jumbo*) also discussed Hong Kong independence, *Undergrad* of the HKU Students' Union led the way. As mentioned in Chap. 6, *Undergrad* was singled out and criticized by then-HKSARCE C. Y. Leung, in his 2015 policy address, for promoting Hong Kong independence.

A review of the themes and cover stories from different *Undergrad* issues between 2014 and 2018 (available from: https://issuu.com/undergrad2014) reveals its constantly changing editorial team's frustration with the local and central governments' governance of Hong Kong, and their hope for Hong Kong's eventual independence. Examples of such themes include *2046 the end of Hong Kong* (April 2014); *Democratic Independence of Hong Kong* (September 2014); *Self-determination of the Future by the Generation of Umbrella Movement (Occupy Central)* (January 2015); *The Beauty and Sadness of the City* (February 2015); *New Nation Movement of Hong Kong* (August 2015); *The Collapse of Imperial Empire and Decolonization of Hong Kong* (August 2016); *Entrapment of Hong Kong in the Communist Rule* (August 2017), *Goodbye Hong Kong* (March 2018), and *City about to Die* (August 2018), which, to some extent, is similar to the June 1995 *Fortune* article, The Death of

Hong Kong. In its latest issue, the *Undergrad* Editorial Board (2018) called the Hong Kong independence movement "righteous" and argued that sacrifice was needed in the pursuit of freedom. It also explored who would bear responsibility for a Hong Kong war of independence and urged independence advocates to reflect on whether their proposed means of achieving Hong Kong independence were as righteous as their goals.

Despite being criticized for promoting Hong Kong independence, these issues represent HKU students' systematic, rational discussion of Hong Kong's political future. In its 2014 February issue (*Hong Kong Nation and Self-determination*, which was specifically criticized by then-HKSARCE C. Y. Leung) , Undergrad (2014a) explored the meaning and development of localism in Hong Kong, and the city's political future. Specifically, it encouraged Hong Kong people to stand united in resisting communist rule, urged them to make a clear boundary between Hong Kong and China, and safeguard Hong Kong's interests, and promoted localism and self-determination as paths for Hong Kong's political future.

In rebuttal to HKSARCE Leung's criticism, in March 2016, the Undergrad Editorial Team (2016) issued an issue entitled *Hong Kong Youth's Declaration*, which proposed turning Hong Kong into a sovereign state with its own government and constitution. It expressed that many Hong Kong youths were dissatisfied with the economic, social, cultural, and political developments in Hong Kong since its handover to China, argued that only Hong Kong people could decide the future of Hong Kong when the Basic Law expires in 2047, and urged that the future of Hong Kong be renegotiated. It made three political demands; specifically, that Hong Kong should: (1) become a sovereign state recognized by the United Nations in 2047, (2) establish its own democratic government, and (3) have its own constitution, drafted and ratified entirely by Hong Kong people. This issue also included articles on such radicals as Edward Leung of Hong Kong Indigenous and the two disqualified lawmakers from Youngspiration, and the contributions made by others who advocated either self-determination or independence for Hong Kong.

Pro-independence ideas were not esoteric concepts limited to student leaders and activists, they were also attractive ideas to ordinary students. Before and after Occupy Central, *Undergrad* surveyed HKU students' perceptions of Hong Kong's future, with sample sizes of 282 in 2014, 569 in 2015, and 385 in 2016 (Undergrad, 2014b, 2015, 2016) (Table 7.1). These surveys, while too small to be representative students of HKU or other UGC-funded universities and private tertiary institutions, suggest a trend in students' perceptions of Chinese rule, and Hong Kong's place in China.

Specifically, the results show that, after Occupy Central, the percentage of responding HKU students who had faith in the "one country, two systems" principle dropped significantly and continuously, while that of students who believed Hong Kong could become an independent state rose at a roughly comparable rate. In the 2016 survey, 62% of responding students indicated it was impossible for Hong Kong to enjoy genuine democracy under the current "one country, two systems" framework. A law student of HKU, Chiu (2018) even argued that the Basic Law has failed democracy and Hong Kong people, and that Hong Kong therefore needed a

Table 7.1 Percentages of HKU students' responses in survey about Hong Kong's future

	2014 (N = 282) (%)	2015 (N = 569) (%)	2016 (N = 385) (%)
Hong Kong's best political future is …			
Maintaining "one country, two systems"	68	53	43
Hong Kong becoming an independent state	15	28	41
If a referendum takes place tomorrow on "Hong Kong should become an independent state, and the result would not be accepted by Beijing," what would you choose?			
Yes	37	54	61
No	43	28	31

Note From Undergrad of HKU Students' Union (2014b, 2015, 2016)

new constitution. He further explained that, under the Basic Law, Hong Kong would never achieve genuine democracy because its terms are "undemocratic," and Hong Kong people have "no real means" to amend it, challenge the NPCSC's Basic Law interpretations, or check the central authorities' power over Hong Kong. Students' level of political pessimism mirrored that of many in the larger Hong Kong community, per the 2017 and 2018 Path of Democracy surveys (see Chap. 2, Table 2.1).

The Display of Hong Kong Independence Slogans on University Campuses

The desire of many university students, student leaders, and activists for greater autonomy in Hong Kong was further reflected in their defense of the displaying of Hong Kong independence slogans on campus. Early in September 2017, banners and posters advocating Hong Kong independence mysteriously began to appear on university campuses, raising alarm in the Hong Kong government. This was not the first time such banners had turn up on campus. On 1 October 2016 (China's national day), independence banners and posters appeared for a few short hours on the campuses of eight UGC-funded universities and seven other tertiary institutions. They were quickly removed by university authorities and the issue quickly subsided. At the beginning of academic year 2017, however, when independence banners and posters reappeared on numerous campuses (including CUHK, CityU, EDUHK, PolyU, HKU, HKUST, and Hong Kong Shue Yan University), the row

lasted nearly 20 days and drew conspicuous attention from the media, local community, and the Hong Kong government.

The controversy was most serious at CUHK and EDUHK. At CUHK, independence banners and leaflets were displayed in several places on campus on the first day of the academic year (4 September 2017), but were quickly removed. One day later, a giant, black independence banner was hung in an open space in the Cultural Plaza and independence posters (reading "Fight for the Homeland (Hong Kong), Fight for Hong Kong Independence") filled the democracy wall—a CUHK Student Union-managed bulletin board on which students could freely express and share their views. Students required permission to display banners, but the student union had not received any such application. Some student union members protected the banner and posters against removal by the university management.

At EDUHK, the students' union itself, rather than anonymous students, displayed a pro-independence large banner and related posters in areas it controlled on campus, as a show of support for its CUHK counterpart (EDUHK Students' Union, 2017). On 8 September 2017, the controversy took a dark turn, when remarks appeared on democracy walls of EDUHK and CityU "congratulating" the newly appointed undersecretary for education on losing her son who had committed suicide the previous day. This lack of empathy was criticized for overstepping the boundaries of social and moral norms in a manner that should not be tolerated in civilized society in general, nor on university campuses in particular.

The independence banner controversy resulted in students being confronted on several fronts. First, the row sparked a direct confrontation between university management and students, particularly student unions. In CUHK, the university authority urged the CUHK Student Union to remove the independence banner, as it constituted a breach of Hong Kong law and went against university policy, which opposed Hong Kong independence (Ming Pao Reporter, 2017). The student union resisted what it called the university's self-censorship and allegiance to the authorities, and offers to negotiate a settlement (Ming Pao Editor, 2017). On 21 September 2017, however, the university issued an ultimatum, and the students' union removed the banner hanging in CUHK's Cultural Plaza. In EDUHK, university authorities quickly removed the banner, posters, and related materials without informing its student union. The student unions of both CUHK and EDUHK criticized their universities' infringement on their governance, and called the removals a form of self-censorship (Ming Pao Reporter, 2017).

Second, the row initiated an open and direct confrontation between local and mainland students. On 4 September 2017, in a protest against Hong Kong independence, a female mainland student tore some independence posters from the democracy wall, but was confronted by students' union members on duty to protect the banner and posters (Cheung, 2017). She insisted independence slogans should not appear on campus, but was urged to use her own posters to express her stance, instead of tearing down those with which she did not agree. Similar actions by a Putonghua-speaking mainland student were recorded on EDUHK campus (Cheung, 2017), and at CUHK, on 7 September 2017, about 50 mainland students protested against CUHK Student Union, claiming its views were not representative of all CUHK students. They cov-

ered some independence posters with anti-independence posters, with such slogans as "The fall of Hong Kong begins with Hong Kong independence" and "Hong Kong independence is not democracy."

Third, the independence slogans led to on-campus confrontations between CUHK Student Union members and off-campus pro-establishment groups. On 7 September 2017, about 10 members of a pro-establishment group, Cherish Hong Kong Democracy and Freedom, came to CUHK to support anti-independence mainland students, and quarreled with CUHK Student Union members (Zhou & Ji, 2017). The group displayed a large, Chinese-language banner stating Hong Kong independence was poisonous, that independence and splitting from China should be opposed, and that university authorities should expel students who advocated Hong Kong independence. On 8 September, it and other pro-establishment groups went to EDUHK to protest students' promoting Hong Kong independence and posting offensive remarks about the death of an education undersecretary's son. On 17 September 2017, another radical pro-establishment group, Caring Hong Kong Power (established in 2011), protested against pro-independence students in front of CUHK's democracy wall, and used a big poster reading, "Here is China" to cover some independence posters.

Fourth, the displays invited external condemnation from pro-establishment media and forces and the Hong Kong government, in particular. After the first display, on 4 September 2017, two pro-establishment newspapers, *Weiwenpo* and *Takungpo*, began to severely criticize student unions for breaching the Basic Law, and urged universities to ban such displays on campus. On 8 September 2017, the Hong Kong government also issued a very strong response, with HKSARCE Carrie Lam publicly condemning the posting of "extremely callous and insulting" and "entirely disrespectful" remarks targeting the undersecretary for education (Hong Kong Government, 2017). She also revealed she had expressed her "deep concern on this matter" to the EDUHK's VC, and had urged the university administration to "take appropriate action as soon as possible" regarding the displays. Additionally, on 11 September 2017, 39 pro-establishment lawmakers sent a joint letter to the Secretary for Education, urging the Hong Kong government to deal seriously with independence slogans on university campuses, and to help universities prevent students from being used to promote Hong Kong independence. All these condemnations provoked a strong student reaction, and on 10 September 2017, the student unions of 13 higher education institutions (including seven UGC-funded universities) issued a joint statement accusing the Hong Kong government of "exerting pressure on universities authorities to punish" students whose speech might have threatened those in power (Student Unions of Higher Institutions, 2017).

In response to social pressure, various VCs made individual statements reasserting the importance of free speech and their university's stance against Hong Kong independence. However, these individual responses neither deterred pro-independence students nor satisfied anti-independence forces. About a week after the HKSARCE's public condemnation, on 16 September 2017, the heads of ten universities (including eight UGC-funded universities, Open University of Hong Kong, and Hong Kong Shue Yan University) issued the following joint statement disapproving of Hong Kong independence:

> We treasure freedom of expression, but we condemn its recent abuses. Freedom of expression is not absolute, and like all freedoms it comes with responsibilities. All universities undersigned agree that we do not support Hong Kong independence, which contravenes the Basic Law. (Heads of Universities, 2017)

It is unclear whether the Hong Kong government worked behind the scenes to exert pressure on the universities or their heads voluntarily issued the statement. Either way, the statement toed the local and central governments' political line that the promotion of Hong Kong independence contravenes the Basic Law. In response, 12 students' unions from public and private higher education institutions criticized the 10 university heads for misleading the public, and insisted teachers and students should have the freedom of speech to discuss Hong Kong independence, as promised in the Basic Law's Article 27 (Students' Unions of Higher Institutions, 2017). Until the last independence banner was removed (from CUHK campus), top government officials and pro-establishment media and forces frequently used the statement to criticize pro-independence students for their promotion of independence on university campuses.

Similar bans also appeared on secondary school campuses. On 5 April 2016, a group of roughly 60 secondary students founded Studentlocalism, whose stated political mission was to protect localism (*hanwai bentu xuesheng shiming*) (Studentlocalism, 2016). Specifically, it advocated preparing Hong Kong for independence, and attempted to extend the discussion from university campuses to Hong Kong's secondary schools. By September 2016, students of at least 56 schools (over 10% of all secondary schools in Hong Kong), including Wah Yan College (Hong Kong Island and Kowloon), Ying Wa College, Diocesan Boys' School, and La Salle College indicated they would try to establish similar concern groups on their campuses (Lam & Cheung, 2016). Studentlocalism's goal was to establish concern groups in at least 200 schools. However, the Education Bureau declared "no pro-independence advocacy or activities should appear in schools … and any organisation which serves to promote independence must be banned" (Lam & Cheung, 2016). Then-HKSARCE C. Y. Leung repeatedly said there was no space for such discussion in schools or on school campuses—a view strongly supported by pro-establishment forces.

The condemnation by government officials and others in power of students' advocacy for Hong Kong independence neither calmed students nor made the controversy subside. On the contrary, it reinforced students' and young people's hostility toward the government and triggered them to make unnecessarily incendiary comments (e.g., concerning the suicide of education undersecretary's son) in lieu of rationally seeking support for their rights.

What is more serious is that they began to build up resistance to integration with mainland China, and a willingness to distance themselves from national identification with China. The withdrawal of university student unions and HKFS from the annual 4 June candlelight vigil and the annual 1 July March illustrates university students' lack of interest in mainland China's affairs and future, while their promotion and defense of pro-independence slogans and banners on campus reflect their categorical rejection of China's national identity.

The Controversy of Passing Putonghua as a University Graduation Requirement

University students' disinterest in mainland Chinese affairs and issues was further manifested in their demands for the review or even abolition of university policies making passing a mandatory course on Putonghua (the official common oral language of mainland China) a graduation requirement—despite Hong Kong's main local dialect being Cantonese. Like all other languages (Wright, 2004), both Putonghua and Cantonese have communicative and identity functions. On the surface, students' wanting the Putonghua policy reviewed or eliminated is about the inconvenience of having an additional graduation requirement, and the lack of necessity of Putonghua proficiency for university graduates in Hong Kong. In the post-Occupy Central context, however, this controversy can be interpreted as an extension of pro-independence localism to the language arena in university curricula, as a means of resisting national identity and reinforcing Hong Kong people's awareness of the need to protect their local language and culture. In other words, the Putonghua controversy is related more to students' strong sense of pro-independence localism and low sense of national identification with China, than to the communicative and economic importance of Putonghua. To understand the issue, it is important to understand the controversy surrounding the promotion of learning Putonghua in the broader context of Hong Kong.

The rising importance of Putonghua in society and education. Since Hong Kong's 1997 return to Chinese sovereignty, Putonghua has become increasingly important in education and society at large. In the first year after the HKSAR's establishment, the Hong Kong government introduced a general language policy stressing biliteracy and trilingualism (i.e., written proficiency in both Chinese and English, and oral proficiency in English, Cantonese, and Putonghua). This indicated a change from the colonial era's bipartite division between English and Chinese, to a tripartite structure with English as an international (rather than colonial) language, Putonghua as a national oral language shared with the rest of China, and Cantonese as a common local dialect (Law, 2004). In 1998, immediately after the handover, Putonghua became an important subject in primary and secondary education (Curriculum Development Council, 1997); by comparison, it had (since 1984) been offered by the colonial administration as an elective only, with a view to preparing Hong Kong people for the handover (Leung & Hui, 2011).

In Hong Kong, learning and mastering Putonghua is important for two main reasons. First, Putonghua is an important oral language of communication. Hong Kong's Putonghua syllabus emphasizes the importance of mastering Putonghua because it is the common language for all 56 ethnic groups in China (Curriculum Development Council, 1997, 2017). Because of the influx of mainland tourists to Hong Kong since 2003, Putonghua proficiency has become essential in the service and retail industries, particularly in tourist areas, and among those Hong Kong people who must interact with economic and political elites in mainland China (such as Hong Kong delegates to the NPC and CPPCC). Moreover, Putonghua has global economic value (Davison

& Lai, 2007), and is one of six working oral languages at the United Nations. In 2008, the United Nations also replaced traditional Chinese characters (used in Hong Kong and Taiwan) with simplified Chinese characters (used in mainland China) in its official documents.

Second, Putonghua is associated with Hong Kong people's Chinese national identity. The Hong Kong's Curriculum Development Council (1997, 2017) acknowledged that learning Putonghua could strengthen students' affiliation to and identification with Chinese Culture. China's Ministry of Education (2016) even considered learning Putonghua and simplified Chinese characters a part of its nation-wide patriotic education for Hong Kong people.

The Hong Kong government has also sought to promote using Putonghua as the medium of instruction in Chinese Language classes. In the 2002 *Chinese Language Education Curriculum Guide*, the Curriculum Development Council (2002) clearly defined Cantonese and Putonghua as oral Chinese languages for students to learn in Chinese Language lessons, but stressed students' need to be able to speak and understand Putonghua to benefit from increasingly frequent exchanges with mainland China, and to recognize and read simplified Chinese characters to enlarge the range of their reading. The Council also identified the use of Putonghua as the medium of instruction in Chinese language education as a long-term goal. Such a policy does not contravene the Basic Law, because it allows Hong Kong to keep its original policies (including medium of instruction), while at the same time sensibly permitting them to be developed and improved as necessary (NPC, 1990, Article 136). In 2008, the Hong Kong government earmarked HK$200 million to support schools' use of Putonghua to teach Chinese Language for 3 years and began to arrange for 20 teaching experts from mainland China to come to Hong Kong schools to offer advice and help.

As a result, the percentages of primary schools and secondary schools using Putonghua to teach the Chinese Language subject at all or some class levels increased from 55.5% and 31.8% in 2008/09, to 71.7% and 36.9% in 2015/16, respectively (Education Bureau, 2016). However, further breakdown shows that, in 2015–16, the percentages of primary and secondary schools using Putonghua in at least 50% of lesson time at all grade levels and in all classes were only 16.4% and 2.5%, respectively. Despite this, the Education Bureau (2015) reiterated the Curriculum Development Council's position that using Putonghua to teach and learn Chinese language is "a long-term development target of the Chinese Language curriculum."

One strong argument in support of using Putonghua to teach Chinese language is that it could enhance the standard of Hong Kong students' Chinese language reading and writing (Ma, 2018). Interestingly, an academic study by the Hong Kong Institute of Education (2015) (now renamed EDUHK) found no conspicuous evidence supporting this claim, but did find evidence that the use of Putonghua could be a barrier to students in class discussions. Based on this study, the Director of the Audit Commission (2017) criticized the Education Bureau and cast doubt on its Putonghua policy. In response, the Education Bureau (2018) admitted that using either Cantonese or Putonghua would raise students' Chinese reading ability equally, and that there was "no clear correlation" between students' reading performance and

whether their school had adopted Putonghua as a medium of instruction for Chinese Language.

Resistance to Putonghua and debate on language and identity. Despite its economic and sociopolitical importance, in the early 2010s, public resistance to Putonghua and its use as a medium of instruction began to emerge, coupled with calls for the protection of the legal status of Cantonese. Underlying this language issue was the struggle between Hong Kong people's local (Hong Kong) and national identities, of which language is an integral part. Putonghua and Cantonese embody different cultures and represent different levels of identity; Putonghua carries the culture of mainland China and is an important mark of Chinese national identity, whereas Cantonese carries a specific local culture and the essential characteristics of a local identity. While the two cultures or identities can be seen as supplementary to each other in the formation and development of Hong Kong people's multiple (local, national, and global) identities, in the context of Hong Kong's independence movement, they are seen by pro-independence localist groups as mutually exclusive and incompatible.

The Putonghua–Cantonese and national–local identity struggles are fully reflected in the controversy over the Education Bureau's remarks about the status of Cantonese in China. In January 2014, the Education Bureau, on its language learning support webpage, posted an note describing Cantonese as a Chinese dialect, but not an official language; facing severe criticism (Ma, 2018), the note was quickly removed, but not before it triggered a debate about the status of Cantonese in Hong Kong, where about 90% of the population are Cantonese speakers. Supporters of the Education Bureau contended that Putonghua is an official language in Hong Kong related to loving China and loving Hong Kong, and that its use can raise students' Chinese proficiency, particularly their Chinese writing abilities (Ma, 2018). Critics of the Education Bureau (e.g., Cheng & Pang, 2014) argued it was tragic to use Putonghua to teach Chinese language in Hong Kong. They insisted Cantonese is an official oral language that should be protected and safeguarded.

The Putonghua/Cantonese and local/national identity dichotomies can also be seen in public demonstrations. In the 1 July March of 2010, the author saw, for the first time, groups of young people waving banners and placards, stating "Safeguard Cantonese and Resist the Use of Putonghua as the Medium of Instruction (PMI) in Chinese Language Subject." Similar anti-Putonghua slogans appeared in subsequent 1 July marches. The 2018 March included such slogans as "PMI, a Wrong Way," "Use Cantonese in HK (Hong Kong)," and "CMI (Cantonese as the medium of instruction), the Right Way."

Some young people formed groups to protect Cantonese as mark of their local identity, and denounced Putonghua as their national language and identity. A representative group was the Societas Linguistica Hongkongensis (SLH), established in 2013. Per its Facebook page, SLH (2018) regards Putonghua as a "foreign" language, like English. It states its mission is to safeguard the right of Hong Kong people to learn and use Cantonese and traditional Chinese characters, and to inherit and promote the local Hong Kong culture embedded in Cantonese. It supports the use of Cantonese as the medium of instruction in Chinese language education, and

encourages non-Cantonese speaking people to integrate into Hong Kong society by learning Cantonese. From 2014–15, the SLH conducted annual surveys to find out which primary or secondary schools used Putonghua to teach Chinese language, and their geographic distribution. It worried that, if more schools and families were to replace Cantonese with Putonghua as a main medium of communication, Cantonese and its embedded Hong Kong culture would gradually disappear. The SLH's founder, Lok-hang Chan, a fourth-year student at HKBU, presented the findings of the society's annual Putonghua survey in January 2018, and later participated in the storming of HKBU's Language Center.

Anti-Putonghua Course Campaigns in HKUST and HKBU. In higher education, Putonghua is considered an important second language to English. Since 1997, five (of eight) UGC-funded universities have made Putonghua either a mandatory course or a graduation requirement, including EDUHK (applicable to students majoring in Chinese language education), HKBU (one mandatory three-credit Putonghua course, since 2007), HKUST (one mandatory three-credit course in Chinese Communication), LU (two mandatory three-credit courses in practical Chinese), and PolyU (one mandatory three-credit Chinese language and communication course, taught in Putonghua). This language requirement is expected to equip students with good Putonghua proficiency, facilitate their communication, and exchanges with Putonghua speakers in mainland China and elsewhere, and help them find jobs, particularly in mainland China. Moreover, good Putonghua proficiency could help Hong Kong's local students communicate with mainland academics (who are good at neither English nor Cantonese) and mainland students, who (as presented in Chap. 3) account for nearly 80% of all nonlocal students in UGC-funded programs in Hong Kong's eight public universities. After Occupy Central, university students began to question the necessity of making Putonghua a graduation requirement, and the HKUST and HKBU student unions launched campaigns urging universities to review their Putonghua policies and requirements.

In HKUST, local students and mainland students whose common oral language is Putonghua are required to pass a mandatory Chinese Communication course. In August 2015, HKUST students protested the Putonghua-only teaching of three mandatory Chinese Communication courses, complaining they were being put at a disadvantage compared to native-Putonghua-speaking mainland students, because all discussion and oral assessment were conducted in Putonghua. In March 2016, a group of HKUST students (named HKUST Cantonese, 2016) pushed for a referendum on the issue, accusing the university of not paying attention to their need to use Cantonese to learn in these courses. They did not oppose offering Putonghua-teaching Chinese Communication courses, but wanted the university to offer alternative courses using Cantonese as medium of instruction. They further argued that Cantonese is closely connected to their daily lives, and could be equally important as Putonghua in academic, social, and professional contexts. Between 8 and 10 November 2016, HKUST Students' Union polled students on the need for the university to provide alternative courses using Cantonese as the medium of instruction. As a result, beginning in the 2017–18 academic year, HKUST began to offer the courses in both Putonghua and Cantonese, and to exempt students from having to have the three

credits, under certain conditions. The matter was resolved without severe conflict between HKUST students and the university administration.

HKBU students' demonstrations against mandatory Putonghua courses, however, drew far wider public and mass media attention. Since 2007, HKBU (2018) required students to reach basic Putonghua proficiency by passing a three-credit Putonghua course before they could graduate. In an April 2016 poll, over 90% of responding HKBU students agreed this requirement should be scrapped. In June 2017, the HKBU Language Center responded by announcing it would exempt students who passed a Putonghua proficiency assessment examination from taking the Putonghua course. However, when the Language Center released the results of its first Putonghua assessment, on 10 January 2018, only 30% of the 345 candidates had passed the test (Chiu & Liu, 2018).

On 17 January 2018, HKBU Students' Union president Tsz-kei Lau and a group of about 20 students occupied the university's Language Center for nearly 8 hours, demanding an explanation of the low passing rates, and a release of the test's assessment criteria. In a letter clarifying the occupation, the HKBU Students' Union (2018) explained it had tried different means—including public letters, referenda, and senate meeting presentations—to have the university review its Putonghua requirement, and had only resorted to occupying the language center after having received no response. It respected students' freedom to take the Putonghua course, but did not understand why the course was mandatory.

During the standoff, the center's staff reportedly felt intimidated by some students' unruly behaviors and attitudes, including the use of foul language by the students' union president (Chiu & Liu, 2018). The standoff was filmed, and the online video clip went viral. On 24 January 2018, HKBU's VC Prof. Roland Chin suspended two student protesters—the students' union president and another student, Lok-hang Chan (SLH's founder). The students' union criticized the decision for creating a white terror on campus and organized an on-campus demonstration against it. About 200 HKBU students and staff, as well as students of other universities (including HKU, CUHK, CityU, and LU) participated in the protest, and forced the VC to lift the suspension temporarily. In early April 2018, after an internal disciplinary hearing, four students—Tsz-kei Lau (Year 1, social science, then-president of HKBU Students' Union), Lok-hang Chan (Year 4, Chinese Medicine), Wai-Lim Liu (then-student representative on the senate, Year 4), and Ho-yin Ho (Year 4, then-chief editor of *Jumbo*, the HKBU Students' Union's official magazine)—were disciplined for violating the university's code of student conduct, and required to apology to the Language Center; three of them also received class suspensions and/or were ordered to perform community service (Table 7.2).

The anti-Putonghua language requirement occupation in HKBU was complicated by the background of the student leaders in the standoff, and by HKBU students' conflicts with their university management and off-campus pro-establishment groups. First, three of the disciplined students were affiliated with groups with anti-mainland tendencies. On 24 March 2018 (before receiving the university's letter of discipline), Tsz-kei Lau, as HKBU Students' Union president, together with Wai-ching Yau of Youngspiration and Occupy Central cofounder Benny Tai attended a controversial

Table 7.2 Penalties given to the students who participated in HKBU's anti-Putonghua row

Student name	Class suspension	Community service	Apology letter
Tsz-kei Lau	1 semester	No	Yes
Lok-hang Chan	8 days	40 h	Yes
Wai-lim Liu	No	20 h	Yes
Ho-yin Ho		Unknown	Yes

Note Information collected by the author from different newspapers in Hong Kong

forum in Taiwan that was later condemned for promoting separatism in China (Taiwan Youth Anti-Communist Corps, 2018). Lok-hang Chan, founder of the SLH, claimed to be neither a localist nor an advocate of Hong Kong independence, but a culture conservationist dedicated to preserving and promoting Cantonese in the face of rising Putonghua usage in Hong Kong (Chiu, 2018). Per the website of pro-independence Demosisto, Wai-Lim Liu was a member of its standing committee in 2018. In his public apology to the Language Center (which actually mocked the HKBU administration), Liu (2018) admitted having been a social activist for 8 years as a member of first Scholarism and then Demosisto, and had participated in both the anti-national education movement and Occupy Central. He stated he joined Demosisto because he wanted to propose answers to questions about Hong Kong future.

Second, the controversy over the occupation was intensified and complicated by external forces. On the one hand, HKBU students got support from their counterparts at other universities (including HKU, CUHK, CityU, and LU), who joined their on-campus demonstration on 26 January 2018. The student unions of HKU and CUHK even issued a joint statement criticizing the HKBU administration's decision to suspend the two students without due process. Some students posted Chinese obscenities insulting HKBU's VC and his administration on the democracy walls of such universities as HKU, CUHK, and CityU. Similar to the "congratulatory" remarks on the death of an official's son, these insults were not tolerated. Moreover, the HKBU students who participated in the Language Center standoff, particularly the group's leaders, were severely criticized by outside media sources, including *People's Daily (Overseas Edition)* and *Global Times*, even before they received their internal disciplinary hearing (Dan, 2018; Nan, 2018). At home, Acting HKSARCE Matthew Cheung publicly condemned the students' improper behaviors and insulting words. Before the start of the HKBU students' demonstration, on 26 January 2018, the pro-establishment group Cherish Hong Kong Democracy and Freedom (which had earlier gone to CUHK to protest the appearance of independence messages) entered HKBU campus to support HKBU's VC's decision to suspend the two students, urged the VC to abolish the student union, and quarreled with students for about 20 min.

Third, the anti-Putonghua campaigns were more than a fight to abolish Putonghua proficiency as a graduation requirement; they were a struggle to preserve the distinctions between Hong Kong and mainland China. The state media, however, saw the fight as an expression of anti-mainland ideology in Hong Kong. In *People's Daily*, Nan (2018) criticized HKBU students for their shortsightedness while people in

different parts of the world were clamoring to learn Putonghua, and attributed the students' anti-Putonghua preoccupation to their default "opposing all things related to mainland China" (*feng neidi bi fan*). *Global Times* labeled Lok-hang Chan an advocate of Hong Kong independence, while *Global Times* commentator Dan (2018) described the occupation as an ideological confrontation in which a small number of Hong Kong students who had been corrupted by localist thoughts on campus to express anti-Putonghua emotions; Dan attributed the confrontation to the students' colonial mentality.

However, an associate dean of HKBU's Faculty of Arts, Prof. Lo (2018) criticized the argument for learning Putonghua as superficial patriotism. He rightly pointed out that, although their accent might differ from their Beijing counterparts', Hong Kong young people have better Putonghua proficiency than previous generations, because they start learning Putonghua in primary education. He further suggested that abolishing the Putonghua graduation requirement was the best option, as HKBU should trust its students to make good career planning choices and master Putonghua if needed. To Lo's disappointment, in June 2018, the HKBU senate recommended keeping the Putonghua requirement but allowing students to decide whether to include their Putonghua course results in calculating their cumulative grade point average.

Moreover, to students who resisted Putonghua as a graduation requirement, the linguistic distinction between Cantonese and Putonghua represented an identity distinction between "we" (Hong Kong) and "they" (mainland China), rather than between "local" (Hong Kong) and "national" (China). Dan's (2018) attribution of students' resistance to Putonghua as a colonial mentality was "accurate," but not in the way he intended it; in the colonial period, Hong Kong people had to learn their colonizer's language (English), and now they had to learn Putonghua—the language of their new sovereign overlords. This is reflected in Liu's (2018) apology letter, in which he expressed that the language graduation requirement was to help China unify its national language policy. His thinking is in line with that of his political group, Demosisto (2018), which rejects Chinese as Hongkongers' national identity.

In Hong Kong, Cantonese, English, and Putonghua are major oral languages in both education and society. They serve different but complementary functions within and without Hong Kong, and have different levels of local, national, and global economic and sociopolitical significance. Whether in oral and/or written form, different languages represent different but not necessarily mutually exclusive identities. While the final results of the anti-Putonghua campaigns at HKBU and HKUST are not yet known, they have revealed a significant clash between local and national identities, and many Hong Kong people's strong preference for keeping their Hong Kong language, culture, and identity, rather than adopting those of the mainland under the "one country, two systems" principle.

The above sections, however, point to a larger issue. If pro-independence advocacy is not tolerated in political elections or by the establishment, and the display of pro-independence banners and slogans on campuses is banned, will pro-independence speeches and/or research by academics be tolerated and protected in higher education, under the umbrella of academic freedom? This is the focus of the next section.

Controversy Over Benny Tai's Speech on Hong Kong Future in Taiwan

In addition to being condemned for inciting Occupy Central, HKU law scholar Benny Tai was also severely criticized by the local and central governments and pro-establishment newspapers and forces for speaking about the futures of China and Hong Kong at a forum in Taiwan (i.e., outside of Hong Kong and mainland China). This controversy has revealed a political red line has been drawn regarding discussions about the future of China and Hong Kong by academics in public universities.

Benny Tai's View on the Futures of China and Hong Kong

Between July and December 2017, Benny Tai published a series of articles in a Chinese newspaper (*Hong Kong Economic Journal*) about the future of Hong Kong. In one, Tai (2017) proposed ten possible scenarios for China's future, ranging from the continuation of the CPC's totalitarian or authoritarian rule, to China splitting into different independent states to form a Chinese federation. He further remarked that no one could know which scenario was most nor least likely and reminded Hong Kong people that all they could do was to strengthen their self-consciousness of and ability for autonomy.

Tai's views drew little public attention in Hong Kong until he attended a forum hosted by the Taiwan Youth Anti-Communist Corps, in Taiwan, on 24–25 March 2018. The host group, which was seen by the Chinese government as promoting Taiwan independence, posted a video clip on YouTube that included a guest list and parts of some speeches given at the forum, including Tai's (Taiwan Youth Anti-Communist Corps, 2018). Other attendees from outside Taiwan included representatives of three groups criticized by the Chinese government for promoting independence in Tibet, Xinjiang, and Inner Mongolia, and such notable Hong Kong people as Emily Lau (former chairperson of the Democratic Party and former lawmaker), Wai-ching Yau (member of Youngspiration), a former deputy secretary of the HKFS, the then-presidents of two student unions (HKU and HKBU), and a former chairman of the CUHK Student Union. Per the video clip, when asked to conclude his speech, Tai remarked that, only after China ends its dictatorship and becomes a democratic nation, will various ethnic groups be able to exercise their right of self-determination; he further suggested Hong Kong could consider becoming an independent state member of a federated system or confederation, similar to the European Union. On 25 March 2016, two pro-Beijing and pro-establishment Hong Kong newspapers—*Takungpo* and *Wenweipo*—began to seriously criticize Tai for promoting Hong Kong independence (e.g., Takungpao Reporter, 2018; Wenweipo Reporter, 2018).

Waves of Political Attacks on Benny Tai's Independence Remarks

The newspaper attention given to his remarks led to Tai being severe condemned by various pro-establishment forces. First, a few days after he made the remarks, both the local and central authorities formally condemned Tai. On 30 March 2018, the Hong Kong government (2018b) issued a press statement that singled out Tai (ignoring other Hong Kong participants) and "strongly condemn[ed]" him, as "a university teaching staff member," for proposing Hong Kong "becoming an independent state." A week later (6 April 2018), HKSARCE Lam (2018) explicitly expressed that she and her administration considered Tai's speech to have been advocating Hong Kong independence, and that the government would set the record straight and ensure the public correctly understood the issue. As with the government response to the display of independence slogans on university campuses, she explained the government was in no way suppressed freedom of speech or academic freedom; rather, it was the responsibility of her administration to safeguard the national security, territorial integrity, and development interests of Hong Kong society. When asked, Lam declined to cite the specific law Tai had violated and said her administration had condemned Tai's views without taking legal action against him.

Stronger condemnation of Tai came from the central government, which considered the forum an arena for the collusion among five fractions of separatists who wanted to split China—advocates for Taiwanese, Tibetan, Xinjiang, Inner Mongolian, and Hong Kong independence, respectively. One day after the Hong Kong government's 30 March press statement, the State Council's Hong Kong and Macao Affairs Office condemned Tai for colluding with external separatists to promote the construction of an independent Hong Kong state (Xinhua News Agency, 2018a). It asserted Tai's remarks had "severely violated China's Constitution and the Basic Law and related laws of Hong Kong," and had "challenged the bottom line of the principle of "one country, two systems." It further expressed that it "resolutely advocated and supported" Hong Kong government efforts to "regulate" any collusion between Hong Kong independence advocates and other separatist fractions as "safeguarding national sovereignty and security." Repeating the central government's positions, the Liaison Office emphasized that Hong Kong independence is a severe violation of the law, and that there was "no space for Hong Kong independence in China and the world, and there should be 'zero-tolerance' for Hong Kong independence among Hong Kong people and all Chinese people" (Xinhua News Agency, 2018b).

Following these condemnations by local and central authorities, local and state pro-establishment media launched a wave of political attacks on Tai. Between 27 March and 6 April, *Wenweipo* published six editorials accusing Tai of advocating Hong Kong independence, violating China's Constitution and Hong Kong's Basic Law, threatening national security, misleading young people, poisoning students' minds, and setting a time bomb by opposing China and creating chaos in Hong Kong (Wenweipo Editor, 2018b). They also urged the Hong Kong government to handle Tai's case in accordance to law, and demanded HKU "expel" Tai to safeguard its

reputation and protect its students from being poisoned by his views (Wenweipo Editor, 2018a).

On 2 April 2018, the state-run media joined the attack, with *People's Daily* accusing Tai of seeking overseas help to divide China and challenge the "one country, two systems" principle, and urged the HKSAR government to launch legal action against Tai as soon as possible (Wang, 2018). It further warned Hong Kong independence advocates that they "could not escape the penalty of law and history." A week later, *People's Daily* published an article accusing Tai of abusing academic freedom and freedom of speech in defense of his alleged advocacy for Hong Kong independence, and reminding HKU not to buck the tide of "mainstream" (i.e., pro-establishment) voices when deciding whether to dismiss Tai (Zhang, 2018).

Various local pro-establishment groups added fuel to the fire by creating and shaping public opinion against Tai. First, on 2 April 2018, 41 pro-establishment Hong Kong lawmakers issued a statement echoing the state's positions, and making accusations similar to those in the two pro-establishment newspapers (Legislative Council, 2018a). One lawmaker, Chow (2018), published a letter in a major English newspaper accusing Tai of "encouraging his students to learn the wrongful idea of Hong Kong independence," and contending that independence and separatism would lead to hatred, violence, bloodshed, and causalities. As such, Chow concluded, "Tai is no longer suitable for tenure at HKU" and urged HKU to take "appropriate action," without mentioning what it would be. Next, on 6 April 2018, various pro-establishment groups denounced Tai in *Weiweipo* and *Takungpo*, including the Hong Kong Hakka Association, Hong Kong CPPCC (Provincial) Members Association, and all Hong Kong delegates to the Beijing Municipal CPPCC and Shaanxi Provincial CPPCC. Finally, some pro-establishment groups went to HKU to protest on campus against Tai, and to urge HKU to dismiss him.

That was not the end of the saga, however. At a 24 May 2018 Legislative Council meeting, pro-establishment lawmakers introduced a motion to discuss the impacts of Tai's independence remarks on the interests of Hong Kong and China. As reflected in the Legislative Council's (2018a) Official Records of Proceedings, the "discussion" was a battle between the pro-establishment and pan-democratic camps over freedom of speech in society and academic freedom in universities. The pro-establishment camp insisted the Legislative Council needed to show its determination to defend the "one country, two systems" principle and oppose any views on Hong Kong independence. They accused Tai of promoting and spreading views on Hong Kong independence, and urged the Hong Kong government to enact the National Security Bill (which was shelved after triggering a 500,000-person demonstration in 2003) to curb the spread of the Hong Kong independence movement. One pro-establishment lawmaker even accused Tai of fostering the atmosphere that led to the 2016 Mongkok Riot and turning Hong Kong's streets into "rivers of blood." Another pro-establishment lawmaker urged the Education Bureau and HKU authority to follow up on Tai's remarks. In the meeting, the Secretary for Constitutional and Mainland Affairs condemned Benny Tai three times for his independence remarks, reiterated the position of the local and central authorities that there is no space for discussion about Hong

Kong independence, and restated that the Hong Kong government's condemnation of Tai has nothing to do with the suppression of free speech nor academic freedom.

Pan-democratic lawmakers defended Tai, stating he did not advocate Hong Kong independence, and asked the pro-establishment to respect academic freedom and freedom of speech. The Democratic Party chairman contended a diversity of views was normal for a society, and rational discussion was needed to address them (Legislative Council, 2018a). He further warned the Hong Kong government and pan-establishment forces that the more they sought to suppress independence issues, the more attractive they would become to young people. Some pan-democratic lawmakers tried to depict Tai's independence comments as minor, compared to past state leaders. They argued that, if pro-establishment lawmakers condemned Tai, they should also condemn PRC founder and former Chairman Zedong Mao, who in 1920 advocated splitting the Republic of China into 27 independent states, and President Jinping Xi's father, Zhongxun Xi, who suggested in 1979 that Guangdong Province would achieve more economically as an independent state, than as part of the PRC (Legislative Council, 2018a).

Benny Tai's Rebuttal

In response to repeated political condemnations and media attacks, Tai criticized the Hong Kong government and pro-establishment forces for singling him out. On his Facebook page, on 5 April 2018, Tai (2018a) posted a strongly worded demand for answers from the Hong Kong government to five questions: how did his speech in Taiwan advocate self-determination for Hong Kong; why did the government not give him a chance to explain his position before condemning him; why did the government not express its concerns when he earlier published similar views; why did the government politically target him in a serious official statement, and not others who had directly and explicitly advocated Hong Kong independence and self-determination; and what was the government's political reason for taking the extremely rare step of issuing a strong statement about a private citizen with neither official title nor political party affiliation. However, as an initiator and cofounder of Occupy Central, Tai was (and is) no longer seen merely as either a private citizen or an academic.

Moreover, Tai reasserted his views on Hong Kong independence. Although he was not invited to the 24 May 2018 Legislative Council meeting, Tai asked a pan-democratic lawmaker to read a statement on his behalf, which he posted to his Facebook after the meeting. In the statement, Tai (2018b) explicitly restated that he "does not support Hong Kong independence at all," but insisted Hong Kong people should have the right to discuss the issue without presumptions. He further questioned whether the Hong Kong government were drawing a political red line in society and academia, wanted to produce a chilling effect on people in discussions about Hong Kong's political future, and were paving the way to reintroduce the National Security

Bill, which could be used to sue people who advocated Hong Kong independence or challenged the CPC's leadership in China.

It remains to be seen whether the attacks on Benny Tai will have a chilling effect on Hong Kong academia, and whether the government's measures will prevent pro-independence activists from fielding candidates in future elections. However, higher education institutions have become a major arena in which pro-independence students have developed and exercised their independence advocacy, battling university administrations over freedom of speech, and expression concerning Hong Kong independence. Speeches and writings exploring China's political future, including separatism, have become politically sensitive. Will the central government officially draw a political red line on the independence issue? What tactics will the Hong Kong government use to curb the spread of independence ideas and activities in Hong Kong society and education (including higher education)? Will these anti-independence efforts silence pro-independence voices in Hong Kong society and on university campuses? All these will be examined in the next chapter.

References

Chan, H.-T. (2018). *Hong Kong nationalism: A politically incorrect guide to Hong Kong under Chinese rule (Speech at the Foreign Correspondents' Club, Hong Kong)*. Hong Kong: Hong Kong National Party.

Cheng, C. H., & Pang, C. M. (Eds.). (2014). *Xianggang Yueyu Ding Ying Shang* [Cantonese: Move forward despite hardship ahead]. Hong Kong: Subculture.

Cheung, E. (2017, September 7). Woman filmed tearing pro-independence posters. *South China Morning Post,* p. C1.

Cheung, T. (2018, May 9). Activist takes by-election ban fight to high court. *South China Morning Post,* p. C1.

Chin, W. (2011). *Xianggang Chengbang Lun* [Hong Kong city-state theory]. Hong Kong: Enrich Publishing.

Chiu, P. (2018, January 25). How a compulsory mandarin course caused chaos at Hong Kong Baptist University. *South China Morning Post,* p. C2.

Chiu, P., & Liu, Y. (2018, January 25). Baptist pair suspended over stand-off. *South China Morning Post,* p. A2.

Chiu, R. (2018, November 3). Basic Law has failed the people of Hong Kong. *South China Morning Post,* p. A12.

Chow, H. (2018, 12 April). HKU Should Rethink Tenure of Separatism Peddler Benny Tai after His Abuse of Free Speech. *South China Morning Post,* p. A8.

Court of Final Appeal. (2017). *Chief Executive of the Hong Kong Special Administrative Region, Secretary for Justice and the President of the Legislative Council vs. Sixtus Leung Chung Hang and Yau Wai Ching*. Hong Kong: Court of Final Appeal.

Curriculum Development Council. (1997). *Xiaoxue Kecheng Gangyao: Putonghua Ke (Primary One to Primary Six)*. Hong Kong: Curriculum Development Council.

Curriculum Development Council. (2002). *Zhongguo Yuwen Jiaoyu Xuexi Lingyu Kecheng Zhiyin (P1-S3)* [Chinese language education key learning area curriculum guide (primary 1—secondary 3)]. Hong Kong: Logistic Department.

Curriculum Development Council. (2017). *Putonghua Ke Kecheng Zhiyin (Primary One to Secondary Three)*. Hong Kong: Curriculum Development Council.

Dan, R. (2018, January 25). Sahoshu Xianggang Daxuesheng De Shiye Tai Zhaile [A small number of Hong Kong University students have a narrow horizon]. *Huanqiu Shibao* [Global Times]. Retrieved from http://opinion.huanqiu.com/shanrenping/2018-01/11552378.html.

Davison, C., & Lai, W. (2007). Competing identities, common issues: Teaching (in) Putonghua. *Language Policy, 6*(1), 119–134.

Demosisto. (2018). *Our manifesto*. Retrieved from https://www.demosisto.hk.

Director of Audit Commission. (2017). *Director of Audit Report (No. 68)*. Hong Kong: Audit Commission.

Editorial Team of Undergrad, Hong Kong University Student Union. (2016). *Xianggang Qingnian Shidai Xuanyan* [Hong Kong Youth's Declaration]. Hong Kong: Hong Kong University Student's Union.

Education Bureau. (2015). *Using Putonghua as the medium of instruction for teaching the Chinese language subject in primary and secondary schools in Hong Kong* (LC Paper No. CB(4)748/14-15(01)). Hong Kong: Education Bureau.

Education Bureau. (2016). *Follow-up information on 'policy on using Putonghua as the medium of instruction for teaching the Chinese Language subject' discussed at the meeting on 13 April 2015*. Hong Kong: Education Bureau.

Education Bureau. (2018, February 7). *LCQ21: The use of Putonghua as the Medium of Instruction for Teaching the Chinese Language Subject in Primary and Secondary Schools*. Retrieved from http://www.info.gov.hk/gia/general/201802/07/P2018020700609.htm.

Education University of Hong Kong Students' Union. (2017). *Youguan Xiaonei Minzhuqiang Ji Xueshenghui Fanwei Nei Suo Xuangua De Henge* [A public letter to University President concerning the banners on the democracy wall within the jurisdiction of the students' union]. Retrieved from https://touch.facebook.com/story.php?story_fbid=1604161752983202&id=316480888417968.

Electoral Affairs Commission. (2016a). *Confirmation form for 2016 Legislative Council general election*. Hong Kong: Electoral Affairs Commission.

Electoral Affairs Commission. (2016b). *Report on the 2015 district council ordinary election*. Hong Kong: Electoral Affairs Commission.

Golden Forum Netizens. (2012, February 1). Xianggang Ren Rengoule [Hong Kong people has tolerated enough]. *Pinggu Ribao* [Apple Daily], p. A11.

Heads of Universities. (2017, September 15). *Statement (Concerning freedom of expression and Hong Kong independence)*. Retrieved from http://www.hku.hk/press/press-releases/detail/16811.html.

High Court. (2018). *Chan Ho Tin vs Lo Ying-Ki Alan, Chu Ho Dick Eddie, Tien Michael Puk Sun, Chan Han Pan, Cheng Chung Tai, Leung Che Cheung, Mak Mei Kuen Alice, Kwok Ka Ki, Wan Siu Kin Andrew, Ho Kwan Yiu*. Hong Kong: High Court.

HKUST Cantonese. (2016, March 24). *Teaching Chinese communication courses with Cantonese as the medium of instruction and the launch of a referendum on this issue*. Retrieved from https://www.facebook.com/HKUSTCantonese/posts/840059589438458.

Hong Kong Alliance in Support of Patriotic Democratic Movements of China. (2017). *About Hong Kong alliance*. Retrieved from https://hka8964.wordpress.com/hkaeng/#eng_who.

Hong Kong Baptist University. (2018). *Putonghua proficiency requirement for graduation (with effect from 2017–2018)*. Hong Kong: Hong Kong Baptist University.

Hong Kong Baptist University Students' Union. (2018). *Jiu Zhanling Yuwen Zhongxin Zhi Chengqing* [Clarification on occupying the language center]. Retrieved from https://www.facebook.com/HKBUSUpage/posts/950703431746155.

Hong Kong Bar Association. (2016). *Statement concerning the possibility of the NPCSC to interpret the Basic Law concerning the incident of oath taking by legislative councillors*. Hong Kong: Hong Kong Bar Association.

Hong Kong Bar Association. (2018). *Statement of the Hong Kong Bar Association on disqualification*. Hong Kong: Hong Kong Bar Association.

Hong Kong Federation of Students. (2016). *Mishuchu Quannian Gongzuo Baogao* [Annual Report of the Secretariat, 18 March]. Hong Kong: Hong Kong Federation of Students.

Hong Kong Government. (2016, February 29). *Legislative Council new territories east geographical constituency by-election results*. Retrieved from http://www.info.gov.hk/gia/general/201602/29/P201602290121.htm.

Hong Kong Government. (2017, September 8). *CE condemns improper remarks appearing on university campuses*. Retrieved from http://www.info.gov.hk/gia/general/201709/08/P2017090800644.htm.

Hong Kong Government. (2018a). *Reasons for Ruling Chu Hoi Dick Eddie's Nomination Invalid*. Hong Kong: Hong Kong Government.

Hong Kong Government. (2018b, March 30). *Response by HKSAR Government to media enquiries*. Retrieved from http://www.info.gov.hk/gia/general/201803/30/P2018033000690.htm.

Hong Kong Institute of Education. (2015). *Tantao Xianggang Zhongxiaoxue Ruhe Tuixing Yi Putonghua Jiaoshou Zhongguo Yuwen Ke Yanjiu Jihua* [Final report on the study on the implementation of 'using Putonghua as the medium of instruction for teaching the Chinese Language subject' (Shortened Version)]. Hong Kong: Education Bureau.

Hong Kong Management Association. (2016). *A study of trends and challenges facing Hong Kong*. Hong Kong: Hong Kong Management Association.

Hong Kong National Party. (2016). *Chuangdang Zongzhi* [Party manifesto]. Hong Kong: Hong Kong National Party.

Hong Kong National Party. (2018, April 9). *Xianggang Xuyao Zhongguo Nai Diguo De Siwei* [Hong Kong needs 'China is the Enemy' thinking]. Retrieved from https://www.facebook.com/hknationalparty/posts/800782256787397.

Hongkongese Priority. (2014). *Independence is the only way out*. Hong Kong: Hongkongese Priority.

Lam, C. (2018, April 6). *Xingzheng Zhangguan Huijian Chuanmei Tanhua Quanwen* [Transcript of remarks by CE at media session]. Retrieved from http://www.info.gov.hk/gia/general/201804/06/P2018040600558.htm.

Lam, J., & Cheung, T. (2016, August 11). Push for independence shifts to secondary schools. *South China Morning Post,* p. A3.

Lau, C. (2018, May 20). The night that changed a city's politics forever. *South China Morning Post,* p. 4.

Law, W.-W. (2004). Translating globalization and democratization into local policy: Education reform in Hong Kong and Taiwan. *International Review of Education, 50*(5–6), 497–524.

Law, W.-W. (2017). Higher education in post-1997 Hong Kong: Politics, academic freedom, and civic engagement. In G. Postiglione & J. Jung (Eds.), *The changing academic profession in Hong Kong* (pp. 39–75). Cham, Switzerland: Springer.

Lee, S.-Y. (2016). Profit seeking and intergroup conflict in Hong Kong: A case study of the private health care sector. *Asian Survey, 56*(2), 348–368.

Legislative Council. (2018a). *Official records of proceedings, 24 May 2018*. Hong Kong: Legislative Council.

Legislative Council. (2018b). *Rules of procedure of the Legislative Council of the Hong Kong Special Administrative Region (Amended, December 2017)*. Hong Kong: Legislative Council.

Leung, C. (2016, February 23). 'No Bottom Line': New Chinese University student leaders say they will resort to violence if majority want it. *South China Morning Post*. Retrieved from http://www.scmp.com/news/hong-kong/politics/article/1915206/no-bottom-line-new-chinese-university-student-leaders-say.

Leung, E. (2016a). *Guangfu Xianggang Shidao Gaiming* [Reclaim Hong Kong, change the era]. Hong Kong: Hong Kong Indigenous.

Leung, E. (2016b). *Speech on the first pro-independence rally (7 August)*. Retrieved from https://www.facebook.com/pg/hkindigenous/videos/?ref=page_internal.

Leung, E. (2017). Chinese Nationalism and Hong Kong. In J. Hemmings & M. Kaeding (Eds.), *Hong Kong after 20 Years: The rollback of civil, human, and legal rights* (pp. 31–33). London: Henry Jackson Society.

Leung, Y.-B., & Hui, A. N.-N. (2011). Language learning strategy of Hong Kong Putonghua learners. *Educational Research Journal, 26*(1), 17–39.

Liu, W.-L. (2018). *Xiang Dang, Guojia, Renmin He Yuwen Zhongxin Touxiang: Wo De Yifeng Huiguo Shu* [Surrendering to the party, the nation, the people, and the language centre: My confession]. Retrieved from https://www.facebook.com/photo.php?fbid=10216796695457477.

Lo, A. (2018, September 25). Thank localists for the joint checkpoint. *South China Morning Post,* p. A2.

Lo, P. (2018, May 13). *Ji Suo Bu Yu, Wu Shi Yu Ren* [Do not do unto others what you do not want them to do unto you]. Retrieved from https://www.facebook.com/notes/luo-bingxiang/%E5%B7%B1%E6%89%80%E4%B8%8D%E6%AC%B2%E5%8B%BF%E6%96%BD%E6%96%BC%E4%BA%BA-%E5%86%8D%E6%AC%A1%E5%91%BC%E7%B1%B2%E6%B5%B8%E6%9C%83%E5%A4%A7%E5%AD%B8%E5%8F%96%E6%B6%88%E6%99%AE%E9%80%9A%E8%A9%B1%E7%95%A2%E6%A5%AD%E8%A6%81%E6%B1%82-%E7%BE%85%E7%A7%89%E7%A5%A5/10155964185674681/.

Ma, M. P. (2018). Lun Yueyu She Xianggang Zhengshi Fading Yuwan (Zhongwen) De Kouyu Xingshi [Cantonese is the official spoken Chinese in Hong Kong]. *Current Research in Chinese Linguistics, 97*(1).

Ming Pao Editor. (2014, January 3). Jiduan Zuzhi Chengshi Buzu Baishi Youyu Weifa Xingwei Ying Chengchu [Extremist groups bring forth more damage than accomplishment and illegal behaviors should be punished]. *Ming Pao* [Ming Pao News]. Retrieved from http://news.mingpao.com/20140103/mra.htm.

Ming Pao Editor. (2017, September 12). Xiaoyuan Xuanyang Gangdu Xiaofang Xuyou Duice [Universities must deal with "Hong Kong independence" ideology]. *Ming Pao* [Ming Pao News], p. A2.

Ming Pao Reporter. (2017, September 6). Zhongda Zaixian Gangdu Biaoyu [Reappearance of Hong Kong Independence Slogans in Chinese University of Hong Kong]. *Ming Pao* [Ming Pao News]. Retrieved from https://news.mingpao.com/pns/dailynews/web_tc/article/20170906/s00002/1504634309581.

Ministry of Education. (2016). *Guangyu Jiaoyu Xitong Shenru Kaizhan Aiguo Zhuyi Jiaoyu De Shishi Yijian* [Guidelines for in-depth promotion of patriotic education in the education system]. Beijing: Ministry of Education.

Nan, Y. (2018, January 25). Tupo Dixian Bi Fan Zhongnu [Overstepping the bottom line invites public anger]. *Renmin Ribao* [People's Daily], p. 20.

National People's Congress. (1990). *The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China*. Hong Kong: HKSAR Basic Law Advisory Committee.

National People's Congress Standing Committee. (2016). *Interpretation of Article 104 of the Basic Law of the Hong Kong Special Administrative Region*. Beijing: National People's Congress Standing Committee.

Societas Linguistica Hongkongensis. (2018). *Shiming Zuzhi Zongzhi* [Mission and purpose]. Retrieved from https://zh-hk.facebook.com/hongkonglangstudies/.

South China Morning Post Editor. (2014, January 5). No excuse for barracks protest. *South China Morning Post,* p. A12.

Student Unions of Higher Institutions. (2017, September 10). *Arming ourselves in our darkest hour: Declaration on the controversy surrounding democracy wall*. Retrieved from https://www.facebook.com/CUHK.SU/posts/1584780091584394.

Studentlocalism. (2016). *About studentlocalism*. Retrieved from https://www.facebook.com/studentlocalism.

Students' Unions of Higher Institutions. (2017, September 16). *Response from students' unions of higher institutions towards the joint statement by Heads of Universities*. Retrieved from https://www.facebook.com/hkusupage/photos/a.512349045490265.1073741833.509449175780252/1506480776077082.

Sung, Y.-W., Ng, A. C. Y., Wu, Y., & Yiu, A. W. H. (2015). *The economic benefits of mainland tourists for Hong Kong: The individual visit scheme (IVS) and multiple entry individual visit endorsements (M-Permit)*. Hong Kong: Shanghai-Hong Kong Development Institute.

Tai, Y. T. (2017, December 9). Zhongguo De Weilai … Xianggang De Weilai [China's Future … Hong Kong's Future]. *Xinbao* [Hong Kong Economic Journal]. Retrieved from http://forum.hkej.com/node/147248-%E4%B8%AD%E5%9C%8B%E7%9A%84%E6%9C%AA%E4%BE%86%E2%80%A6%E9%A6%99%E6%B8%AF%E7%9A%84%E6%9C%AA%E4%BE%86.

Tai, Y. T. (2018a, April 5). *Du Xianggang Te[qu] Zhengfu De Yanzheng Yaoqiu* [Serious request to the HKSAR Government]. Retrieved from https://www.facebook.com/BennyTaiHK/posts/853169024876860.

Tai, Y. T. (2018b, May 24). *Zai Lifahu 5 Yue 24 Ri Xiuhui Bianlun Zhong De Chenshu* [Statement in the Legislative Council adjournment debate on 24 May (Read by Hon. Shiu Ka-chun]. Retrieved from https://www.facebook.com/BennyTaiHK/posts/873965969463832.

Taiwan Youth Anti-Communist Corps. (2018). *Taiwan Qingnian Fangong Jiuguotuan Shi Zhounian Jinian Huodong* [The 10th anniversary of the Taiwan Youth Anti-communist National Salvation Corps—A forum on freedom and human rights in Hong Kong, Macao, China, Taiwan and Multi-ethnic Groups, 24 March]. Retrieved from https://www.youtube.com/watch?v=RlyaDBPT_Dc.

Takungpao Reporter. (2018, March 26). Daiyaoting Jia Minzhou Zhen Gangdu [Benny Tai's false democracy but truly Hong Kong independence]. *Takungpao* [Takung News], p. A6.

Tsang, C. H. (2018, May 25). Shui Xihan Nimen Daonian Liusi? [Who cares whether you commemorate 4 June Incident]. *Ming Pao* [Ming Pao News], p. A33.

Undergrad. (2014a, February). Xianggang Minzhu Mingyun Zijue [Hong Kong nation and self-determination]. *Undergrad,* 22–41.

Undergrad. (2014b, February). Zhengzhi Yu Kangzheng Minyi Diaochai Jieguo [Results of survey on the politics and resistance]. *Undergrad,* 20–21.

Undergrad. (2015, February). Zhengzhi Yu Kangzheng 2015 Minyi Diaochai Jieguo [Results of survey on the 'Politics and Resistance', 2015]. *Undergrad,* 5–7. Retrieved from https://www.undergrad.hk/517.

Undergrad. (2016, August). 2016 Nian Zhengzhi Yu Kangzheng Minyi Diaochai Jieguo [Results of survey on the 'Politics and Resistance', 2016]. *Undergrad,* 36–43.

Undergrad Editorial Board. (2018). Fenli Zhuyizhe De Ziwo Xiuyang: Zhengyi De Xianggang Duli Yundong [Self-cultivation of separatists: The righteous movement of Hong Kong Independence Movement]. *Undergrad, August,* 4–9.

Veg, S. (2017). The rise of "Localism" and civic identity in post-handover Hong Kong: Questioning the Chinese Nation-state. *The China Quarterly, 230,* 323–347.

Wang, P. (2018, April 2). Gangdu Nantao Falu Yu Lishi Chengfa [Hong Kong independence cannot escape the punishment of law and history]. *Renmin Ribao Haiwaiban* [People's Daily, Overseas Edition], p. 4.

Wenweipo Editor. (2018a, April 2). Jiang Tai Yiu Ting Zhuxhu Gangda Fachu Fan Gangdu Qiangyin [Expel Tai Yiu Ting from the University of Hong Kong and send a strong signal against Hong Kong independence]. *Wenweipo* [Wenwei News], p. A2.

Wenweipo Editor. (2018b, March 31). Tai Yiu Ting Bodu Weixian Weifa Bixu Yifa Yigui Yanzheng Chuzhi [Tai Yiu Ting's promotion of Hong Kong independence violates the constitution and law and must be dealt with strictly according to law]. *Wenweipo* [Wenwei News], p. A5.

Wenweipo Reporter. (2018, March 25). Wudu Juji Taibei Hemou Huoguo Luangang [Five forces of independence gather in Taipei to collude and create disaster in China and Chaos in Hong Kong]. *Wenweipo* [Wenwei News], p. A1.

Wright, S. (2004). *Language policy and language planning: From nationalism to globalisation*. New York: Palgrave Macmillan.

Xinhua News Agency. (2018a, March 31). *Guowuyuan Gangaoban: Jianjue Zhichi Xianggan Tebie Xingzhengqu Zhengfu Yifa Guiguan Gangdu Fenzi Yu Waibu Fenlie Shili De Goulian Huodong* [The Hong Kong and Macao affairs office of the state council: Firmly supports the Hong Kong

Special Administrative Region government's efforts to regulate the activities of "Hong Kong independence" activists and external separatist forces in accordance with law]. Retrieved from http://www.hmo.gov.cn/xwzx/zwyw/201803/t20180331_17668.html.

Xinhua News Agency. (2018b, March 31). *Xianggang Zhonglianban Fuzeren Jiu Daiyaoting Fabaio Gangdu Yanlun Biaoshi Jida Fenkai He Qianglie Qianze* [Leader of Hong Kong Liaison Office expresses great indignation and strong condemnation of Tai Yiu-ting's speech on "Hong Kong independence"]. Retrieved from http://www.locpg.hk/jsdt/2018-03/31/c_129841729.htm.

Youngspiration. (2015a, May 18). *Bentu Yu Xianggang Ren* [Localism and Hong Kong people]. Retrieved from https://zh-hk.facebook.com/youngspiration/posts/813508698740767:0.

Youngspiration. (2015b, March 29). *Qingnian Xinzheng Chengli Yihui Gexin Sanbuqu* [Founding of youngspiration, three steps to reform the legislature]. Retrieved from https://www.facebook.com/youngspiration/posts/788586857899618.

Zhang, Q. (2018, April 9). Ezhi Gangdu Xuyao Luoxia Shichui [It needs a solid hammer to stop Hong Kong independence]. *Renmin Ribao Haiwaiban* [People's Daily, Overseas Edition], p. 4.

Zhou, Z., & Ji, W. (2017, September 8). Tuanti Ru Zhongda Fandu Fansilie [A group went to the Chinese University to protest against Hong Kong independence and splitting China]. *Wenweipo* [Wenwei News], p. A2.

Chapter 8
Hong Kong Independence: A Political Red Line for Hong Kong Society and Higher Education

Abstract This chapter explores further the third controversial issue arising from the Occupy Central, by examining the central and local authorities' zero-tolerance positions on Hong Kong independence, the Hong Kong government's efforts to oppose pro-independence forces, and how these efforts have affected civil liberties in society and freedom of discussion on school and university campuses. It argues the central and local governments cannot tolerate pro-independence voices, consider the rise of pro-independence factions a key potential threat to national sovereignty and security, and have categorically defined discussions of Hong Kong independence as outside the limits of freedom of speech and academic freedom. The Hong Kong government has moved to prevent the spread of pro-independence sentiments by introducing unprecedented measures shrinking the space for pro-independence discourse, constraining social freedoms, and limiting the discussion of political sensitive issues on campuses—though their efficacy is uncertain.

The previous chapter showed that pro-independence thinking in Hong Kong is no longer limited to the leaders and members of isolated pro-independence political groups; rather, it has gained support among a significant portion of voters in society and students on campuses. This has triggered local and central government concerns. This chapter examines the central and local authorities' zero-tolerance positions on Hong Kong independence, the Hong Kong government's efforts to fight pro-independence forces, and how these efforts affect civil liberties in society and freedom of discussion on school and university campuses.

The chapter argues that the central and local governments cannot tolerate voices advocating Hong Kong independence, consider the rise of pro-independence factions a key potential threat to national sovereignty and security, and have categorically defined discussions of Hong Kong independence as falling outside the protection of freedom of speech and academic freedom. The Hong Kong government has introduced measures to prevent the independence movement from spreading in society and infiltrating school and university campuses. Some of these measures are inter-related and are unprecedented since Hong Kong return to China in 1997, including: banning the pro-independence Hong Kong National Party; not renewing the working visa of a foreign journalist who chaired the talk by that party's convener before the

ban; reminding schools, in writing, to guard against infiltration of pro-independence factions into campuses and to not provide public platforms for pro-independence activities; and conducting political inspections of the research and publications of an HKU academic accused of advocating independence, to ensure no public funds were used to promote independence.

These anti-independence efforts have shrunk the space for promoting pro-independence messages, constraining the freedoms of speech, expression, and association in society and the free discussion of political sensitive issues on public university and school campuses. In other words, Hong Kong independence is not only a political taboo, it also has become an institutionalized political red line, and those who cross it, including university students and academics, cannot claim the protection of the freedoms of speech and press or academic freedom. This, however, does not necessarily mean pro-independence advocacy and efforts will disappear in Hong Kong society or on university campuses.

The chapter first examines why the central government has drawn a political red line on issue of Hong Kong independence. Next, it discusses the tactics used by the Hong Kong government to curb the spread and penetration of pro-independences forces into society and education. Third, the chapter explores the political implications of these anti-independence tactics for freedoms of speech, expression, and assembly in society, schools, and higher education institutions. The chapter ends with a discussion of whether the central and local governments' anti-independence efforts can eradicate the voices of Hong Kong independence in society and on university campuses.

Setting Independence of Hong Kong from China as a Political Red Line

The central authorities have officially drawn a red line for Hong Kong: zero tolerance of Hong Kong independence. First, during the Fifth Session of the 12th NPC National Congress, two Chinese state leaders severely criticized the advocacy of Hong Kong independence. In his Report on the Work of the Government, on March 5, 2017, Premier Keqiang Li explicitly stated "[t]he notion of Hong Kong independence will lead nowhere" (State Council, 2017). Three days later, NPCSC Chairman Zhang (2017) condemned advocates of Hong Kong independence, stating Hong Kong independence was an attempt to split China, and seriously violate both the "one country, two systems" principle and the Basic Law; that, he added, was why the NPCSC had, in late 2016, intervened to interpret the Basic Law's Article 104, concerning oath-taking in Hong Kong's Legislative Council.

Second, China's President Jinping Xi explicitly drew a red line for Hong Kong, forbidding the division of China. In the meeting, celebrating the 20th Anniversary of Hong Kong's return to China and the inaugural ceremony of the fifth-term government of the HKSAR, on 1 July 2017, President Xi (2017a) firmly stated:

> 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.

In his October 2017 report to the 18th CPC National Congress, President Xi (2017b) warned that the Chinese government would not allow person, group, or political party to use any method to take away any piece of Chinese territory at any time, and reasserted that the central authorities had "comprehensive jurisdiction" over Hong Kong. Half a year later (March 20, 2018), Xi (2018) further warned that any activities aimed at splitting China were doomed to failure, and would be met with "people's condemnation and the punishment of history."

Echoing Beijing's line, the Hong Kong government has emphasized its zero-tolerance position on Hong Kong independence, repeatedly warning Hong Kong people that advocating Hong Kong independence is a blatant violation of China's Constitution, the Basic Law (Hong Kong's mini-constitution), and the principle of "one country, two systems." In her second policy address, HKSARCE Carrie Lam reasserted that she and her administration "will not tolerate" and "will fearlessly take actions against" pro-independence acts that threaten not only Hong Kong's and China's national security and sovereignty but also their development interests (Hong Kong Government, 2018a, p. 3).

Moreover, the Hong Kong government delinked the issue of independence from those of freedom of expression and academic freedom, and condemned pro-independence speeches or behaviors as contravening the Basic Law and even China's Constitution. Regarding independence banners on campus, HKSARCE Carrie Lam reiterated that "freedom of speech is not without limits," and university autonomy and academic freedom "are not excuses for the advocacy of fallacies" (Hong Kong Government, 2017). She expressed her hope that the concerned universities would "take appropriate action as soon as possible," and urged different sectors of society to join hands "to rectify such abuse of the freedom of speech" on campus. Following the HKSARCE's line, the Education Bureau (2018), in reply to a question from a pro-establishment lawmaker about Tai's independence remarks, clearly stated that advocating Hong Kong independence "in word and deed" was "totally unacceptable," and that no pro-independence proposals or activities should be allowed on school and university campuses. It then reiterated Hong Kong independence was not "an issue of freedom of speech or academic freedom."

Related to the debate on Hong Kong independence is the provocative slogan, "End One-Party (CPC) Dictatorship," which has been chanted at every annual 4 June candlelight vigil for the 1989 Tiananmen Square Incident since 1989, and recited and displayed on banners and/or placards in annual 1 July marches since 2003. As mentioned earlier, this slogan has been an operational goal of the Hong Kong Alliance in Support of Patriotic Democratic Movements of China (2017) since 1989. In March 2018, China revised its Constitution, and introduced a new provision stipulating the CPC as China's permanent ruling party (National People's Congress, 2018, Article 1), giving rise to a new controversy over whether chanting the slogan contravened the Constitution and the Basic Law. It is debatable, as the CPC has never characterized

its rule as a one-party dictatorship, but as the "people's democratic dictatorship," and has insisted that its political structure is a CPC-led multiparty system. However, on April 6, 2018, one day after some democratic lawmakers and social activists chanted this slogan in front of his office, Liaison Office Director Wang (2018) reasserted that, without the CPC, there would be no new socialist China with Chinese characteristics and no "one country, two systems" principle. He further expressed that any Hong Kong individual who opposes CPC leadership "commits a crime" against the Hong Kong people and the "one country, two systems" principle.

After Wang's comment, the Hong Kong government adopted a tougher position on provocative slogans. After protesters loudly and repeatedly chanted the provocative "End One-Party Dictatorship" slogan at the 1 July procession of 2018, the Hong Kong Government (2018b) condemned, for the first time, chanting slogans that are disrespectful of the 'one country' concept and "disregard the constitutional order." It reasserted the central government's position on the importance of safeguarding China's national sovereignty, state security, and development interests. On the same day, HKSARCE Lam (2018) emphasized that her administration would show "no tolerance for any act that would hit (the) country's bottom line." To ensure national security and sovereignty, the Hong Kong government, as examined in the next section, has made relentless efforts to fight pro-independence forces.

Government's Anti-independence Efforts

In addition to disqualifying pro-independence advocates from running for election or holding seats in the legislature or lower level of council, the authorities used five other tactics to curb the promotion and spread of pro-independence sentiments in Hong Kong society and education, including three that were unprecedented in Hong Kong under China's rule since 1997: a party ban, sending political instructions to schools, and scrutinizing an academic's research and publication for political purposes.

First, the Hong Kong government has refused to allow pro-independence groups to register as lawful societies or private companies. In January 2017, the registrar of companies refused Demosisto's application for company registration, on political grounds; one month later, it rejected the Hong Kong National Party's application to be registered as "Hong Kong National Party Limited." Without legal entity status, these localist youth groups cannot, for example, open bank accounts, impeding their fundraising and public activities. In April 2017, both localist youth groups filed for a judicial review of the rejections.

Second, the central and local governments discouraged local organizations or groups from providing a public platform for the promotion of Hong Kong independence. In one recent example, the Hong Kong-based Office of the Commissioner of the Ministry of Foreign Affairs (OCMFA) asked the Foreign Correspondents' Club Hong Kong (FCCHK) to cancel its invitation to the Hong Kong National Party's founder and convener Andy Chan to speak at the club's 14 August 2018 luncheon (Hong Kong Journalists Association, 2018a). However, the FCCHK (2018b) insisted

on hosting the event, arguing its members and the public had the right "to hear the views of different sides in any debate." The talk was chaired by FCCHK's acting president and first vice-president, Victor Mallet, who is Asia news editor of *Financial Times* and had worked cumulatively in Hong Kong for about seven years. Immediately after the talk, the OCMFA (2018b) issued a strong statement explicitly labeling Andy Chan a "separatist," condemning the FCCHK for hosting the talk, and urging it to "repent and correct its wrong doing." Similarly, the Hong Kong government expressed deep regret over the FCCHK's actions, reiterating it was "totally inappropriate and unacceptable" for any person to publicly promote Hong Kong independence and for any organization to provide a public platform for such promotion (Hong Kong Government, 2018c).

Third, in July 2018, despite having no national security ordinance (which had been proposed in 2003; see Chap. 2), Hong Kong's Secretary for Security unprecedentedly banned the city's most vocal, pro-independence political group, the Hong Kong National Party and declared it an unlawful society per the Societies Ordinance, based on police recommendations. He gave Andy Chan, the party's founder and convener, a specified period to explain in writing why his party was fit to be a society under the Societies Ordinance's Section 8 (which is related to safeguarding national security, public order, and others' freedom and rights). In late August 2018, the police provided the security secretary with additional information on Chan's new activities to support their ban recommendation. In response, the Hong Kong National Party released on Facebook two dossiers delivered to Chan by the security bureau. The first dossier comprised the Chinese and English versions of the Security Bureau's letter, along with the police's recommendation (over 160 pages) and original supporting evidence (over 700 pages). The second included the police's additional supporting information (about 50 pages). The major contents of these dossiers were widely reported in the media.

According to the first dossier, the police authority considered the Hong Kong National Party's objective of forming a Hong Kong Republic separate from China were unlawful and argued that, although the party had no immanent plans to seize power or use violence, it was better to ban it at an early stage (Hong Kong Police Force, 2018a). The police cited the following eleven key party activities/events between late March 2016 and May 2018 as "evidence" in support of its recommendation:

- the party's application for registration as a private company;
- Andy Chan's attempt to participate in the 2016 Legislative Council election;
- encouraging independence supporters to infiltrate various sectors in Hong Kong;
- supporting and advising secondary students to form and organize pro-independence groups on school campuses, and distributing pro-independence leaflets in school areas;
- providing independence banners for display on higher education institution campuses on the 2016 National Day;
- publication of three issues of the party's magazine, *Comitium*, to promote independence;

- promoting Hong Kong independence in press interviews, on radio programs, and on its website and Facebook page;
- holding street booths and public meetings;
- recruiting party members and fundraising to sustain and augment party operations;
- inciting hatred against mainland people for allegedly snatching Hong Kong resources, and urging they be treated as enemies and expelled from the Hong Kong Republic; and,
- colluding with sympathetic overseas political bodies to divide China.

The additional information in the second dossier concerned Chan's more recent activities, including a transcript of Chan's speech and responses to audience questions at the 14 August 2018 FCCHK luncheon and his letter to US President Donald Trump, asking him to review the US-Hong Kong Policy Act and push for the revocation of China's and Hong Kong's World Trade Organization memberships (Hong Kong Police Force, 2018b).

On 24 September 2018, after receiving and considering the Hong Kong National Party's responses, the Secretary for Security (2018a) accepted the police's assertions that the Hong Kong National Party had the clear political objective of building an independent Hong Kong Republic, had made substantive efforts to realize that objective, had pushed its local agenda of independence to the international level, and had fomented hatred and discrimination against mainland people. He declared the Hong Kong National Party's speeches and actions endangered national security, were harmful to public order and safety, and threatened the freedoms and rights of others. The Secretary for Security (2018b) then, in accordance with the Societies Ordinance, prohibited with immediate effect "the operation or continued operation" of the Hong Kong National Party. While the party can appeal to the HKSARCE in council, it is unlikely Lam—who has repeatedly condemned pro-independence activities—would overrule her secretary's decision. If its appeal fails, the Hong Kong National Party could further appeal in the courts, up to and including the Court of Final Appeal. However, such an appeal process would take years, during which the Hong Kong National Party would remain outlawed.

Fourth, on the same day the Hong Kong government announced this party ban, the Education Bureau (2018b) sent letters to supervisors and school sponsoring bodies of over 500 secondary schools, reminding them of the prohibition of unlawful societies and their activities in schools. The letter reflected the Bureau's stronger position against independence. It instructed schools not to rent school premises or facilities to unlawful societies advocating or promoting Hong Kong independence, to prevent students from associating with unlawful societies in any manner, and to prevent individuals and organizations from misleading students by advocating Hong Kong independence on campus. The education authority also asked schools and teachers to identify students holding "erroneous and extreme thoughts," "correct them with facts," and inform their parents. In comparison, in its 2017 reply to a question raised by two pro-establishment lawmakers about the discussion of controversial issues in schools, the Education Bureau (2017) merely stated there is "no room for compromise or an alternate conclusion" on such issues as independence and asked teachers to

guide students who "have any erroneous and extreme ideas" by "[pointing] out the facts explicitly."

Similar to schools, higher education institutions (including eight UGC-funded universities) received letters from the Education Bureau (Cheung & Su, 2018). Unlike schools, they received no accompanying instructions on what they should do, but a notice of the government's gazette concerning the party ban and the full transcript of the Secretary for Security's explanation for prohibiting the Hong Kong National Party.

Fifth, in higher education, the Hong Kong government conducted an unprecedented review, for political purposes, of the works of Benny Tai, who had been accused of promoting Hong Kong independence. In addition to defending the HKSARCE's ex-officio role as university chancellor and appointing pro-establishment university council members and chairs, the Hong Kong government can conduct political inspections of individual academics working in public universities. In a reply to the Legislative Council, the Education Bureau (2018a) revealed that it had reminded colleges and universities of their obligation to ensure that their operations do not contravene the Basic Law, and that their resources are not "abused" to advocate Hong Kong independence nor promote such activities. The Education Bureau further revealed that it had asked the UGC and HKU to examine Benny Tai's projects and publications. The UGC assured the education authority that it had not funded Benny Tai to conduct research on Hong Kong independence, while the HKU administration referred the authority to the HKU Scholars Hub, on which information about Tai's publications, conference papers, and research findings is available to the public.

Wider Political Ramifications of the Unprecedented Party Ban

The government's anti-independence actions to safeguard national security and sovereignty won the strong support of the central government and pro-establishment forces in Hong Kong. However, many Hong Kong people and groups worry about their chilling effects on free speech in public and in cyberspace, as well as on the freedoms of association and assembly. The unprecedented party ban is particularly worrying. According to the Societies Ordinance (Hong Kong Government, 1997), anyone associating with the banned Hong Kong National Party (e.g., becoming a member, assisting it, providing financial support or resources, participating in its activities, or using its name when participating in other gatherings) could face up to three years' imprisonment. The party ban has four interrelated, serious political ramifications for freedoms in society and education in Hong Kong under China's rule.

Threatening Freedoms of Speech and Association

The first political implication is for what kind of free speech is protected in Hong Kong. This was the first time since the 1997 handover that the Hong Kong government had invoked the Societies Ordinance (normally used to cope with triad societies before 1997) to ban a political group. The police's evidence against the Hong Kong National Party mainly concerned the speeches and nonviolent activities of its founder, Andy Chan, in Hong Kong and overseas, and was collected mainly from the party's website, news reports, TV documentary programs, and YouTube (Hong Kong Police Force, 2018a). This suggests individuals or groups should be more cautious about what they say and do in public and cyberspace concerning political red lines issues because their words and actions could be used as evidence against them. This further raises a serious concern about whether nonviolent free speech is still considered free speech in Hong Kong (Chugani, 2018).

Another political implication of the unprecedented party ban is related to freedom of association and assembly—specifically, whether the ban could be used as a precedent to dissolve other pro-independence groups or societies. On 21 July 2018, before the Secretary for Security announced his decision, hundreds of Hong Kong people participated in a Civil Human Rights Front protest against the proposed party ban. The protesters included: the chairman of the Civic Party, which opposes Hong Kong independence, and representatives of some political groups that advocate self-determination or independence, such as Demosisto, Students Independence Union (which helps university students form campus localist groups), and Studentlocalism (comprising dozens of secondary school student advocates of Hong Kong Independence) (Lum, 2018a). Demosisto (2018) even expressed it would be the next target to be banned in Hong Kong and condemned the authorities for launching "an era of white terror" in which people's thoughts and words could be used as evidence for criminal charges. Indeed, on a 30 September 2018 live TV episode of City Forum, organized by Radio (Television) Hong Kong (2018), Priscilla Leung (a pro-establishment lawmaker and Beijing-appointed member of the Basic Law Committee) urged the government to ban Demosisto as it had the Hong Kong National Party.

The space for pro-independence localist groups is increasingly narrow. The Hong Kong National Front (2018) (founded in 2015 and comprised mainly of young people who advocate the decolonization of Hong Kong and its independence from China) admitted that pro-independence groups are withering under the government's suppression. It urged them to stand united in determination and action to continue to fight for Hong Kong independence; to that end, in September 2018, the group appointed Baggio Leung of Youngspiration (who had been ousted from the Legislative Council for improper oath in 2017; see Chap. 7) to be its convener and spokesperson. Under the ban, one way for pro-independence factions in Hong Kong to survive is to go underground and avoid leaving "evidence" in public and cyberspace that could be collected by the police and security bureau to dissolve them.

Endangering Freedoms of Media and Artists

The third political ramification of the party ban concerns media freedom for local and international journalists in Hong Kong. Before the ban, the Hong Kong Journalists Association (2018b) urged the government to clarify whether media organizations and workers would be seen as providing platforms for promoting Hong Kong independence if they reported on, quoted, or interviewed people advocating independence, and whether they would be prosecuted for such reporting and interviewing. After the ban, two incidents (Mallet's case and the Tai Kwun fiasco) concerning providing host venues for political sensitive events raised concerns about threats to the freedom of the press, media, and artistic work. The former was perceived as government censorship and a threat to press and media freedom, whereas the latter was seen as the venue operators' self-censorship and a threat to artistic freedom.

Mallet's Case. In early October 2018, the Hong Kong government shocked the press and media sector by refusing to renew the work visa of *Financial Times* correspondent Victor Mallet, who had chaired the luncheon talk by pro-independence Andy Chan. On October 5, 2018, the *Financial Times* revealed this was the first time the newspaper had faced such actions in Hong Kong (Bland, 2018) and its Editorial Board (2018) contended that the rejection of Mallet's working visa was effectively the first expulsion of a foreign journalist from Hong Kong since its handover to China in 1997.

The Hong Kong government's decision was strongly objected to by many journalist associations. One day after the announcement, the FCCHK (2018a) expressed its deep concern about the government's "extremely rare" and "extraordinary move," demanding an explanation for the rejection and urging authorities to withdraw their decision if they could not provide any reasonable explanation. The Hong Kong Journalists Association (2018a) and other local journalist groups expressed shock over the "rare, if not unprecedented" visa denial and urged the government to explain its decision. On October 8, 2018, six journalist associations launched a protest against the government's decision and submitted a petition letter (with over 15,000 signatures collected within three days) to the HKSARCE.

The visa denial case also focused attention in the Hong Kong community on freedom of speech and national sovereignty, although the reasons for not renewing Mallet's working visa were unknown to the public. At a October 9, 2018, media session, HKSARCE Carrie Lam insisted that, in accordance with international practice, the government "will never disclose" its reasons for a visa rejection and dismissed claims that the rejection was related to Mallet's hosting of Chan's pro-independence talk as speculation (Hong Kong Government, 2018e).

However, such speculation is not entirely without grounds, as some 2 months earlier, the Hong Kong Government (2018c) severely criticized the FCCHK for providing Chan a public platform to advocate independence. Despite the Hong Kong government's claims to the contrary, both pan-democratic and pro-establishment forces associated the visa rejection to the FCCHK's hosting Chan's talk, but differed in their reactions to the government's decision. In a joint statement, 24 pan-

democratic lawmakers condemned the Hong Kong government for closely following the CPC's political red line, for seeking political retribution and punishing FCCHK by "settling scores after the autumn" (*qiuhou suanzhang*), and for "teaching, retaliating and warning others against following the example of FCCHK" to warn international media (Pan-Democratic Legislative Councilors, 2018).

Unlike their pan-democratic counterparts, pro-establishment forces expressed strong support for the government's decision and considered it an important move to defend national sovereignty (Wenweipo Reporter, 2018). They further argued that despite the central government's warning, FCCHK insisted on providing Chan with a platform to promote independence and that such provision was threatened national unification, thus violating both China's Constitution and Hong Kong's Basic Law and crossing the red line drawn by central authorities. Former HKSARCE C. Y. Leung made the same argument, and called for evicting the FCCHK from its premises, which were leased from the government (Lum & Ng, 2018). Regarding whether the government's visa rejection was retribution, in a front page article in the state-sponsored, pro-Beijing Hong Kong newspaper *Takungpao*, pro-establishment writer Wat (2018) argued that whether the independence talk Mallet had hosted had been before or after the party ban, his actions still merited censure. She even somewhat hyperbolically asserted that the visa rejection was a civilized means of protest against Mallet because the government did not "execute [him] by shooting" but merely asked him to leave. However, the Financial Times Editorial Board (2018) strongly argued that the Hong Kong government "had no legal basis to stop" the FCCHK event, which had occurred before the banning of Chan's party.

To ease the international community's worry, the Hong Kong government tried to dissociate the visa sanction from press freedom and ensure press freedom for foreign journalists in Hong Kong. Despite these efforts, the visa rejection was reported in the international media and raised to the level of foreign affairs. The Foreign and Commonwealth Office of United Kingdom (2018) asked the Hong Kong government for "an urgent explanation" of the visa rejection. The US Consulate in Hong Kong stated that the Hong Kong government's decision was "especially disturbing" and the case "mirrors problems faced by international journalists in the Mainland" (cited in Roantree, 2018). However, the Hong Kong government stuck to its official line that it could not comment on individual cases. China's Ministry of Foreign Affairs expressed its support for the Hong Kong government's decision, insisting that visa matters fall within China's sovereignty and warning other countries not to meddle in China's internal affairs (OCMFA, 2018a). In its editorial, the *Global Times* (a mouthpiece of the Chinese government) reiterated the position of the Ministry of Foreign Affairs on sovereignty and visa and defended the Hong Kong government by contending that other countries also reject or do not renew visa applications by foreign journalists without giving any explanation (Global Times Editor, 2018).

Although Mallet, as a tourist, was allowed to reenter Hong Kong for 7 days on October 6, 2018, on November 8, 2018, after several hours of questioning, he was barred from further reentry, without explanation (Lockett & Liu, 2018). This suggests Mallet was given a double penalty (losing both work and tourist opportunities in Hong

Kong) because of his rejection of the central government's request that he cancel the Hong Kong National Party's convener's FCCHK speech.

Tai Kwun Fiasco. The Mallet case has had a chilling effect on local organizations that provide venues for events that are and/or might be considered politically sensitive by the authorities. This was shown during the 18th Hong Kong International Literary Festival (November 2–11, 2018), which had invited over 40 writers from around the world to give talks at Hong Kong's Tai Kwun Centre for Heritage and Arts. Tickets had been available for purchase since 14 September. Similar to the FCCHK, the Centre is housed in government-own premises and run by the Hong Kong Jockey Club. However, on November 7, the Centre suddenly canceled two talks at which Jian Ma was invited to speak. According to the Hong Kong International Literary Festival's (2018) program, one of Ma's talks was about his new book, *China Dream*—the same phrase used by President Jinping Xi to call for the revival of the Chinese nation in the world. Ma is an exiled Chinese dissident writer based in Britain, and his books are banned in mainland China.

One day later, the Centre's director, Timothy Calnin, an Australian expatriate with strong experience in arts management in Britain and Australia, admitted he did not want his Centre "to become a platform to promote the political interests of any individual" and promised to help secure an alternative venue for Ma's talks (Tai Kwun Centre for Heritage and Arts, 2018a). Later, the Festival's website announced Ma would speak instead at a commercial building owned by the Nan Fung Group; however, the private sector company eventually refused to provide a place (Sum & Su, 2018). In the evening of November 9, Ma succeeded in entering Hong Kong, and Calnin reversed his refusal and allowed Ma's talks to be held in the Centre, as originally planned. The next day, HKSARCE Carrie Lam stated her administration had "no involvement" in the incident, and noted the government cannot control venue operators' judgements and decisions (Sum & Su, 2018). If, in fact, the government had not intervened in the venue matter, the Centre's initial cancelation of Ma's talks "was an act of self-censorship" and a threat to artistic freedom (South China Morning Post Editor, 2018).

While it is no surprise that, like many locals and local organizations (see Chap. 2), expatriates working in Hong Kong can also exercise self-censorship, the Tai Kwun fiasco was more alarming to the Hong Kong community than Mallet's case, as it strongly suggested that censorship and/or self-censorship in venue provision had been expanded, in three major ways. First, it suggested the phenomenon had been extended to include private sector venue operators, rather than just government-own/subsidized premises, forcing venue operators to second-guess where political "red lines may lie" (South China Morning Post Editor, 2018).

Second, it was feared that censorship and self-censorship had been expanded to include literary activities. Calnin's initial reason for refusing to host Ma's talks seemed to separate literature from politics; however, his view was naïve, because politics and literary works can not only intersect, they are often intertwined. Calnin's decision was seen by critics as politically motivated, particularly against the backdrop of the Mallet controversy, especially since his eventual decision to host Ma's talk came only after he had ascertained that Ma had "no intention to use Tai Kwun as a

platform to promote his personal political interests" (Tai Kwun Centre for Heritage and Arts, 2018b).

Third, censorship of Hong Kong independence advocates, both by government and third parties fearing government retribution, was perceived to have been expanded to include critics of the central government and state leaders (Hong Kong Journalists Association et al., 2018). Unlike Mallet, who had allegedly crossed a political red line by providing a platform for the pro-independence Hong Kong National Party, Ma's *China Dream* talk concerned the use of fiction to reflect governance issues in mainland China. In his book, Ma (2018) blended reality and fantasy, and used a tale to depict the nightmares of a guilt-ridden Chinese official tasked to inculcate Chinese people with President Xi's China Dream in a nation full of materialism and governed by violence and lies.

It also remains to be seen whether Mallet's case and Tai Kwun fiasco will affect Hong Kong's reputation as an international city. However, within Hong Kong, the American Chamber of Commerce (2018) warned that news of the visa rejection had caught the attention of the international business community and that curtailing press freedom "could damage Hong Kong's competitiveness as a leading financial and trading center." Seven local journalists associations described the period between November 3 and 9, 2018, in which Mallet was refused entry as a tourist, the Tai Kwun incident took place, and an exhibition by artist Badiucao was canceled, as "a dark week for freedom of expression in Hong Kong," and warned the Hong Kong government that freedom of expression and the free flow of information were key to Hong Kong's success as an international city (Hong Kong Journalists Association et al., 2018). Similarly, outside of Hong Kong, the European Union issued a statement warning that the Hong Kong government's visa refusal of a foreign journalist "risks damaging Hong Kong's international standing and trust in" the principle of "one country, two systems" (Kocijancic, 2018). A former FCCHK chair and veteran journalist, Keith Richburg (who is a professor and the director of Journalism and Media Studies Centre of HKU) considered that the predictions in the "The Death of Hong Kong" article in the June 1995 issue of *Fortune* were "prescient, but premature." He further contended that, while it would take a while, the banning of the Hong Kong National Party marked the beginning of Hong Kong's "demise" as "a once-great open and liberal city."

Challenging Freedom of Expression and Discussion on School and University Campuses

The fourth political implication of the party ban concerns freedom of expression on school and university campuses. After the party sanction, it is unclear whether schools will allow students to discuss the pros and cons of Hong Kong independence and its practical possibility and impossibility (Chugani, 2018). However, the Education Bureau's letter concerning the penetration of unlawful societies has made schools and

teachers responsible for ensuring political correctness on campus by acting somewhat like thought-police and thought-transformers who correct students' wrong or radical political views, rather than fostering their independent, critical thinking from multiple perspectives when discussing controversial issues like Hong Kong independence.

In higher education, it remains to be seen how the Education Bureau's politically motivated scrutiny of Benny Tai's government-subsidized academic work will affect academic freedom of research and publication in public universities in Hong Kong. However, the Education Bureau's action can be seen as a form of political inspection, strongly implying the political censorship of academics' works, and established Hong Kong independence or pro-independence as politically taboo in government-funded research and other activities. It also remains to be seen how the party ban will affect the future of the HKFS (an intervarsity student union) or individual student unions (particularly those registered under the Societies Ordinance, such as the HKU Students' Union) that advocate and promote self-determination or independence. However, the Education Bureau's letter to all higher education institutions reminding them of the party ban can be seen as pressuring university administrations to ensure political correctness on campus.

Like the row over the display of pro-independence banners and slogans on campuses in 2017, in 2018, the party ban sparked another round of struggles between the university administrations and student unions at HKU and PolyU. Two days after the Hong Kong National Party was banned, on 24 September 2018, the slogans "I support Hong Kong independence" and "I support the Hong Kong National Party" appeared in both Chinese and English on the democracy walls of HKU and PolyU (from which Andy Chan had graduated) (Su & Sum, 2018). This seriously concerned administrators at both universities. The row at HKU ended when an unknown person removed the politically sensitive slogans, an action condemned by the HKU Students' Union (2018b).

However, the struggle between PolyU Students' Union and the university administration was more complicated and lasted for nearly 2 weeks. On the same day of the party ban, the PolyU Students' Union commemorated the fourth anniversary of the 2014 Occupy Central by opening half of its democracy wall to messages expressing students' aspirations for democracy. It also relaxed its posting regulations to three; specifically, posted messages could contain no commercial advertisements, had to include the date of posting, and were subject to students' union approval (see more later). After these changes, pro-independence slogans began to appear on the board. The university administration gave the students' union an ultimatum, demanding it restore the wall to its original mode of operation or have it taken away. On September 29, 2018, after the students' union ignored its warning, the university administration used red sheets to cover the relevant half of the democracy wall.

In response, the PolyU Student's Union (2018) complained that the university administration was infringing on students' self-government and freedom of speech, and initiated a series of protest activities. Quickly gathering over 2000 student and 40 internal student groups, the students' union demanded the administration explain in public its actions. On October 4, 2018, about ten PolyU students stormed the university management offices and occupied them for nearly one-and-one-half hours.

As shown in video footage posted on Facebook by the PolyU Students' Union (2018), three student protesters were highly engaged in the protest: students' union president Wing Hang Lam, the undergraduate student representative on university council Owan Li, and a student dressed in black.

During the storming, two senior university management members (a PVC and the dean of students) came out to meet students. Lam, Li, and the student-in-black demanded an immediate response from the management team to three major questions: Would the administration recall the democracy wall from the student union? Did the administration use red cardboards to cover the democracy wall? Would the administration promise that the power to manage the democracy wall exclusively belong to the student union? The two senior management members did not reply, other than to repeat that the university would meet with students to discuss these matters on September 6, 2018. However, the students immediately rejected the proposed meeting date. During the negotiation, the two senior management members repeatedly asked to leave, but the three students repeatedly said they could not and physically restrained them from leaving, knocking a senior university management member and the student union president to the ground. The student-in-black used foul languages and insulting words during the negotiation, which ended only after the university management members threatened to call the police.

On the same night, the PolyU administration issued a strong statement condemning the students' unruly behavior (Lum, 2018b). In response, two students' union leaders—Lam and Pak-leung Yuen (chairman of the students' union council)—launched a hunger strike. Reportedly, Lam and Yuen admitted that, when they were secondary students, they had participated in the 2012 anti-national education campaign and the 2014 Occupy Central (Leung, 2018).

The hunger strike brought external forces to the PolyU campus. First, six other university student unions showed their support for their PolyU counterpart by issuing a joint statement condemning the PolyU administration, and one CUHK student joined the hunger strike. Second, 23 pan-democratic lawmakers wrote to PolyU VC Timothy Tong (who was a CPPCC delegate, 2010–2018), urging him to meet with students and return to them the right to manage the democracy wall. Third, some members of the pro-Beijing Treasure Friendship Group came to PolyU to protest against the striking students and displayed a big banner with Chinese words equating the students' union to a triad society.

Finally, PolyU's administration backed down. It agreed to continue to delegate responsibility for managing the democracy wall to the students' union, in accordance with its original internal rules and regulations, while the students' union promised to restore the wall's original mode of operation and management. The two PolyU student leaders ended their 44-h hunger strike and the nearly 2-week row over democracy wall drew to a close.

All this suggests that the unprecedented party ban marks the beginning of the reduction in space for free discussion of and expression about politically sensitives issues such as independence in society and education in Hong Kong under China's rule. At the time of this writing, the Hong Kong government has yet to arrest either Benny Tai for his independence remarks, nor those who display Hong Kong inde-

pendence slogans and banners on campuses or chant "End One-Party (CPC) Dictatorship;" indeed, it is difficult to identify a specific extant law that could be used to punish those who express such personal views without an actual plan for enacting them. This is why the central government and local pro-establishment forces have urged the Hong Kong government to enact the National Security Bill, a local legislation introducing penalties for pro-independence speeches and behaviors, per the Basic Law's Article 23.

Will the Voices of Hong Kong Independence Disappear from University Campuses?

Passage of the National Security Bill is just a matter of time, because the pro-establishment camp has dominated the Legislative Council since the pan-democratic camp lost its key minority status after the disqualification of six of its lawmakers in 2017, and thus its ability to stop the legislation. As a result, pro-independence localist groups are likely to be less explicit in pushing their independence agenda, and display of pro-independence messages might become less common on university campuses. However, this does not necessarily mean that the voice of Hong Kong independence will be eradicated from university campus in the near future, as some university students wish to continue the fight and student unions have official platforms to do so.

First, student unions still have a certain degree of autonomy to establish societies under their aegis. In November 2017, the CUHK Student Union approved the establishment of the Society for the Study of Hong Kong Independence. In January 2018, the Society started operation and recruited about 40 student members. Its aims are to study the possibility of Hong Kong Independence, to protect freedom of expression and academic freedom by providing a platform for members to discuss issues of Hong Kong Independence, to help CUHK students pay attention to these issues, and to organize research activities concerning Hong Kong independence, including, but not limited to, forums and seminars (Society for the Study of Hong Kong Independence, 2018). The founders knew of the political red line and the possible adverse impacts of forming the Society. A cofounder admitted that he and other cofounders dared not expose their identities, lest they face suppression and intimidation by their university (Lee & Tu, 2018); to protect their personal safety, they used CUHK Secrets to make anonymous posts and Google Forum to recruit members and did not conduct face-to-face interviews. In response, the CUHK administration (2018) issued a (second) statement reasserting its strong opposition to Hong Kong independence, reiterating that any promotion of independence through speech or act would contravene the Basic Law, and expressing its wish that the university campus be a place for "rational intellectual pursuits, instead of political contests."

Second, in addition to student union magazines (such as HKU's *Undergrad*), student unions can make use of democracy walls (bulletin boards) on campus to

allow students to promote politically sensitive views, including pro-independence sentiments, in the name of freedom of expression. It has been a general practice that universities delegate certain powers to student unions to manage university-owned areas and space for student activities, including democracy walls, which have become a major channel for university students to freely explore, express, discuss, and exchange views, as long as they observe their unions' internal regulations. HKU Students' Union (2018a) allows any individuals to post views on democracy as long as the date of posting is clearly shown and the content includes neither personal attacks, obscenity, nor defamation. PolyU Students' Union (n.d.) imposes more requirements on users; for example, users are limited to PolyU students and staff, who are required to provide valid identification or a group stamp.

Democracy walls have become an area of increasing contention between student unions and their university administrations, particularly since the emergence of Hong Kong independence slogans in the mid-2010s. Unless university administrations are able to take back control over democracy walls from student unions, pro-independence slogans are expected to continue to be displayed on university campuses. Universities are more likely to deal with this pro-independence issue through negotiation with their student unions on a case-by-case basis. As suggested by the struggle over democracy wall at PolyU, taking back control over democracy walls might be rigorously challenged and resisted by students eager to protect their freedom of speech and their student unions' autonomy and self-government.

Third, students' union leaders can make use of their official capacity to promote their political advocacy in public university functions. In 2016, the students' union presidents from HKU and a self-funded college mentioned Hong Kong independence in their university's inauguration ceremony for new students at the start of an academic year. Two years later, students' union presidents of other UGC-funded universities (including CUHK, EDUHK, HKBU, and HKU) explicitly or implicitly mentioned Hong Kong independence and explained why this option should be explored and can be an option for Hong Kong in the future. It was no surprise that these pro-independence speeches were severely criticized by the Hong Kong government, central government officials, and pro-establishment forces in Hong Kong and Beijing. In particular, as university chancellor, HKSARCE Carrie Lam condemned student leaders for hijacking official events to promote their political agenda, pressuring their VCs, and causing antagonism between VCs and university councils and students (Hong Kong Government, 2018f).

Fourth, as reflected in their inauguration speeches, many student leaders continue to believe strongly that they have a responsibility to rectify social wrongs and change the political status quo of Hong Kong. In his speech at the inauguration ceremony for new students on August 29, 2018, HKU Students' Union president Davin Wong did not directly mention Hong Kong independence, but encouraged his fellow students to mold Hong Kong society proactively, rather than be molded passively by it, and to have "rebellious courage" to question, challenge, and rewrite social rules and norms (Hong Kong University Students' Union Campus TV, 2018). He carefully used Alex Chow and Yvonne Leung (student leaders during 2014 Occupy Central), Edward Leung (convicted for inciting the 2016 Mongkok Riot) , and Billy Fung (convicted

for besieging a council meeting in January 2016) as examples of young heroes from HKU in Hong Kong society. Wong further hoped that more HKU students would become heroes like these predecessors particularly, when the future of Hong Kong is at stake. Similarly, in the HKBU inauguration ceremony, the acting president of HKBU students' union, Lok-hei Lui, did not mention Hong Kong independence, but accused the Chinese government of suppressing Hong Kong people's local identity and making Hong Kong somewhat like the white era of Taiwan in the 1950s (HKBU Students' Union Editorial Board, 2018).

Unlike their HKU and HKBU counterparts, union student presidents of EDUHK and CUHK explicitly mentioned Hong Kong independence in their speeches during official assemblies welcoming new students. On August 29, 2018, the president of EDUHK Students' Union, Cheung (2018), explicitly expressed that Hong Kong's independence from China is the only way to achieve democracy and genuine universal suffrage without political screening. Similarly, in the CUHK inauguration ceremony for undergraduates, CUHK Student Union President Au (2018) argued that Hong Kong's political system is "collapsing" (*benghuai*), its sovereignty is threatened by China as an adjacent country, its economy and culture are "colonized" (*zhimin*) by China as an imperial power, and the human rights and freedoms of Hong Kong have been greatly reduced. Au questioned why some young people who strove for greater democracy or Hong Kong independence (without mentioning specific names) were unjustly imprisoned, and further encouraged his fellow students to resist injustice and take action to confront such absurdities.

There is no doubt that the EDUHK and CUHK student presidents explicitly crossed the red line set by the central government. However, these speeches revealed how little confidence these student leaders had in the implementation of the principle of "one country, two systems," how strong they perceived social and political injustice to be in Hong Kong under China's rule, and how courageous they were in urging their fellow students to confront injustice and take up responsibility for the betterment of Hong Kong's future.

Fifth, what makes pro-independence messages less likely to disappear easily from university campuses in the near future is that many university students still harbor hostility towards the local and central governments and remain determined to strive for Hong Kong's full autonomy. This is reflected in the slogans posted on the websites or Facebook homepages of some student unions and the HKFS, in May 2018, such as:

United together for independence and autonomy (*tuanjie yizhi duli zizhu*) (HKU Students' Union)

Tyranny will end (*baozheng biwang*) (CUHK Student Union)

I want genuine universal suffrage (*woyao zhen puxuan*) (HKUST Students' Union)

Democracy, a dream we share.

Hope rests with the people. Change starts with struggle.

We, the young generation, will reclaim our future. (HKFS)

University student unions' hostility towards the Hong Kong government and central authorities was intensified by the sentencing of then-HKU student Edward Leung (Hong Kong Indigenous) to 6 years' imprisonment for participating in the Mongkok Riot. One day after the sentencing (June 12, 2018), students' unions of eight public and private higher education institutions issued a joint statement encouraging fellow students and Hong Kong people to keep their faith, to engrave "the protesters' spirit" of self-sacrifice for Hong Kong on their mind, and not to allow the CPC's "dictatorial regime" to trample them (Students' Unions of Higher Education Institutions in Hong Kong, 2018a). These students' unions still believe that, if they keep on fighting with persistence, they can take control of Hong Kong's destiny and "[j]ustice will return gloriously." On the 21st anniversary of HKSAR's establishment (July 1, 2018), they explicitly called China's interference with Hong Kong affairs a form of "colonization," and further declared that Hong Kong could have democracy and freedom by taking "Hong Kong as the base," removing the constraints of "one country, two systems" on Hong Kong, and "fighting and resisting the colonization."(Students' Unions of Higher Education Institutions in Hong Kong, 2018b).

What is more surprising and alarming is that such an anti-mainland mentality could be so deeply rooted in young people who grew up and were educated in Hong Kong under the "one country, two systems" framework. An example of this is Alice Cheung, an LU student and newly elected (in March 2018) chair of the HKFS. On May 5, 2018, at a public hearing on the National Anthem Bill, she expressed that whenever she hears China's National Anthem she wants to vomit. State-run China Central Television accused her of being a Hong Kong separatist threatening national security and the rule of law in Hong Kong, and "an enemy of the Chinese people" (Tai, 2018).

To sum up, Hong Kong independence has become an important political red line in the relationship between Hong Kong and China. It is not known to the public how much pressure the central government has given to the Hong Kong government, but it is clear that the latter has followed closely the former's position on Hong Kong independence. The Hong Kong government's actions make its purpose and strategy clear. To ensure and institutionalize political correctness in the city's establishment, society, and education, the government has made use of all available means, including the unprecedented anti-independence tactics of using a confirmation form to discourage and/or bar pro-independence activists from running for political office, employing judicial review to disqualify elected pro-independence lawmakers, outlawing a pro-independence political party to curb its spread in society, instructing schools to stop the penetration of Hong Kong pro-independence forces into school education, and scrutinizing an academic's works and publications for political purposes.

These anti-independence efforts by the authorities, despite falling within Hong Kong law and China's constitution, have drawn international concern. On November 6, 2018, at a United Nations Human Rights Council meeting convened in Geneva under the Universal Periodic Review Mechanism, Hong Kong's Chief Secretary for Administration (second in authority to the HKSARCE) defended Hong Kong's human rights record, insisting concerns about the Mallet case, the disqualification of pro-independence electoral candidates, and the political party ban were "unwar-

ranted, unfounded, and unsubstantiated," and complaining that foreign countries' "misconceptions" showed their lack of understanding Hong Kong's "real situation" (Hong Kong Government, 2018d). Nonetheless, these anti-independence efforts have caused many Hong Kong "insiders" who are living and facing these changes daily to worry about reductions in the freedoms of speech, expression, and association they enjoyed before the 2018 political party ban, or even before 1997. The central government's influence on Hong Kong, particularly in matters pertaining to central–local relationships, is expected by many Hong Kong people to increase and become more overt. As shown over the past two decades, the meanings and boundaries of the "one country and two systems" principle are defined more by the CPC-dominated central government to reflect its own concerns about changing situations in Hong Kong and changing local–central relationships at different times than by Hong Kong. Although the HKSARCE is accountable to both Hong Kong and the central government under the "one country, two systems" framework, he/she is more likely to side with and represent the interests of the latter (which appointed him/her), particularly in conflicts concerning the central–local relationship.

In Hong Kong, the space afforded individuals and groups to challenge the CPC-defined principle of "one country, two systems" and the CPC's leadership are likely to be further narrowed. Although the central and local governments have neither declared the "End One-Party (CPC) Dictatorship" slogan another political red line nor outlawed the Hong Kong Alliance in Support of Patriotic Democratic Movements of China, it would not surprise many Hong Kong people if either or both were to happen. The Hong Kong National Party is unlikely to be the last group sanctioned for advocating Hong Kong independence or crossing other political red lines prescribed by the CPC-led central government. Nor is the *Financial Times* correspondent Mallet likely to be the last foreign journalist whose working visa is denied or not renewed for irritating the central and local governments. The government-owned Tai Kwun Centre for Heritage and Arts premises and the Nan Fung Group's private commercial building are very unlikely to be the last venues to resist or even refuse to host events deemed politically sensitive by the central and Hong Kong governments.

As in Tibet and Xinjiang in China, and in other places in the world (like Northern Ireland and Scotland in Britain and Catalonia in Spain), the issue of independence will not disappear in Hong Kong in the near future, however. It will more likely remain a major concern of local and central authorities, and a difficult political problem for universities to navigate. The joint statement by university heads showed universities are not politically neutral but are siding with the government. This makes it more difficult for the university administration to play a mediating role between students and local and central authorities in Hong Kong's search for greater democracy without political screening.

References

American Chamber of Commerce in Hong Kong. (2018, October 8). *AmCham statement regarding the non-renewal of FT editor Victor Mallet's Visa*. Retrieved from https://www.amcham.org.hk/news/amcham-statement-regarding-the-non-renewal-of-ft-editor-victor-mallets-visa.

Au, O. (2018, September 3). *Daxue Zhidao Shizhi Buyi* [The Dao of University: Unwavering determination]. Retrieved from https://zh-hk.facebook.com/CUHK.SU/posts/2009401419122257.

Bland, B. (2018, October 5). Financial times journalist's visa renewal denied by Hong Kong. *Financial Times.* Retrieved from https://www.ft.com/content/5240ecda-c870-11e8-ba8f-ee390057b8c9.

Cheung, T., & Su, X. (2018, September 27). Crime to associate with banned party, schools warned. *South China Morning Post,* p. A1.

Cheung, Y. (2018, August 29). *Jiaoyu Weihe Wu?* [What is education?]. Retrieved from https://www.facebook.com/EdUHKSUEC/photos/a.333556010043789/2018688021530571.

Chinese University of Hong Kong. (2018, January 17). *17 January 2018 Statement from The Chinese University of Hong Kong*. Retrieved from http://www.cpr.cuhk.edu.hk/en/press_detail.php?id=2702.

Chugani, M. (2018, October 4). Buzzwords that can land some in hot water. *South China Morning Post,* p. A11.

Demosisto. (2018, July 17). *We have entered an era of white terror*. Retrieved from https://www.demosisto.hk/article/details/267.

Education Bureau. (2017). *Discussion on Controversial Topics in Schools*. Hong Kong: Education Bureau.

Education Bureau. (2018a, May 16). *LCQ5: Issues relating to the promotion of "Hong Kong Independence"*. Retrieved from http://www.info.gov.hk/gia/general/201805/16/P2018051600529.htm.

Education Bureau. (2018b). *Prohibiting the penetration of unlawful society into school*. Hong Kong: Education Bureau.

Financial Times Editorial Board. (2018, October 8). Hong Kong's move against free speech. *Financial Times*. Retrieved from https://www.ft.com/content/16a85b2e-ca1c-11e8-9fe5-24ad351828ab.

Foreign & Commonwealth Office of United Kingdom. (2018, October 5). *FCO statement on Denial of Hong Kong Visa for FT Reporter*. Retrieved from https://www.gov.uk/government/news/fco-statement-on-denial-of-hong-kong-visa-for-ft-reporter.

Foreign Correspondents' Club Hong Kong. (2018a, October 5). *FCC calls on authorities to explain visa decision on Club Vice President Victor Mallet*. Retrieved from https://www.fcchk.org/fcc-statement-calls-on-authorities-to-explain-visa-decision-on-club-vice-president-victor-mallet/.

Foreign Correspondents' Club Hong Kong. (2018b, August 6). *FCC statement on Andy Chan Ho-Tin Club lunch event*. Retrieved from https://www.fcchk.org/fcc-statement-on-andy-chan-ho-tin-club-lunch-event/.

Global Times Editor. (2018, October 7). Shao Yiming Yingguo Jizhe Xianggang Jiu Neidi Hua Le? [Is Hong Kong mainlandized by just one British Journalist Less?]. *Huanqiu Shibao* [Global Times]. Retrieved from http://opinion.huanqiu.com/editorial/2018-10/13192678.html.

Hong Kong Alliance in Support of Patriotic Democratic Movements of China. (2017). *About Hong Kong alliance*. Retrieved from https://hka8964.wordpress.com/hkaeng/#eng_who.

Hong Kong Baptist University Students' Union Editorial Board. (2018, September 4). *Xiaofang Yu Kaixueli Kanwu Shanjian Xuesheng Daibiao Jiangce* [The University administration deleted part of the speech of students' representative in the inauguration ceremony]. Retrieved from https://www.facebook.com/busueb/photos/a.426369960780538/1790241261060061.

Hong Kong Government. (1997). *Societies Ordinance*. Retrieved from https://www.elegislation.gov.hk/hk/cap151.

Hong Kong Government. (2017, September 8). *CE condemns improper remarks appearing on university campuses*. Retrieved from http://www.info.gov.hk/gia/general/201709/08/P2017090800644.htm.

Hong Kong Government. (2018a). *The chief executive's 2018 policy address: Striving ahead, rekindling hope*. Hong Kong: Government Logistics Department.

Hong Kong Government. (2018b, July 1). *Government responds to July 1 procession*. Retrieved from http://www.info.gov.hk/gia/general/201807/01/P2018070100546.htm.

Hong Kong Government. (2018c, August 14). *HKSAR Government deeply regrets FCC Luncheon Talk*. Retrieved from http://www.info.gov.hk/gia/general/201808/14/P2018081400613.htm.

Hong Kong Government. (2018d, November 6). *Response by CS at UNHRC universal periodic review meeting*. Retrieved from https://www.info.gov.hk/gia/general/201811/06/P2018110600982.htm.

Hong Kong Government. (2018e, October 9). *Transcript of remarks by CE at media session before ExCo meeting (with video)*. Retrieved from https://www.info.gov.hk/gia/general/201810/09/P2018100900465.htm.

Hong Kong Government. (2018f, September 4). *Xingzheng Zhangguan Yu Xingzhen Huiyi Qian Huijian Chuanmei Tanhua Quanwen* [Transcript of remarks by CE at media session before ExCo meeting, Part 2]. Retrieved from http://www.info.gov.hk/gia/general/201809/04/P2018090400518.htm.

Hong Kong International Literary Festival. (2018). *Hong Kong international literary festival, 2–11 November 2018*. Hong Kong: Hong Kong International Literary Festival.

Hong Kong Journalists Association. (2018a, October 5). *HKJA expresses shock at Government refusal of work visa for FCC Vice President*. Retrieved from https://www.hkja.org.hk/en/statements/hkja-expresses-shock-at-government-refusal-of-work-visa-for-fcc-vice-president/.

Hong Kong Journalists Association. (2018b, August 14). *HKJA statement on Chan Ho-Tin Speech at FCC*. Retrieved from https://www.hkja.org.hk/en/statements/hkja-statement-on-chan-ho-tin-speech-at-fcc/.

Hong Kong Journalists Association, Hong Kong Press Photographers Association, Independent Commentators Association, Journalism Educators for Press Freedom, Ming Pao Staff Association, Next Media Trade Union, & RTHK Programme Staff Union. (2018, November 9). *Joint statement: The death knell for freedom of speech in Hong Kong*. Retrieved from https://www.hkja.org.hk/en/statements/joint-statement-the-death-knell-for-freedom-of-speech-in-hong-kong/.

Hong Kong National Front. (2018). *Laing Songheng Xiansheng Jiaru Bing Danren Fayanren* [Baggio Leung joined us and served as a spokesperson]. Retrieved from https://www.facebook.com/HK.NationFront/posts/2200995536808811.

Hong Kong Police Force. (2018a, July 18). *Recommendation on prohibiting the operation of Hong Kong national party under S.8 of Societies Ordinance Cap*. 151. Retrieved from https://www.facebook.com/hknationalparty/posts/%E9%A6%99%E6%B8%AF%E6%B0%91%E6%97%8F%E9%BB%A8%E7%8F%BE%E5%85%AC%E9%96%8B%E4%BF%9D%E5%AE%89%E5%B1%80%E7%B5%A6%E4%BA%88%E6%9C%AC%E9%BB%A8%E7%9A%84%E6%96%87%E4%BB%B6the-hknp-hereby-publishes-the-documents-received-from-the-secu/865231717009117/.

Hong Kong Police Force. (2018b, July 18). *Recommendation on Prohibiting the Operation of Hong Kong National Party Under S.8 of Societies Ordinance Cap. 151—Additional Information*.

Hong Kong Polytechnic University Students' Union. (2018, October 4). *Xiaofang Guisuo Zhanzai Gaoqiang Jujue Yu Tongxue Duihua* [The University administration dared not face us and refused to discuss with students]. Retrieved from https://www.facebook.com/hkpusu/posts/1898706833545971.

Hong Kong Polytechnic University Students' Union. (n.d.). *Minzhu Qiang Shiyong Shouze* [Regulation on the use of democracy wall]. Hong Kong: Hong Kong Polytechnic University Students' Union.

Hong Kong University Students' Union Campus TV. (2018, August 28). *Inauguration ceremony for new students 2018*. Retrieved from https://www.facebook.com/hkucampustv/videos/vb.279926822076021/2235111613227743.

Hong Kong University Students' Union. (2018a). *The internal regulations*. Hong Kong: Hong Kong University Students' Union.

Hong Kong University Students' Union. (2018b, September 27). *The Union Executive Committee's response on the unauthorized removal of the post on democracy wall*. Retrieved from http://www.hkusu.org/en/the-union-executive-committees-response-on-the-unauthorized-removal-of-the-post-on-democracy-wall/.

Kocijancic, M. (2018, October 8). *Statement by the spokesperson on the refusal to renew a visa for a foreign journalist in Hong Kong*. Retrieved from https://eeas.europa.eu/delegations/kosovo/51753/statement-spokesperson-refusal-renew-visa-foreign-journalist-hong-kong_en.

Lam, C. (2018, July 1). *Speech by CE at reception for 21st anniversary of establishment of HKSAR*. Retrieved from http://www.info.gov.hk/gia/general/201807/01/P2018070100395.htm.

Lee, M. H., & Tu, K. L. (2018). Xiaoyuan Zhong Buneng Chenshou De Du [Independence cannot be tolerated on university campus]. *U-Beat Magazine*, *134*. http://ubeat.com.cuhk.edu.hk/134_coverstory/.

Leung, K. (2018, October 7). PolyU president urged to meet hunger strikers. *South China Morning Post,* p. 4.

Lockett, H., & Liu, N. (2018, November 8). Senior FT editor refused entry to Hong Kong. *Financial Times*. Retrieved from https://www.ft.com/content/b1bd2aec-e333-11e8-8e70-5e22a430c1ad.

Lum, A. (2018a, July 22). Hundreds Cry 'Foul Play' over Push to Ban Party. *South China Morning Post,* p. 3.

Lum, A. (2018b, October 5). Students warn of protest over democracy wall. *South China Morning Post,* p. C2.

Lum, A., & Ng, N. (2018, September 14). Tough Job to Prove FCC Breached its Lease, Experts Say. *South China Morning Post,* p. A3.

Ma, J. (2018). *China dream* (F. Drew, Trans.). London: Chatto & Windus.

National People's Congress. (2018). *Zhonghua Renmin Gongheguo Xianfa* [The constitution of the People's Republic of China, Amended in March 2018]. Beijing: National People's Congress.

Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in The Hong Kong Special Administrative Region. (2018a, October 6). Office Spokesperson: Visa Matters Shall be Handled by SAR Government in Accordance with Law. No Foreign Country Has Any Right to Interfere. Retrieved from http://www.fmcoprc.gov.hk/eng/gsxw/t1602315.htm.

Office of the Commissioner of the Ministry of Foreign Affairs of the People's Republic of China in The Hong Kong Special Administrative Region. (2018b, August 14). *Statement of the Commissioner's Office on Condemning the FCC Hong Kong for Inviting Hong Kong Separatist to Make Speech*. Retrieved from http://www.fmcoprc.gov.hk/eng/gsxw/t1585245.htm.

Pan-Democratic Legislative Councilors. (2018, October 5). *Qianglie Qianze Gangfu Jinshou Zhonggong Hongxian Zhengzhi Daya Xianggang Waiguo Jizhehui* [Strongly condemns the Hong Kong government for keeping the Communist Party of China's Red Line and politically suppressing foreign correspondents' club Hong Kong]. Retrieved from https://zh-hk.facebook.com/CharlesMokOffice/posts/1976370932430224.

Radio (Television) of Hong Kong (Writer). (2018). Feifa Shetun Minzu Dang Yanlun Hongxian Ding Duicuo [The controversy of prohibiting the operation of Hong Kong National Party by the Societies Ordinance]. In *Chengshi Luntan* [City forum]. Hong Kong: Radio (Television) of Hong Kong.

Roantree, A. M. (2018, October 5). *Hong Kong press freedom in question as FT journalist denied visa*. Retrieved from https://www.reuters.com/article/us-hongkong-politics-visa/hong-kong-press-freedom-in-question-as-ft-journalist-denied-visa-idUSKCN1MF0XH.

Secretary for Security. (2018a, September 24). *Jiu Xingshi Shetuan Tiaoli Fuyu Quanli Huijian Chuanmei Kaichang Fayan* [Speech on exercising power under Societies Ordinance at the begin-

ning of a media session, 24 September]. Retrieved from https://www.info.gov.hk/gia/general/201809/24/P2018092400544.htm.

Secretary for Security. (2018b). Societies Ordinance. *Gazette, 22*(44). https://www.gld.gov.hk/egazette/pdf/20182244e/egn2018224452.pdf.

Society for the Study of Hong Kong Independence, Student Union of the Chinese University of Hong Kong. (2018, January 12). *Xianggang Duli Yanjiy Xuehui Zhaomu Ganshi* [Recruitment of committee members for society for the study of Hong Kong independence]. Retrieved from https://www.facebook.com/CUHKSecrets/posts/1400359153401529:0.

South China Morning Post Editor. (2018, November 14). Ma Jian Fiasco Shows Why Artistic Freedom Must be Respected. *South China Morning Post,* p. A12.

State Council. (2017). *Zhengfu Gongzuo Baogao* [Report on the work of the Government]. Beijing: People's Press.

Students' Unions of Higher Education Institutions in Hong Kong. (2018a, June 12). *A lost battle is a battle one thinks one has lost—A letter to all citizens of Hong Kong from students' unions of higher institutions*. Retrieved from https://www.facebook.com/hkusupage/posts/1763496313708859.

Students' Unions of Higher Education Institutions in Hong Kong. (2018b, July 1). *One country two systems: The castle in the air will soon tumble down—July 1 declaration*. Retrieved from https://zh-hk.facebook.com/hkusupage/photos/pb.509449175780252.-2207520000.1530500570./1791985410859949.

Su, X., & Sum, L.-K. (2018, September 28). Pro-independence banners still up at city universities. *South China Morning Post,* p. A3.

Sum, L.-K., & Su, X. (2018, November 11). Lam: Row over Writer nothing to do with me. *Financial Times,* p. 3.

Tai Kwun Centre for Heritage and Arts. (2018a, November 8). *Media statement*. Retrieved from https://www.taikwun.hk/en/taikwun/press/press_release.

Tai Kwun Centre for Heritage and Arts. (2018b, November 9). *Statement from Timothy Calnin, Director of Tai Kwun*. Retrieved from https://www.taikwun.hk/en/taikwun/press/press_release.

Tai, S. (2018, May 7). Guojia Zunyan Mianqian, Yingdui Gangdu Shi fazhi Zhongquan [Handle Hong Kong independence with strong punch for protecting national dignity]. *China Central Televison*. Retrieved from http://opinion.cctv.com/2018/05/07/ARTISrKJzLMFrPNVpbwyB9ic180507.shtml.

Wang, Z. (2018, April 6). *Zai 2018 Quanguo Lianghui Jingshen Fenxiang Luntan Shang De Zhuti Yanjiang* [Keynote speech at the sharing forum on the two sessions in 2018]. Retrieved from http://www.locpg.hk/jsdt/2018-04/07/c_129845003.htm.

Wat, W. Y. (2018, October 8). Jupi Qianzhang Yingmei Heceng Jieshi? [Have Britain and the US explain their visa denials]. *Takungpao* [Takung News], A1.

Wenweipo Reporter. (2018, October 6). FCC Fuzhuxi Gongzuo Qianzheng Bu Huo Xuqi [FCC vice president's visa not renewed]. *Wenweipo* [Wenwei News], A2.

Xi, J. (2017a, July 1). *Address at the Meeting Celebrating the 20th Anniversary of Hong Kong's Return to the Motherland and the Inaugural Ceremony of the Fifth-Term Government of the Hong Kong Special Administrative Region*. Retrieved from http://news.xinhuanet.com/english/2017-07/01/c_136409940.htm.

Xi, J. (2017b). *Juesheng Quanmian Jiancheng Xiaokang Shehui Duoqu Xin Shidai Zhongguo Tese Shehui Zhuyi Weida Shengli* [Secure a decisive victory in building a moderately prosperous society in all respects and strive for the great success of socialism with Chinese characteristics for a new era (Report to the 19th National Congress of the Communist Party of China, 18 October 2017)]. Beijing: People's Press.

Xi, J. (2018, March 21). Zai Dishisan Jie Quanguo Renmin Daibiao Dahui Diyici Huiyi Shang De Jianghua [Speech at the First Session of the 13th National People's Congress, 20 March 2018]. *Renmin Ribao* [People's Daily], 2.

Zhang, D. J. (2017). *Quanguo Renmin Daibiao Dahui Changwu Weiyuanhui Gongzuo Baogao* [Report on the work of the standing committee of the National People's Congress]. Beijing: National People's Congress.

Chapter 9
Conclusion: Issues and Theoretical Implications of Politics, Managerialism, and University Governance in Hong Kong

Abstract This final chapter concludes the book. It begins by recapturing and analyzing five contentious issues confronting public higher education and university governance in Hong Kong. Next, it proposes a framework for understanding university governance as a political exercise in which university governors and senior management members lead their university by negotiating with internal and external actors over their competing priorities and interests. Finally, it explores the theoretical implications of this framework and highlights five important lessons for reconceptualizing and reconfiguring university governance in public higher education systems in societies like Hong Kong.

With specific reference to post-1997 Hong Kong under China's rule, the book has focused on the interplay of politics, managerialism, public higher education, and university governance. It has shown that, in Hong Kong, managerialism and changing politics in the relationship between Hong Kong and mainland China are two principal forces shaping governance in public universities. Chapter 2 provided a backdrop for understanding issues confronting university governance and leadership by documenting and analyzing important struggles between Hong Kong people and mainland China leading to political polarization and social division in Hong Kong, and a lack of mutual trust between Hong Kong people and the central government. Chapter 3 examined how university governance has been affected by the coupling of market principles and managerial techniques and showed that the UGC has regulated the governance and management of public universities, and empowered university councils to enforce and implement its policies and measures on individual campuses.

Chapter 4 analyzed two important political movements in Hong Kong—the 2012 anti-national education campaign resisting national education and the 2014 Occupy Central for greater democracy—in which students played a leading role in striving for lesser control by China but greater autonomy in education and political reform. Chapters 5–8 demonstrated how these two political movements fostered student activism in politics and on campus and influenced the governance of UGC-funded universities. Specifically, Chap. 5 examined the HKU council's problematic rejection of the appointment of a pro-democracy liberal scholar to a senior management position, whereas Chap. 6 analyzed why and how staff and students sought to abol-

ish the HKSARCE's role as ex-officio chancellor of public universities and his/her power to appoint university council chairs and external council members. Chapters 7–8 discussed the growth of anti-mainland and pro-independence sentiments among young people and university students, their actions to promote pro-independence political beliefs in society (including participation in the 2016 Mongkok Riot) and on campuses, and how local and central governments and universities responded.

Chapters 5–8 revealed clashes in political ideologies between the central and local authorities and many Hong Kong people (particularly young people and students), concerning the political future of Hong Kong in relation to mainland China. The authorities' ideological shifts regarding the "one country, two systems" framework represent changing official political bottom lines on the scope and pace of political reform in Hong Kong, and on the intertwined relationships between Hong Kong and mainland China, such that any political ideologies other than the official ones are doomed to be threatened, condemned, and suppressed. These chapters further revealed problems of corporate governance and the managerial model's difficulties in handling matters arising from the extension of these political and ideological clashes to campuses, and raised concerns about the quality and accountability of university councils, as well as the role of universities in protecting the public democratic sphere on campus and in society.

This chapter concludes the book by first recapturing and analyzing five contentious issues confronting public higher education and university governance in Hong Kong. Next, it proposes a framework for understanding university governance as a political exercise in which university governors and senior management members lead their university by negotiating with internal and external actors over their competing priorities and interests. Finally, it explores the theoretical implications of this framework and highlights five important lessons for reconceptualizing and reconfiguring university governance in public higher education systems in societies like Hong Kong.

Contentious Issues Confronting Institutional Governance of Public Universities

There are five contentious issues confronting institutional governance in public universities in Hong Kong: the dilemma of using market principles and regulatory measures to assess and reward institutional performance; the impact of a government-appointed chancellor on university autonomy; concerns about whose interests external university governors represent, and their dominance in university governance; the professionalization of university governors in university governance and leadership; and the struggle of public universities to act as a public democratic sphere for themselves and society at large.

To Keep or Abolish Performance-Based, Funding-Linked Research Assessment?

The first contentious issue—using market principles and regulatory methods to measure and reward institutional performance—largely revolves around whether to abolish or keep the RAE. In Hong Kong, since the 1990s, the UGC, as examined in Chap. 3, has established various NPM mechanisms to oversee its institutions and audit their performance in various areas, including teaching, research, and university governance and management—a practice that has enhanced institutional awareness of and competitiveness in research, while simultaneously reducing universities' focus on other important functions, such as teaching.

RAE as a strong driver for research excellence. In Hong Kong, the RAE has been criticized for being a top-down, outcome-based exercise that drives research for assessment (Wong, 2014). However, the RAE has played an important role in enhancing the quality and competitiveness of UGC-funded institutions' research and their reputation in the international academic community for knowledge innovation, as reflected in most UGC-funded universities' high world university rankings and their growing number of "internationally known top notch researchers" (UGC, 2000, 2007). The UGC (2013) expects to continue to use the RAE to strengthen awareness and culture of research excellence, and to push Hong Kong to attain a higher level thereof. The UGC (2018) admits that the institutionalization of RAE is intended to encourage the universities it funds to strive for "world-class research and drive excellence" (p. 1).

Since its introduction in 1994, Hong Kong's RAE has closely followed the UK model in terms of assessment principles, format, and criteria, emphasizing the need for assessment to inform research funding allocation and public accountability, collecting submissions from its institutions, and organizing discipline-based panels to peer review their research outputs. However, the systems differ in two major respects. First, Hong Kong's RAE is less selective about research output submissions. Whereas UK universities were allowed to select among "all eligible staff who had conducted excellent research" at their discretion for the 2014 Research Excellence Framework (REF, 2015, p. 31), submissions in Hong Kong were chosen at the individual level, with all eligible staff being required to select and submit up to four of their "best" research outputs. As a result, some UGC-funded institutions redeployed some staff from the professorial track to the teaching track, to render them ineligible for research assessment. Despite this, Hong Kong RAE results could help stakeholders see the entire research picture in all UGC-funded institutions, while the UK version largely lets them see only the competition amongst the strongest researchers.

Second, the RAE in Hong Kong is largely an external audit exercise, while the REF in the UK is largely internal, as reflected in the proportion and involvement of international members in research assessment. The UK's 2014 REF, only 23 of its nearly 1,200 panelists (less than 2%) were international members (mainly from Canada, the US, and a few Western European countries, such as Germany (REF, 2014), and their role was mainly limited to helping set the standards and criteria

for assessment in the initial stage, and overseeing process governance during the assessment stage (REF, 2015); the actual assessment of nearly 200,000 research outputs and impact case studies was conducted by 1,157 Britain-based academic members and research users. Hong Kong's 2014 RAE, by comparison, featured a far higher proportion of nonlocal members (over 300 members, or 70%), drawn from a more diverse range of countries, including Austria, Italy, Spain, the UK, Canada, the US, Japan, Singapore, Taiwan, Israel, Australia, and New Zealand (University Grants Committee, 2016). Scholars from mainland China were also invited as nonlocal members. Moreover, both international and local members were directly involved in assessing research outputs and deciding whether they met international standards of excellence.

Inviting international members is not only an expensive exercise, but it also raises questions regarding research sovereignty—i.e., whether academics and experts from other countries should be given the authority to audit and judge another country's research. However, the practice of scholarly, peer reviews of journal articles and books by reviewers from different countries has been well accepted in publication as an important mechanism of quality assurance and advancement of knowledge through rigorous critical assessment. Involvement of international members in assurance and direct research assessment can help higher education systems that are small and/or are not located at the apex of the academic research world (such as Hong Kong) to establish the legitimacy and credibility of their research excellence globally. Although over half of its universities are ranked among the top 100 world universities, Hong Kong, unlike Britain, is not a strong global center of research excellence and has a small scholarly community. Hong Kong has utilized the huge pool of distinguished Anglo-American and other world scholars to help it define and set criteria for international research excellence and rate the quality of its research outputs.

Moreover, involving international members can help ease but not eradicate worries about research assessment objectivity and impartiality. In research assessment, peer reviews are not double-blind, and reviewers know the reviewees and their institutional affiliations. In smaller higher education systems like Hong Kong's, relying only on domestic academics for research assessment raises the risk of scholars either scratching each other's backs for mutual security or stabbing each other's backs to compete for scare research resources. Neyland & Milyaeva (2017) revealed some review panelists participated in the UK's 2014 REF to help their institutions or departments secure research income.

Whether research outputs should be submitted for assessment at the individual or institutional level can also be debated. How to be fair and transparent in the selection of staff by institutions was a concern in the 2014 REF in Britain (University and College Union, 2013), and Britain will require staff with significant responsibility for research to submit their research outputs for assessment in the upcoming 2021 REF (REF, 2018). However, each approach to selection has its own merits and limitations, and the method chosen ultimately depends on what the funding agency wants to achieve, and what types of research assessment outcomes will satisfy stakeholders; for similar reasons, the proportion and involvement of international members in research assessment is also at the decision of funding agencies. However, smaller

higher education systems, which have difficulties establishing a sufficiently large pool of local reviewers to do objective peer reviews and avoid conflicts of interest might benefit from using more international reviewers than do larger systems.

RAE as a strong distorter of university culture. Performance-based and fund-linked research assessment has twisted the ecology and working conditions of public higher education. The use of NPM has been criticized for undermining academic professionalism through the "metrification of quality," by measuring quantifiable outcomes in the domains of teaching and research against performance or output indicators (Lorenz, 2014, p. 22). In the UK, performance-based research assessment has been criticized for tilting the balance between teaching and research toward the latter, demoralizing staff, creating highly demanding pressures in academic research and working environment, making early career academics more difficult to join the academic profession (University and College Union, 2013). Similarly, research assessment exercises in Hong Kong have institutionalized not only differentiation between the relative importance of various university priorities and tasks, but even discrimination against certain priorities or tasks that are seen as barriers to achieving research excellence and institutional ascendance in world university rankings.

Although universities still claim in public and in internal meetings that teaching and research are equally important, institutions and individual academics increasingly emphasize the latter. In practice, publication in top leading international journals is overwhelmingly important in personnel decisions about contract renewal, tenure, and promotion. The introduction of teaching award schemes at the territory, institutional, and faculty levels is simply to reassure the world that universities still reward good teaching with a certificate and some money; the lived reality is that the balance has already tilted from teaching to research.

Moreover, in Hong Kong, publication in leading Anglo-American journals is far more important than publication in local, national, and regional journals. The latter are afforded little, if any, attention by either universities or in territory-wide research assessment exercises, which has undermined local scholarship (Mok, 2014). The preference for publication in English journals over Chinese ones has also demoralized Chinese scholarship. It is not uncommon for academics without good research output to be redeployed from the professorial (RAE-able) track to the teaching track, regardless of their actual ability. By definition, HKU colleagues on the teaching track are not considered teachers and are therefore not entitled to participate in faculty board meetings or apply for conference grants or seed grants for basic research, not to mention such external funds as the RGC's Research General Research Fund and the Early Career Scheme.

In Hong Kong, managerial culture and mechanisms have weakened the foundations of mutual trust between the public, universities, and academics, and distorted the priorities of universities (Macfarlane, 2017). Higher education institutions are burdened by outcome-based assessment and caught in a dilemma between the need for international benchmarking and adherence to their own internal value systems (Lanford, 2016). Despite its importance for enhancing the quality of higher education, overemphasis in competition in a zero- or fixed-sum game has prevented inter- and intra-institutional collaboration and could endanger higher education institutions'

healthy development, culture, and practice of free research (Mok & Cheung, 2011, p. 248). Overemphasis on productivity and performativity also promotes university administration's greater control over, rather than empowerment of, academics (Chan & Lo, 2011). Lee (2017b) found that while emphasizing academic values and practices (including academic freedom and collegiality), Hong Kong academics have had little choice but to follow in the footsteps of their universities, and adapt to government-imposed managerial values.

These negative impacts on university's priorities, critics urge, must be addressed and rectified. However, there is no sign of performance-based, funding-linked research assessment being abolished in Hong Kong, Britain, or other countries with similar assessment mechanisms. On the contrary, there are signs public funding agencies have raised their expectations, and have introduced more criteria to measure research performance, quality, and impact. Doing so, this book argues, further dehumanizes academics as machines for writing research grant proposals and papers for international publication, and further disempowers them by controlling the types and nature of their duties and work in higher education.

To Trust or Distrust Chancellor's Self-restraint for Protecting Institutional Autonomy?

The second controversial issue facing public universities relates to whether a chancellor who is head of government or is government-appointed could be a threat to institutional autonomy. Institutional autonomy and academic freedom are important to universities' pursuit of research and teaching excellence (Fish, 2014; Vrielink, Lemmens, & Parmentier, 2013); thus, how chancellors are appointed to public universities, and their authority and role in university governance are long-standing concerns. A chancellor can be appointed by the state or by the university governing board, and can be a substantive head of the governing board, making decisions at the highest level, or a largely titular, ceremonial head with little role in university governance (Moodie & Eustace, 1974; O'Meara & Petzall, 2007; University Chancellors Council, 2017). In Hong Kong, the intervarsity students' campaign to abolish the HKSARCE as ex-officio chancellor of all public universities reignited the question of chancellor and university autonomy, and further raised another—specifically, should a chancellor, who is also head of government, be trusted to act as a titular head only when given legal authority over given university affairs?

Hong Kong's chancellor system, as explained in Chap. 6, is a colonial-era relic in which the head of government serves as ex-officio chancellor of all public universities. Under British rule, the chancellor was expected to be a ceremonial leader; however, this tradition was challenged by HKSARCE C.Y. Leung (2012–2017), who used his chancellor authority to perform duties that went beyond ceremonial purposes, but within what university ordinances permitted. This led to an intervarsity movement to abolish the HKSARCE's chancellorship role, in an effort to delink the government

from university governance and protect university autonomy, rather than relying on the chancellor's unilateral choice not to meddle with university governance.

In Hong Kong, this issue has taken the form of a debate over how to balance public universities' accountability to government funders with the protection of institutional autonomy against external, particularly political, interference. Both advocates and critics of the colonial chancellor system agree publicly funded universities should be accountable, and that the chancellor issue was a concern during HKSARCE C.Y. Leung's tenure. However, both parties differ in their view of what the role of the HKSARCE should be, and their level of trust in the HKSARCE's self-restraint. Advocates use the accountability argument to support retaining the HKSARCE as largely honorary chancellor, whereas critics see institutional autonomy and academic freedom as threatened by the HKSARCE's authority and dual role as head of government and chancellor and want to sever the two.

The Hong Kong government and pro-establishment forces under Chinese sovereignty defend the arrangement as integral to universities' public accountability, rather than interference with university affairs. The Education Bureau (2015) argued the system has been "operating effectively over the years," is an important link between the government and UGC-funded universities, demonstrates the government's commitment to public higher education. Pro-establishment lawmakers criticized the abolition campaign for politicizing university governance, contending the controversy "had been political manipulated" by opposition politicians, and that the HKSARCE's role as chancellor should not be changed merely because of "views opposing HKSARCE's appointment of certain individuals" during his tenure (Legislative Council, 2016, pp. 7, 9).

In addition, an editorial in the pro-establishment newspaper *Wenweipo* (2016) argued the current system should be preserved, as it allowed the HKSARCE check whether UGC-funded universities had implemented the government's educational policies and guidelines. This seems to suggest the HKSARCE, as chancellor, should play a role similar to that of government-appointed university party secretaries, who ensure adherence to the ruling party's party line, policies, and plans in mainland China universities such as Peking University (2014).

Unlike the pro-establishment advocates, critics of the system—as represented by pan-democrats and, in particular, student unions and staff unions of all (eight) UGC-funded universities—had no faith in the HKSARCE's self-restraint and wanted to delink him/her from the university chancellorship to protect institutional autonomy. First, they criticized the arrangement for creating an irreconcilable conflict of interest, as the HKSARCE is expected to consider resource allocation to all universities from a holistic viewpoint, while a chancellor is duty bound to protect the best interests of a single public university, by competing for those same resources (HKFS, 2016b).

Second, critics have severely criticized the arrangement as a latent threat to university autonomy, contending that, because the HKSARCE is elected in a small circle election (by 1,200 voters in 2017), he/she has neither the popular mandate nor legitimacy needed for university governance (HKFS, 2016a). Third, they pointed out that the HKSARCE, as chancellor, has the legal authority to intervene in certain areas of university affairs (as presented in Chap. 6), and can appoint his/her political allies

as council chairpersons or members, for political ends or personal reasons; however, there is no mechanism to check the chancellor's power, nor to protect universities from partisan political interference in internal university affairs by partisan council members acting as the HKSARCE's agents.

Underlying these criticisms was critics' worry that, under Chinese sovereignty, Hong Kong universities would become like their mainland counterparts, which feature the open and deliberate integration of politics and university governance at all levels of university administration. This worry is reflected in the slogan, "No Party Secretaries in Universities" (*daxue buyao dangwei shuji*), which was chanted at a rally for institutional autonomy organized by the largest alliance of critics—the HKU Concern Groups[1] (2016)—three days after Prof. Arthur Li (then a CPPCC deputy) assumed the HKU council chairmanship (3 January 2016).

As presented in Chap. 6, the HKU's RPUG (2017) (chaired by York University's Chancellor Malcolm Grant) recommended the eventual separation of the chancellorship from the government, and that the HKU council appoint the university's chancellor. It rejected the pro-establishment camp's "public accountability" argument, pointing to the "unavoidable potential conflict of interest" in the HKSARCE's dual role (p. 35). It further felt the HKSARCE's authority to appoint council members "could be used for political patronage" and "to advance purposes other than the good of the University" (pp. 30, 31). The RPUG even regarded that, in Hong Kong's "deeply polarized politics," HKSARCE-appointed council members are not generally seen as "independent and politically impartial people" (p. 31), but as agents loyal to the HKSARCE rather than to the university.

Delinking the chancellorship from the HKSARCE is a complicated process whose first step is the initiation and approval of university councils. The abolition campaign highlighted the contrast between students' and university councils' views on university autonomy, in that students supported the delinking, but university councils did not; the HKU council, for example, categorically rejected the RPUG's recommendation on delinking, and decided to keep the status quo. Students wanted to minimize the possibility of political interference with university autonomy by defanging the HKSARCE, while university councils preferred to rely on his/her mercy and self-restraint. University councils' preference for the existing system can be partly explained by the fact that their chairs and a significant portion of their external members are political appointees, and therefore beneficiaries of that system.

Critics' worries are not groundless, and keeping the colonial chancellorship system has implications for future university governance in Hong Kong. Since 2003, China has increased its control over Hong Kong, whose universities are seen as hotbeds of antiestablishment trouble, such as Occupy Central and later displays of pro-independence banners and slogans on campuses. Higher education institutions might be one of the last places the Chinese government has yet to control; however, because of the "one country, two systems" principle, current distinctions between

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[1] The Concern Groups comprised student unions and staff associations of five UGC-funded institutions, Scholars' Alliance for Academic Freedom, and the Hong Kong Professional Teachers' Union which is the largest teacher union in Hong Kong.

Hong Kong and mainland China in the state–university relationship and university governance are likely to be kept, as presented in Chap. 3. However, while UGC-funded universities are less likely to institutionalize mainland China's dual (administrative and political) leadership system of university governance, the chancellor system could facilitate the CPC's indirect control over Hong Kong universities, by the HKSARCE appointing Hong Kong delegates to such state organs as the NPC and CPPCC, or CPC-vetted persons as council chairs and external members, to dominate university councils—as occurred during HKSARCE C. Y. Leung's tenure (Chap. 6).

To Believe or Doubt the Loyalty and Competence of Lay Professionals as University Governors?

The third contentious issue concerns the growing international shift in public higher education from academic governance to corporate governance, by making external council members the majority on governing boards, and recruiting people with diverse expertise and skills in corporate governance and management to govern universities (Stuart, 2017; Trakman, 2008). HKU's PVC appointment saga revealed two important concerns about external members that other public higher education systems should revisit—i.e., whose interests do the external members represent, and what knowledge do they have of the governance structure and mechanisms of the universities they govern.

As in such countries as Britain and Australia (Fielden, 2008), external members of university governing boards in Hong Kong are appointed based on personal ability. Unlike Australia, which does not allow current legislators to be external governing board members, many external council members in Hong Kong are co-opted into important organizations or committees of the Hong Kong and/or central governments; in 2017, for example, the HKSARCE-appointed council chairs of three UGC-funded universities were members of mainland China state organs—Arthur Li of HKU and Andrew Liao of HKUST were then CPPCC delegates, and Herman Hu of CityU was an NPC deputy (CPPCC, 2017; NPC, 2014). During the 2015 PVC appointment dispute, six of HKU's 15 external council members were members of the CPPCC or NPC in mainland China; one of the six was also a member of the Executive Council, while another was a pro-establishment lawmaker (Chap. 5, Table 5.1).

Politically affiliated external appointees have multiple objects of allegiance: the university they serve; the HKSARCE who appoints them; and/or the central government that coopts them into state organs. In particular, delegates co-opted into state organs are strategically selected by the central government to help it build a political coalition in Hong Kong (Fong, 2014), and must therefore toe the central government's line, or at least not publicly deviate from it, or risk losing their state organ membership—political heavyweight James Tien, for example, was axed by the CPPCC in October 2014 for repeatedly asking then-HKSARCE C.Y. Leung, who was supported by the central government, to resign (Cheung et al., 2014).

In the HKU's PVC saga, whose interests were best served? The voting clearly reflected the different interests of external and internal members. The former's large council membership could largely ensure the outcome of any vote reflected their interests rather than internal members'. In a press conference one day after the council's rejection Johannes Chan's nomination, outgoing council chairman Edward Leong explained the council's decision was in the HKU's "long-term best interests," but VC Peter Mathieson added that different people might "define 'best interests' in different ways" (cited in Zhao, Ng, & Chan, 2015). As its 2017 university governance review report revealed, some staff and student members on HKU council questioned whether external council members acted according to "some sort of secret political agenda" rather than in the university's best interests (RPUG, 2017, p. 19). Moreover, HKU's external council members, whose identities and reasons for rejecting Johannes Chan were leaked in illicit audio recordings, were all politically co-opted into top state organs; although it is unclear how much their political affiliation affected their decision, their rejection of Chan was what supporters of the pro-establishment media's smear campaign wished to see.

The second issue concerns whether external council members have correct information and sufficient knowledge about the university they serve. According to leaked audio clips, some of the reasons used by external members to reject Chan were based on incorrect information or an insufficient understanding of HKU. For example, Leonie Ki accused Chan of leaking his nomination to the public, although it was the pro-establishment newspaper *Wenweipo* that first reported the information to the public (Chung, 2014), while Martin Liao (who is a barrister, not an academic) questioned Chan's academic achievements, based on the results of a Google search, reflecting Liao's superficial knowledge and simplistic use of metrics to measure and judge the quality of academic works.

To Respect or Not to Respect Established Procedures in University Governance?

The fourth (and related to the second and third) controversial issue is that, despite being part of the governance structure, a university council can be a challenge to other established university structures, mechanisms, and processes. Under the influence of neoliberalism, the university council, as the supreme governing body, has the legal authority to supervise the VC and senior management team, much as a corporation's board of directors supervises its chief executive officer (Kretek, Dragšić, & Kehm, 2013). The council has the ultimate authority to question, consider, review, approve, and veto proposals and recommendations from its committees and senior management team—an important check on the authority of the VC and senior management team that prevents them becoming institutional tyrants.

However, as demonstrated in HKU's PVC appointment saga, while a university council can be fallible, and its actions and decisions may be questionable, there are

no checks and balances on its power—a situation deserving attention in any public higher education systems. Johannes Chan's rejection by the HKU council—which was (and is) dominated by external members—without strong justification, is a useful example of how external political appointees can undermine the VC's authority as the university's chief executive officer.

Despite having the authority to change the rules of the game, the HKU council should be challenged for not using fair and consistent standards in the selection and appointment of senior university administrators. Its September 2015 decision to reject Johannes Chan's nomination partly on the basis of his not possessing a doctorate was unfair to HKU's internal mechanisms in general, and to Chan in particular. The possession of doctorate was not an advertised prerequisite for the PVC(ASR) position when Chan was nominated (Lau, 2015), and still was not after Chan had been rejected, and the vacancy reposted. It is fundamentally unfair to use unspecified, ad hoc criteria to reject applicants. It is unclear whether those who used Chan's lack of a doctorate to reject him knew Prof. Paul Tam—a very distinguished medical scholar rated among the top 1% of most-cited scientists—also had no doctorate but had been earlier appointed PVC (Research), had led and supervised the research of academic staff with doctorates (2003–August 2015), and had, in July 2015, been appointed interim DVC (the person to whom the new PVC(ASR) would be accountable) (HKU, 2018). If so, it suggests they had deliberately applied the appointment criterion inconsistently; if not, it suggests they had insufficient knowledge of and information about the senior management team to make an informed personnel decision. Neither scenario would give the public a good impression of the quality of HKU's university governance.

The HKU council's failure to honor its well-established mechanisms and procedures for promotion raises an important question—who is best positioned to evaluate a nominee's scholarship? In its statement defending its former dean, Johannes Chan, HKU's Faculty of Law (2015) indirectly criticized the university council for not respecting its own mechanisms on personnel matters. First, it acknowledged Chan's high standing in and distinguished services to Hong Kong's legal sector and his contribution to international legal scholarship in public law and human rights. Second, it thanked Chan for his "excellent leadership and management," and for his efforts in helping the faculty attain global renown—specifically, being rated among the world's top 20 law schools during his tenure as dean. Third, and more important, it explained Chan's promotion to professor in 1998 was based on "the international recognition of his contribution to legal scholarship" and was the outcome of rigorous internal and external processes.

The HKU law faculty's criticism of the university council was not unfair. It is understandable that HKU council members might not know well the rigorous promotion process external candidates undergo in their own universities. However, Chan was an internal candidate nominated after a global search; HKU council members were thus expected to know well the rigorous promotion processes Chan, as an internal candidate for PVC(ASR), had undergone. At HKU, an application for a professorship normally must go through two major committees: the promotion and tenure panel (PTP), and the university selection and promotion committee (USPC).

At the faculty level, the PTP is the first to handle the application. The PTP chair is a full-time full professor or above appointed by the VC from outside the faculty concerned (HKU, 2013). Other members include the faculty's dean (as a nonvoting member), five to six full-time professorial faculty staff appointed by the VC, and additional nonvoting members co-opted and appointed by DVC, if necessary. The PTP considers all documents submitted by the applicant and the views of his/her head and senior professors in his/her department. Then, the PTP decides whether to send the application to six external reviewers, consider external review reports, and make recommendation to the USPC.

At the university level, the USPC has three discipline-based standing panels (HKU, 2016). Each standing panel comprises the DVC as the chair, PVC(ASR), five to seven full-time full professors appointed by the VC, and, if necessary, several co-opted nonvoting members. The USPC considers the recommendations of the dean and the PTP concerned and makes recommendations to the VC in consultation with the DVC.

This kind of established promotion exercise should be a more reliable and convincing measure of Chan's scholarship and academic achievements than some council members' Google searches and counts of Chan's publications, which were used to reject him as PVC(ASR) in the September 2015 meeting. If these council members found their internal staff promotion processes insufficient to determine Chan's quality of scholarship and academic achievements, they should question the established system, rather than use simplistic "evidence" to challenge his scholarship.

Moreover, in a June 2014 meeting, the HKU Council (2014) itself had commended Chan for his "valuable" contribution and "dedicated services" to the university during his 12-years as law faculty dean. Although Chan's past contribution and services at HKU might not be sufficient for him to be appointed PVC(ASR), the vote revealed the inconsistency between council members' views of Chan expressed in this meeting, and those made in the September 2015 meeting. The council has absolute authority to make different, even opposite, decisions on the same matter or affair; however, such a drastic reversal of opinion in a single year raises concerns about how helpful the council chair is and how useful council minutes and records are to council members, particularly new ones, in decision-making and maintaining consistent university governance standards and criteria.

The HKU council's delaying tactics (see Chap. 6) in the appointment saga were another de facto undermining of the VC's authority. The council seized on the current DVC's impending resignation and the lack of a clear successor to delay considering Chan's nomination. The then-current DVC had been involved in the entire process of nominating Chan, from the global candidate search to the final nomination, and his advice was supposed to be equally important as, if not more important than that of an incoming DVC, who might have less knowledge about the complexity of staffing and resources management at HKU. More important, VC Peter Mathieson knew better what he needed from his senior management team members than did the DVC, who was supposed to assist the former in university administration, not vice versa. One day after the council's rejection of Chan, Mathieson expressed "disappointment" at

not having his full senior management team in place, after 18 months in office (Zhao et al., 2015).

Interestingly, about 9 months after the council's rejection of Chan (June 2016), and without waiting for a new DVC to be named, the council appointed another internal candidate to be the PVC(ASR). Indeed, in January 2018, despite still not having found a new DVC, the HKU council appointed a replacement for VC Mathieson, who left HKU to take up the principal's post at the University of Edinburgh. The new VC, Prof. Xiang Zhang, was a very distinguished Chinese-American scholar with extraordinarily excellent academic and scientific achievements at University of California, Berkeley, where he had been the director of an important laboratory, managing about 900 research and administrative staff (HKU, 2017). In the history of HKU, he was the first VC to have been born and educated in mainland China, before going to the US for his doctoral education in 1989. At the moment of completing this book, HKU has not been able to recruit a new DVC and Prof. Tam continues to be the interim DVC.

The council's delaying tactic kept the appointment row in the media spotlight for so long and to such an extent that it significantly harmed the reputations of HKU, its council, and, in particular, Johannes Chan (2018), who admitted he and his family had been adversely affected by the relentless public attacks. While the council clearly had the authority to review and consider the selection committee's recommendation, its use of spurious and inconsistently applied criteria to reject Chan discredited HKU and its internal governance mechanisms.

To Participate in or Stay Away from Political Civic Engagement?

The fifth controversial issue concerns the implications of university students' and academics' political civic engagement for themselves and their institutions. Although there are many examples of transformative citizens (e.g., Yat-sen Sun in China, Martin Luther King Jr. in the US, and Nelson Mandela in South Africa) who have shown the cost of civic engagement and political activism, activist students and academics often underestimate the consequences of taking up leadership roles in large-scale movements.

As presented in Chaps. 4, 7 and 8, the 2010s witnessed Hongkongers' (particularly students' and young people's) awareness of and participation in civic engagement which, according to Ehrlich (2000), can be an important means of improving the quality of civic life in a community. They participated in the 2012 anti-national education movement and 2014's Occupy Central, strove for their freedoms and rights, and resisted the central government's increased control over Hong Kong. They believed their participation and collective action could help create a better future for Hong Kong, one in which students need not fear being brainwashed with biased facts and views about China, and in which citizens enjoyed greater democracy. After Occupy

Central, a number of university students, graduates, and other young people established youth political groups to pursue further not only the reforms they had failed to achieve during the protest but also to push for Hong Kong's ultimate independence. Their critics, including local and central authorities and pro-establishment forces, have criticized them for their wrong-headed tactics in the 2014 occupation, and for adopting unacceptable political goals in the post-2014 pro-independence campaign. The authorities started using any available means to prevent pro-independence advocates (e.g., HKBU student Agnes Chow) from running for political office, or taking office if elected (e.g., Nathan Law, who was an LU student when elected).

In the 2014 civil disobedience movement, two academics (Benny Tai from HKU and Kin-man Chan from CUHK) and many university students took collective action to violate, contest, and deconstruct existing laws and conventions in Hong Kong, as means of negotiation with the central and local governments to grant Hong Kong people universal suffrage. Similar to other fearless public intellectuals (Dallyn, Marinetto, & Cederström, 2015), they dared to challenge the inequality built into Hong Kong's political structure, and authorities' controlling the process and outcomes of political elections under the "one country, two systems" framework. Per Banks' (2008) typology of citizens, these radical students and/or academics can be classified as transformative citizens, as could the university students, graduates, and young professionals who formed localist youth political groups, started a public discussion about the nature of post-2047 Hong Kong, and explored the possibility of Hong Kong's independence from the Chinese government (Chaps. 7–8). On campus, students who advocate Hong Kong independence in students' union magazines, or who displayed pro-independence messages and banners are radical transformative citizens or public intellectuals, posting even a greater challenge to the central authorities and Hong Kong's political status quo.

However, one important concern for transformative citizens and courageous public intellectuals who challenge unjust power is the cost they have to pay. The first such cost involved legal consequences. For espousing the cause of Hong Kong independence, then-HKU student Edward Leung was convicted of rioting in the 2016 Mongkok Riot and was sentenced to 6 years' imprisonment. For their involvement in Occupy Central, Alex Chow, Nathan Law, and Lester Sum, three of the five HKFS representatives who held direct negotiation with government officials, were convicted of various illegal behaviors.

Finally, four years after Occupy Central (late 2018), the Occupy trio—academics Benny Tai and Kin-man Chan and a pastor—faced trial on three related charges: conspiracy to cause a public nuisance; inciting others to cause a public nuisance; and inciting people to incite others to cause a public nuisance. The last two charges were unprecedented in Hong Kong and were also levied against two former student leaders (Tommy Cheung and Eason Chung, a fourth student representative in negotiations with the government). The defendants had psychologically prepared themselves for imprisonment. In his closing submission to the court, Benny Tai (2018) expressed he did not regret initiating a civil disobedience campaign in the pursuit of justice and greater democracy in the political system, saying "I am not afraid or ashamed of going to prison." Similarly, Kin-man Chan applied for early retirement with effect

from 1 January 2019, so his imprisonment would not embarrass CUHK, his employer for 25 years, nor upset teaching arrangements for his students. At the time of writing, the trial had been completed, but the court has not yet rendered its decision.

Another type of cost was the severe public criticism and political bullying of both the activists and their universities. At the personal level, the Occupy Central trio (Benny Tai, Kin-man Chan, and one pastor) were frequently labeled by local pro-establishment media as "Occupy Central clowns" (*zhanzhong sanchou*), while state-run newspapers described the occupation as an act of terrorism (Yang, 2013) and called the trio "extremists" (Global Times Editor, 2014). In 2018, Tai faced new waves of political assaults by pro-establishment forces and media for his speech in Taiwan, exploring the possibility of China becoming a democratic country and Hong Kong one of its independent states. This sort of public criticism and condemnation can be extended to parties related to the activists, particularly colleagues. Because Tai was a full-time staff member of HKU, its VC and law dean were criticized by pro-establishment forces and media for allowing him to initiate and organize the civil disobedience campaign.

At the institutional level, the social and political division arising from Occupy Central extended to universities. HKU suffered the most and was criticized as being a hotbed for Occupy Central. The scholarship of HKU (then led by VC Mathieson) and its law faculty (then led by Dean Johannes Chan) was questioned and criticized by a pro-establishment newspaper, which made use of leaked information from a confidential UGC report. All this showed HKU in a bad light to the Hong Kong public for over 2 years.

The third type of cost for civic engagement concerned the possible loss of institutional autonomy and academic freedom. Critics of transformative citizens or fearless public intellectuals create social and media pressure to affect university administration, and individual universities respond differently to such pressure. For example, the universities of Occupy Central organizers Benny Tai and Kin-man Chan were urged by pro-establishment forces to bar them from teaching students, or even dismiss them (Ming Pao Reporter, 2013); fortunately, both were tenured and thus difficult to dismiss without good cause, such as a criminal conviction—which might occur in their upcoming verdict. Instead, HKU's then-VC Lap-chee Tsui simply quietly talked to the university's law dean to ensure Tai's off-campus activities would not affect his duties at HKU (Chou, 2014). Instead of banning thousands of students from joining the occupation, university heads urged them to return to campus, or to safeguard their personal safety if they stayed at the occupation. The VCs of HKU and CUHK went to the scene to calm students down, and the VC of LU chaired a face-to-face meeting between students and official, to facilitate a rational discussion about political reform in Hong Kong. All this partly eased the tensions between students and the government, and forestalled any threats to university autonomy.

In contrast, in 2017, higher education institutions took highly visible action in response to the displaying of pro-independence messages and banners on campus by a very tiny minority of students. The heads of 10 higher education institutions issued an unprecedented, joint declaration expressing their universities' common political position of not supporting Hong Kong independence, and condemning any

pro-independence display as a breach of the law. It is unclear how much these university heads had been affected by external political pressure to ensure such a statement were made. It is clear the joint statement was made in a very tense political atmosphere, one in which pro-establishment groups and media urged universities to curb pro-independence activities on campus, pro-independence advocates sought to run for election as a first step toward independence, and, more important, state leaders had declared neither a divided China nor an independent Hong Kong would be tolerated. It is also clear the short, strong statement increased student resistance and made negotiating with them more difficult. In his university's September 2018 welcoming reception for new students, the president of CUHK Student Union, Owen Au (2018), challenged his university's contradictory position of proclaiming its political neutrality while condemning some students' political stance on Hong Kong independence. He encouraged his fellow students to resist this kind of "absurdity."

Unlike its response to Occupy Central, the Hong Kong government adopted a high-level approach to handling Tai's controversial speech in March 2018. Tai argued that his speech and writings about the futures of China and Hong Kong were academic works, and protected by academic freedom. However, the Hong Kong government strongly condemned Tai for his remarks on Hong Kong independence, and HKSARCE Carrie Lam exempted the topic of Hong Kong independence from the protection of academic freedom or even freedom of expression in society. Next, responding to a pro-establishment Legislative Council member (and UC Council member), the Education Bureau (2018) asked the RGC and HKU whether Tai's UGC-funded research projects and publications related to the promotion of Hong Kong independence, potentially infringing on individual academics' academic research freedom. The Education Bureau (2018) also clearly set the following red political red line regarding institutional autonomy and academic freedom in research and teaching in public higher education institutions:

> Our post-secondary institutions are obliged to ensure that nothing in contravention of the Basic Law would occur in any aspect of their operation, including that none of their platforms and resources will be abused to advocate 'Hong Kong independence' and promote such activities.

It remains to be seen whether the Hong Kong government's interventions against the Hong Kong independence movement in elections and on university campuses have chilling effects on freedom of expression and academic freedom. However, political red lines against the spread and infiltration of Hong Kong independence in higher education and society have been drawn, and are expected by the authorities to be observed. Therefore, it seems the safest way for Hong Kong-based academics—particularly those who do not hold foreign passports—to survive in Hong Kong academia is to stay inside their ivory tower, avoid researching politically sensitive topics, and only be public intellectuals when promoting or selling ideas that will not trigger the political nerves of the local and central authorities; otherwise, they risk political bullying or "retaliation," like Benny Tai and Johannes Chan.

Theoretical Framework for Public University Governance as a Political Exercise

There is no single model of nor approach to university governance that could fit all universities across the world. Numerous studies (e.g., Fraser & Taylor, 2016; Lorenz, 2012; Roberts, 2014; Shepherd, 2018) have examined the influences of the coupling of market principles and managerialism, or more specifically NPM, but fewer have focused on the relationship between politics and university governance. To supplement the extant literature, this study has examined the struggles of public universities in Hong Kong since their return to Chinese sovereignty in 1997. It has shown Hong Kong universities have had to cope with challenges on two main fronts—the trend toward the institutionalization of market and managerial principles and approaches in organizational governance, and changes in Hong Kong's domestic political ecology and relations with mainland China. This study supports Lo's (2017) view that the Hong Kong government needs to deal with not only the challenges of globalization but also local agendas and priorities.

Based on the experiences and struggles of Hong Kong higher education, this book advances the literature on state, market, higher education, and university governance by proposing a framework for understanding public university governance as a political exercise of leadership, contextualized in a changing multileveled (global, national, and local) world. Internally, universities are political institutions in which individuals or groups with different interests form different coalitions and engage in negotiation and competition for power and resources, and in which policies are used to address conflicts with different groups (Baldridge, 1971; Coman & Bonciu, 2015). Unlike private universities, public universities, as Lombardi et al. (2002) argued, are political entities designed to respond to their state's concerns and demands, and their university councils serve to regulate and monitor institutional performance on behalf of public constituencies, through authority devolved from the state. I argue that public universities are still important academic institutions for the creation, preservation, and dissemination of knowledge, but have become increasingly complex enterprises that respond to and are shaped by changing market needs and politics at the local community, national, and world levels. University governance is not static. It is situated in a changing multileveled context in which leadership is exercised by university council and senior management team through interactions with different actors at different levels. The purpose of leadership is to steer, direct, and coordinate university development and administration, and to mediate between the market, the government, and the university—more specifically, between internal university needs and external market and political demands. University governance approaches and structures can be changed in response to demands and challenges from the multileveled context over time.

As such, it would be in the university's best interests that its public governors and senior management possess adequate knowledge about the university and its multileveled context, and strong administrative experiences and astute political sensibility and skills for coping with the internal and external challenges to their univer-

sity, addressing changing market and government demands, and mediating conflicts between the university's governing body and its internal stakeholders, as well as between the university and external actors, particularly as regards public accountability, institutional autonomy, and academic freedom. This framework has five interrelated theoretical implications for understanding public university governance and enhancing the quality of public higher education in societies like Hong Kong.

Balancing Dual Governance Role of Public University Councils

The first theoretical implication is related to the nature and function of public university councils in states in which market imperatives and managerial practices are dominant in public higher education. Many states have used market-driven policies as political projects, and have developed higher education regulatory systems to maintain their knowledge-based economy (Mok, 2008). Funding is a useful means by which the state can affect the direction and scope of teaching and research in public universities, particularly those heavily reliant on public money for their daily operations. University councils have a dual role in governance in public higher education, serving both as government agencies monitoring and supervising university performance and quality, and as the university's highest governing board, charged with protecting its best interests, including its institutional autonomy and academic freedom. Which role have university councils more often played in their accommodation of and/or resistance to the institutionalization of market principles and managerialism in their universities? Academic discourse on this question is rare.

Market and managerial values and practices—such as competition, quality, performance, and accountability—are strongly upheld by higher education policy-makers, funding agencies, and university administrations and have been widely institutionalized in public higher educations and individual universities across the globe (Bessant, Robinson, & Ormerod, 2015; Peters, 2013; Triantafillou, 2017). The case of Hong Kong has demonstrated that the UGC is an agency of managerialism creating, consolidating, and reinforcing a regulatory regime in Hong Kong higher education, and that the use of fund-linked managerial measures is a double-edged sword (Chap. 3). As in other societies (Fielden, 2008), regulatory measures in Hong Kong have become both carrot and stick in helping universities strengthen their governance structure, enhance their transparency and public (i.e., government) accountability, and achieve a high position in international university league tables. However, the overuse or misuse of market principles and managerial practices has made universities and the academic profession suffer, in Hong Kong and in other societies (Lorenz, 2012, 2014; Macfarlane, 2017). Among these regulatory practices, the institutionalization of funding-linked, performance-based research assessment exercises is most detrimental to the balance between research and other university activities, and to academic staff's recruitment, career advancement, and working conditions.

Who should be blamed? Neoliberal forces are criticized for promoting hierarchical management, discouraging collegial organization, and de-professionalizing academic staff (Holmwood, 2017), and governments, funding agencies, and university administrations have been criticized for overpromoting managerialism and market imperatives and competition. However, what responsibility do university councils, as supreme government bodies, bear for the institutionalization of market and managerial values and measures in their public universities, and for the positive and negative consequences thereof? On the one hand, as trustees of public constituencies represented by the government, university councils have a primary responsibility to implement government policies and regulatory frameworks in their universities. Utilizing NPM measures promoted by governments, funding agencies, and external agencies (e.g., review panels with external members) is a convenient means of holding their university managers accountable. Moreover, it saves them the effort of devising their own monitoring and supervisory systems and reduces direct conflicts with their senior management teams, because they can use external review panels to force university managers to follow and/or comply with recommendations made in the review reports.

On the other hand, a university council's primary responsibility—as a supreme governing body with ultimate authority over university policy and affairs—should be to fight for their university's best interests (including university autonomy and academic freedom), and to create learning and working places in which students and staff can best achieve their university's mission and goals. While enjoying the benefits of market and managerial values and practices (e.g., more research grants and increased international status), university councils should also reconsider how well these values and practices reflect their university's mission statement and values, and assess the overall impacts of externally imposed performance-based and funded-linked measures on the university's staff, ecology, and culture. As in many other higher education systems, university councils addressing the negative consequences of market and managerial values and practices is virtually unheard of in Hong Kong, despite their primary responsibility, as the highest governing body, to rectify such situations. Compared to their senior management teams and staff, they are better positioned to play a more proactive, intermediary role in negotiations with government and funding agencies over issues arising from the excessive penetration of market forces, and from increasingly complex government regulatory measures for monitoring university performance and quality.

By nature, university councils' dual roles are more contradictory than complimentary. By design, university councils—particularly those with government-appointed council members and whose memberships are dominated by external members—have a stronger tendency to serve as government regulatory agents, than to defend the university's best interests; those interests are, however, subject to different interpretations and are largely defined by those who dominate the negotiations. In Hong Kong, this tendency is well reflected in university councils' reluctance to support the intervarsity campaign to abolish the HKSARCE's role as ex-officio chancellor of public universities (Chap. 6). Government-appointed council members have a vested interest in this issue, as

they are beneficiaries of the appointment system, making it is difficult for them to support a proposal aimed at limiting the power of the HKSARCE, who appointed them.

How university councils balance the best interests of both public constituencies (represented by the government) and their university (including staff and students) requires wisdom, extraordinary bravery, and sophisticated skills for negotiating with and mediating between their university, government, and funding agencies. Regulatory measures and mechanisms imposed on universities and staff are a necessary evil. Although Hong Kong universities are at a tipping point between an inter-institutional competition for limited resources and a synergistic collaboration combining their strengths (Lee, 2017a), the government and university councils can still make the regulatory regime a lesser evil. They can seek a reasonable positioning for their universities in the global hierarchy of higher education, based on their mission, values, and conditions. They can also seek a balance between the pursuit of competitiveness, quality, and excellence under market and managerial influences, and the creation of favorable and healthy working culture and conditions in which staff can make their best contributions and students can get the best from their teachers. The pursuit of excellence is endless, but university staff, like university governors and government officials, are humans with limited time and energy for their work. A coalition of university councils could have greater bargaining power than do individual councils in negotiations with governments and funding agencies over the negative consequences of overusing/misusing market/managerial values and practices to regulate institutional performance and pursue unreasonable standards of excellence and world university rankings. Such a coalition deserves further attention and research.

Revisiting the Role of Chancellor in Public University Governance

The second theoretical implication of understanding public university governance as a political exercise is related to the role and function of the chancellor in governing public universities in mammoth, increasingly complex higher education systems in the twenty-first century. Traditionally, chancellors have played an important role in bringing prestige to their universities, but their role in university governance has been ambiguous (O'Meara & Petzall, 2007). In practice, chancellors are not absolutely necessary; some British universities and the University of Copenhagen (Demark) have no chancellor. However, chancellors' existence in public universities has given rise to concerns about their potential to interfere in university affairs and to pose an external threat to university autonomy (Moodie & Eustace, 1974; O'Meara & Petzall, 2007; University Chancellors' Council & Universities Australia, 2011). The case of Hong Kong is no exception, and suggests having a chancellor who is either the head of government or government-appointed is not necessarily a net benefit to

public university governance; rather, it forces universities to watch for and guard against any potential or hidden political threat to university autonomy.

First, according to a review of HKU's university governance (RPUG, 2017), the current chancellorship system does not necessarily increase public accountability, particularly as universities are already under close scrutiny through market and managerial measures imposed by the UGC. In addition to fund allocation, the UGC has played an important role in steering the direction of public universities, and supervising and monitoring them using various rigorous NPM measures to audit their performance and quality in areas ranging from teaching and research to management and governance. Moreover, there is virtually no mechanism to hold HKSARCE accountable for his/her performance in and contributions to public university governance as chancellor.

Second, keeping the chancellorship system also means keeping its latent challenges to university autonomy. This is why, in many public higher education systems, precautionary measures have been taken to guard against such challenges, including electing the chancellor by convocation or university council and limiting him/her to a titular role. However, if the role of the chancellor is simply to perform symbolic tasks or represent the university on ceremonial occasions, the council chair or VC could also play that role and do an even better job because of having closer relationships with staff, students, alumni, and other stakeholders.

Moreover, having the head of government as chancellor could be a hidden conduit for political influence on university affairs. In the UK, although the Queen is the ceremonial head of state, the Queen-in-Council has the legal authority to approve changes—for example, in the Statutes of the University of Oxford (2016). The Queen-in-Council could refuse to approve any amendments to the Statues and still be acting with the Queen's authority, and the University of Oxford would have to respect and accept Her Majesty's decision. Similarly, in public higher education systems such as Hong Kong's, the chancellor is given the authority, enshrined in university ordinance, to appoint the council chair and external council members, approve changes in university ordinance and statues, and approve honorary doctorates. He/she can influence university governance and structure through political appointments and by voicing approval or disapproval. Expecting a chancellor to refrain from exercising his/her legal authority, lest it be perceived as interference in university governance, is against the spirit of the legal provisions underlying his/her position, as he/she has a legal obligation to perform his/her duties as stipulated in university ordinances. Moreover, except for trust, there is no guarantee a chancellor would exercise such self-restraint. Therefore, such an expectation is not only optimistic, it is idealistic.

In the case of Hong Kong, keeping the colonial system could have huge political implications for public university governance. The chancellor issue, as Chap. 6 examined, is further complicated by the HKSARCE's dual roles and China's (and, by extension, the CPC's) increasing political control over Hong Kong. During his term of office, HKSARCE C.Y. Leung showed Hong Kong people the chancellor is not limited to being merely a figurehead, but can exercise authority over certain areas of university affairs, per university ordinances, in the post-1997 era. He also raised Hong Kong people's concerns that the HKSARCE, as chancellor, has the authority to

appoint his/her political allies or delegates to state organs (such as NPC and CPPCC) to be chairs and external members of university councils.

Moreover, keeping the colonial chancellor system means keeping a back door through the Hong Kong government—and the CPC-led central authorities that increasingly control that government—can indirectly control university governance and intervene in university affairs for political reasons. Placing council members representing the political spectrum in Hong Kong is already a political considera- tion. Appointing a disproportionate number of pro-establishment and/or pro-Beijing external council members to university councils runs the risk of opening a potential conduit for external interference in university governance by the central government. As suggested by the student unions and staff associations of UGC-funded universi- ties (see Chap. 6), this back door could be closed by delinking the chancellorship from the HKSARCE, thus reducing the government's level of political and social control.

Reconsidering Independence and the Dominance of External Council Members

The third theoretical implication of interpreting public university governance as a political exercise in a multileveled political context is related to the hidden politi- cal interests and dominance of externally appointed members of public university councils. It is believed external council chairs and members appointed *ad personam* have no internal vested interests and are therefore able to objectively pursue the best interests of the university (Fielden, 2008; Saint & Lao, 2009). However, the 2014–2015 HKU appointment saga disputes the claimed independence of external members—particularly those affiliated with local or state organs—and highlights the power imbalance between external and internal members in university governance.

First, it is difficult to guarantee external members will act as independent, free, autonomous individuals, and not be influenced by the sectors they represent, the government that appoints them, and/or their own political views. One major purpose of incorporating external members into public university councils is to use their knowledge and expertise to help universities become more responsive to their external constituencies (Saint & Lao, 2009). Similarly, external members can also help their universities address external political needs and demands, thus becoming conduits for external vested interests' intrusion into university governance. In the case of HKU's appointment saga, because of a lack of concrete evidence, it is difficult to prove whether the HKU council's decisions to delay consideration of and ultimately reject Johannes Chan were made for political reasons, and to determine how greatly external council members were influenced by pro-establishment forces' anti-Chan smear campaign. It is even more difficult to show whether external members' political affiliations to the Hong Kong government and mainland state organs affected their deliberations.

However, it is obvious the HKU council's 1-year delay in making that decision gave pro-establishment forces and media time to intensify the political conflicts between Chan's supporters and critics, and to reinforce, particularly among pro-establishment forces, existing negative impressions of and views against Chan. Interestingly, the smear campaign abruptly stopped after Chan's rejection, strongly suggesting its sole purpose was to prevent his appointment, and not to identify existing personnel problems within HKU. After the September 2015 meeting, Council Chairman Edward Leong explained that the decision had been made in HKU's best interests, but then-VC Mathieson added that council members could have different definitions of what HKU's "best interests" were. Without specifying which events, Mathieson (2017) further commented, in his "farewell" message to staff and students, that "events at HKU have been politicized, sometimes cynically so, by those with vested interests." It would certainly not be a good example of university governance if council members have ulterior purpose in using tactics and making personnel decision to prevent a particular candidate from getting a senior management position.

Second, making external members a university council majority, despite being expected to improve councils' efficiency, transparency, and accountability (Bleiklie & Kogan, 2007; Trakman, 2008), deliberately constructs a power imbalance in the governance structure. Such an imbalance is a double-edge sword. On the one hand, it can help prevent internal members from running the institution with dictatorial powers and hold senior management accountable for internal decisions and actions. On the other hand, it can increase the risk of external interference in university affairs. In any parliament or organization, if one group or party dominates and stands united, decisions in its favor are common; public university councils are no exception. This can partly explain HKU's external council members' victory in the PVC appointment controversy, and the intervarsity campaign's failure to abolish the HKSARCE as chancellor, as most universities' councils were dominated by HKSARCE-appointed council chairs and external members.

Because a university's governance is connected to both its development and its autonomy (Barzelis, Mejere, & Saparniene, 2012), it is important to strike a good balance between ensuring accountability and transparency through external members, and preventing their being a conduit external vested interests'—particularly political interests'—interference with university autonomy. In societies like Hong Kong, such interference is less likely if external council members are nominated and appointed by the university council, rather than the government, and have no official affiliation with local or national authorities during their term service. Having an approximate numerical balance of external and internal members is of particular importance to universities that cannot freely choose, nominate, and appoint their chancellor and/or external members.

Professionalizing University Governors as Competent and Accountable Leaders

The fourth theoretical implication is the importance of professionalizing university governors to be competent leaders with adequate knowledge and skills for leading university development and mediating between various actors over competing priorities, agendas, and interests—including political ones—in an increasingly interconnected, multileveled context. While it is believed their expertise, skills, and experiences in various sectors can help improve the quality of university governance (Bruckmann, 2015; Stuart, 2017), external members have not necessarily mastered the history, development, and internal mechanisms and practices of the university they serve. In Hong Kong, this inadequacy was a concern during HKU's appointment saga, in which some council members lacked sufficient knowledge and correct information to make important decisions in accordance with due process and established mechanisms.

To address this problem, many universities in societies such as Australia and the UK provide short-term induction programs for new council members, with a view to familiarizing them with their university's basic information, history, and governance system. In Hong Kong, the 2015 UGC report revealed that, while some UGC-funded universities organized ad hoc induction activities, these were insufficient, because "new [council] members are often confused about their roles and responsibilities" and could get lost in the first few years (Newby, 2015, p. 20). It recommended that the UGC arrange briefings on governance issues in the wider context, and that UGC-funded universities adopt a consistent approach to the induction and professional development of their council members. In response, in January 2017, the UGC (2017) organized two briefing sessions for council members of the eight UGC-funded universities to explain the role of the UGC and provide a general picture of Hong Kong higher education. While the sessions' value remains to be seen, they are a good first step toward helping university governors become more professional, especially regarding university governance. Moreover, as reflected in the HKU's Faculty of Law's (2015) strong response to its council's rejecting its former dean as a senior management member, it is crucial that Hong Kong university governors' better understand their university's governance structure, established mechanisms and procedures, and history before making important decisions.

It is equally important that the public and government know how well and effectively councils govern universities on their behalf. The accountability of public university councils is arguably the weakest part of Hong Kong's university governance structure. It is a university council's fiduciary responsibility to ensure its staff are efficient, effective, and accountable by allowing the use of various performance indicators and mechanisms; however, should a council be publicly accountable for monitoring and supervising its university? In Hong Kong, except for posting members' attendance records and very brief summaries of meetings, public universities lack indicators and mechanisms to measure and assess councils' performance. It is also unclear to whom and how they can be held accountable when their leader-

ship and decisions severely damage their university's reputation. In the case of the PVC(ASR) appointment saga, HKU was shown in a bad light for over a year. It is unclear to the public whether HKU council has reviewed its performance in handling this politically sensitive personnel issue; however, it is reasonable for the public and HKU community to ask the HKU council whether the council chair and/or members should be held accountable for the governance crisis and the damage to HKU's reputation, and how the council could avoid similar sagas and improve its public accountability in future.

Although their service to the university is voluntary, council chairs and members should still be more accountable to the public than their VCs and senior management teams, because they are entrusted with supreme authority in leading and supervising a multibillion public institution, on behalf of the government and the public. Therefore, their university governance performance should be regularly assessed and used as a source of reference for council members' reappointment or "promotion" to council chairs. However, the idea of assessing university councils is under-developed and -researched; more studies are needed to examine the complexity and feasibility of holding university council chairs and council members accountable, and of developing reasonable performance indicators and appropriate mechanisms for doing so that would not scare them away from offering voluntary service and making contribution to public higher education.

Protecting Universities as a Stronghold of Public Democratic Sphere in Society

The fifth theoretical implication of explaining university governance as a political exercise is related to public universities' political role in protecting the public democratic sphere on campus and in society. Universities can be important intermediaries between the state and students (as citizens), by helping each to learn more about the other (Loss, 2012). Giroux (2006, 2016) stressed the importance of higher education functioning as a public democratic sphere, and of academics acting as public intellectuals by questioning authority to create a more democratic society, but found the reorganization of society and institutions increasingly determined by market forces had weakened those roles. The case of Hong Kong shows the government remains a strong political force causing the diminution of such a space in higher education and society. Activist students and academics can face political bullying and public criticism, legal penalties, and/or political threats to their academic freedom and their university's institutional autonomy from the authorities and pro-establishment forces. While censorship and self-censorship undermine the higher education power as a public democratic sphere, the mastery of political skills by students, academics, and university councils is key to the promotion and sustenance of such a sphere, within both public universities and society writ large.

Public universities have great responsibility to create and promote a public democratic sphere—both on campus and in society—in which rational and critical discussion is tolerated, appreciated, and protected. The public sphere is an interface between the state and civil society in which critical public debate over affairs of public interest is conducted through engagement in reasoned discussion, and therefore can become also "a sphere of criticism of the public authority" (Habermas, 1989, pp. 51, 52). This sphere is both a process and an institution, as it is "a space in which demands could be made and negotiated," including demands for the reform of public institutions and the democratization of society (Holmwood, 2017, p. 930). In the promotion of a public democratic sphere, higher education, as Newman (1886) argued in *The Idea of a University*, has two important functions—to build a better society by "raising the intellectual tone of society," "cultivating the public mind," "purifying the national taste," and "facilitating the exercise of power"; and to foster students to be independent thinkers by giving them a "clear conscious view of [their] own opinions and judgments" and guiding them "to see things as they are, to go right to the point, [and] to disentangle a skein of thought" (pp. 177–178). Students and academics are encouraged to promote the public sphere through their knowledge and expertise, and to engage the public in enhancing the civic quality of their community. In Hong Kong, students and academics are not isolated within an ivory tower. They can pursue different types of civic engagement to actualize their values and beliefs, including joining political groups or parties, participating as citizens in elections, or even acting as transformative citizens in civil disobedience activities.

However, the public democratic sphere in higher education and society is not without limits. Students and academics who act as transformative citizens or fearless public intellectuals and pursue a form of radical civic engagement that goes beyond existing laws and conventions, putting themselves and their institutions in fragile situations. In Hong Kong, the law has set limits on the public democratic sphere and any action or behavior violating those legal limits, such as physical violence in protest activities on campus and in society, should not be tolerated. The convictions of then-president of HKU Students' Union Billy Fung for disorderly conduct in besieging council meeting and of then-HKU student Edward Leung for participating in the Mongkok Riot have demonstrated that no matter how noble activists might deem their cause, the use of oral or physical violence in their civic engagement or protest activities is a poor means of attaining their goals.

Moreover, as Law (2017) argued, it is difficult for university staff to use academic freedom to argue for the protection of their civic engagement in politically sensitive issues, because such engagement is not part of their contractual duties. If they violate the law, they, like other people, bear the legal consequences of their actions and behaviors in civic engagement, as the two Hong Kong academics and former student leaders who involved in Occupy Central can attest. Because the authorities can use existing laws and make new laws to limit civil liberties, the explicit and hidden costs borne by academics and students who speak truth to power or express dissident views on politically sensitive issues or even cross a political red line are likely to increase, rather than decrease.

Moreover, critical discussion in the public democratic sphere can be limited by political red lines set by the authorities, as such red lines create differential treatments of views in the discussion of politically sensitive issues. In Hong Kong, one red line is related to the issue of Hong Kong independence. Any advocacy of Hong Kong independence has been severely criticized and condemned by state leaders, local government officials, and pro-establishment forces and media. Pro-independence activities—such as contesting Legislative Council seats and displaying pro-independence banners and slogans—are banned; expressing opinions against Hong Kong independence, however, is strongly encouraged in the territory. Critical debate in the public sphere needs to include rational discussion of both pro- and anti-independence views, particularly in university settings. Different views should be given a fair chance to be told, heard, discussed, and evaluated in a rational manner.

Public democratic spheres in higher education, society, and the world can be eroded by censorship and self-censorship. It is no secret that China requires foreign companies, business people, artists, and academic publishers to comply with its political positions—such as the One China principle—and punishes any noncompliance by banning them from its huge market. For example, fearing the loss of access to the mainland market, foreign airlines recently complied with Beijing's order that their global websites show Taiwan as a part of China (Chen, 2018). Recent academic cases include China's request that some global publishers block people from accessing articles it deemed politically sensitive through their portals in mainland China (Bland, 2017; Cambridge University Press, 2017). In Hong Kong, artists who showed public support for and/or participated in Occupy Central, such as Cantonese-pop singer Denise Ho, were "punished" by not being allowed to perform in mainland China, and sponsors who did business on the mainland were pressured into withdrawing their sponsorships (Kao, 2016).

Although self-censorship is a safe way to avoid trespassing political red lines, it greatly reduces the space and authority of the public democratic sphere. In Hong Kong, self-censorship is not a new practice; for example, government officials are still unwilling to comment on the Tiananmen Square Incident in Beijing, nearly 30 years after it happened. Similarly, one of the Occupy Central trio, Kin-man Chan, resigned his directorship of a research center at CUHK, lest his involvement in Occupy Central affect the center's research collaborations in mainland China (Law, 2017). Similar to academics in mainland China (Du, 2018), Hong Kong-based academics—particularly those with academic activities and/or research collaborations in mainland China—know well to avoid commenting in public on issues deemed politically sensitive, as do foreign academics and publishers who want to tap China's academic and publishing markets (Law, 2017). Some Hong Kong-based academics have admitted to "self-censorship" and to being afraid to speak up for their colleagues, lest they lose their jobs (Tierney, 2018).

Despite these threats, higher education in any society should be protected as a public democratic sphere at all costs, within the limits of the law, although those are defined more by the government than by its people. One way to protect it is to equip students, university heads, and university governors with good political skills for coping with politically sensitive issues, both in negotiation among themselves and in

interactions with authorities and different fronts in society. In Hong Kong, students won popular support for engaging in rational negotiations with top government officials during the Occupy Central period, and for using rational ways (such as leaflets and polls) to convince the public that keeping the HKSARCE as ex-officio chancellor could threaten the institutional autonomy of public universities. When students turned to use oral and physical intimidation and violence, they lost the moral high ground and received severe public criticism, which critics used to challenge them further.

Compared to students and staff, university governors and senior management members, as those in authority, should have greater responsibility to protect and nourish the public democratic space, both in their university and in society, in which the government, teachers, and students can engage in rational and critical debate, both on matters of general interest and on politically sensitive issues. Therefore, it is important that university governors and senior management members possess good political skills for negotiating with other stakeholders, particularly in societies that are politically divisive and marked by on- and off-campus activism. In Hong Kong, when faced with the issue of Hong Kong independence on campus, university heads bowed to pressure, made a joint statement supporting the government's position, and removed "illegal" pro-independence banners and messages. However, if they truly felt students had broken the law, their proper course would have been to let the government and the legal system handle it, instead of giving the public the impression they were censoring students' action or behaviors.

HKU's appointment saga further revealed that a lack of sophisticated political skills can push a university deeper into a governance crisis. University governors' and heads' responses to such student actions as blockading or storming council meetings were far from satisfactory. For example, immediately following the January 2016 siege in which HKU students demanded the university review its governance structure, Chairman Arthur Li provocatively accused students of being manipulated, having their minds poisoned by the pro-democratic camp, and behaving as if they were on drugs (Zhao, 2016). Li was criticized by some of his fellow council members for going too far, making claims not based on facts, and possibly worsening the council's relationship with students. Despite his wealth of administrative experience in higher education, Li "can be very rude and blunt" (Lo, 2019). Although Li had (and has) freedom of expression, his unnecessary remarks could give the public a bad impression of the quality of HKU's university governance. All this suggests university governors and senior management members, like their students, need to have good (or even better) political wisdom and skills to cope with intramural conflicts, guard against political interference with university autonomy and academic freedom, and protect higher education as a public democratic sphere.

Closing Words

Similar to higher education in countries such as the United States (Mattingly, 2017), Hong Kong's public higher education has been shaped and driven by different forces and values at multiple (local, national, and global) contextual levels and has had to respond to different specific institutional problems and social issues at various times. Like their counterparts elsewhere in the world, Hong Kong's public universities have faced the challenges of market forces and the institutionalization of regulatory governance and management models. For the near future, these challenges will persist in Hong Kong. It is more likely the UGC will continue to be an important agency of managerialism and NPM forces, reinforcing the implementation of market principles/practices and corporate governance to direct and supervise public universities, strengthening fund-linked regulatory measures to monitor and assess their institutional performance and rewarding or penalizing them accordingly, and utilizing more empowered councils to place internal pressure on senior management teams and staff to comply with the UGC's policy and agenda. This does not necessarily mean individual universities will be totally controlled by the UGC; they can still have their own plans and development goals for raising their competitiveness and status at home and in the world and retain a high degree of institutional autonomy in internal affairs, within the regulatory regime established by the UGC.

Unlike in societies like Australia, Britain, and the US, the governance and management of public universities in post-1997 Hong Kong is further complicated by changing domestic politics and tense local–central relations under the "one country, two systems" framework and the strong state authority of China. These tense relations will not disappear quickly or easily, and public higher education is likely to continue to be situated in a political context marked by challenges to Hong Kong's core values and foundations (including freedoms and the rule of law), increased political control by the central government, and growth in many young people's resistance to close integration with mainland China, but determination to strive for greater democracy without political screening and even independence. Universities are more likely to continue to be major suppliers of critical thinkers and political activists, and to become important battlefields in the power struggles between students and the authorities over Hong Kong's political future, particularly its post-2047 status. This will be a new test for public universities' ability, as a public democratic sphere, to tolerate and promote rational, critical discussion of issues deemed politically sensitive by the central authorities.

Hong Kong universities are likely to be increasingly vigilant that their governance and management does not violate China's political positions nor cross any political red lines. For example, the 2017 joint statement issued by 10 university heads condemning the display of Hong Kong independence messages on campus (see Chap. 7) was seen by pro-establishment forces as a strong show of support for China's principle of territorial integrity. Moreover, to indicate their support of the One China principle, it is not uncommon for Hong Kong universities to delete the word "National" from the resumes of visiting scholars serving or educated in

Taiwanese universities (e.g., National Taiwan University), much as does the Hong Kong government itself (see Chap. 2). For example, in early January 2019, HKUST (2019a) appointed Prof. Lionel Ni, who had earned his Bachelor's degree at National Taiwan University in 1973, as provost. When Ni served as a dean and special assistant to the VC of HKUST, the full title of National Taiwan University was used in the description of his academic background; however, both the Chinese and English versions of HKUST's 2019 press release on Ni's provost appointment mentioned Ni had graduated from "Taiwan University," removing the word "National" from the university title. Earlier, HKUST (2018, 2019b) had "denationalized" National Tsing Hua University in Taiwan, from which its new VC, Prof. Wei Shyy, had received his Bachelor's degree in 1977, in his official biography and the January 2018 press release on his appointment. Similarly, in its report on a sports exchange visit led by VC Way Kuo to Taiwan, CityU (2018) "denationalized" Taiwan's National Chiao Tung University by removing the word "National" from the latter's full title, while keeping the "N" in its acronym (NCTU). However, VC Kuo's Chinese and English biography pages on the CityU (2019) website still show the full title of National Tsing Hua University in Taiwan, from which he received his Bachelor's degree in 1972; it remains to be seen whether CityU will follow HKUST's footsteps by politically cleansing Kuo's official biography.

Moreover, the colonial governance structure of public universities and the dominance of external council members in the managerial model of governance are less likely to be dismantled in the near future, as it enables the Hong Kong government and central authorities to control universities through the HKSARCE (who is "politically screened" and appointed by the CPC-led central government) and HKSARCE-appointed university council chairs and council members. Public universities will rely on the HKSARCE's self-restraint not to meddle in university affairs, despite having legal authority as chancellor to do so. It is also less likely that all council chairs will concurrently be delegates of state organs (NPC or CPPCC), as that might be seen as equivalent to appointing university party secretaries, and invite severe public criticism; however, the current university governance system does not rule out this possibility.

Despite national leaders' promise of unswervingly adherence to the principle of "one country, two systems," it is reasonable to explore the political future of Hong Kong higher education under China's rule, particularly after 2047; will Hong Kong universities someday have university party (CPC) secretaries and political organs on campus, as mainland counterparts such as Peking University and Tsinghua University have had since the 1950s? Many Hong Kong people, academics, and students do not want this to happen, but no one can predict whether it will or will not. If it does, however, it should not be a big surprise to Hong Kong and the international community. If it wishes, the CPC has the ability to remake Hong Kong higher education, just as it has had the ability to integrate higher education and politics and exercise tight political control over all universities and colleges across mainland China for nearly seven decades. The CPC-dominated central government can rationalize the integration of politics and higher education in Hong Kong by emphasizing its concerns for national sovereignty and security, highlighting the precedence of the principle of

one country over the principle of two systems, and requiring the VCs of Hong Kong universities to be Chinese citizens without foreign passports, just as is required of their mainland counterparts under China's Higher Education Law (NPCSC, 2015). In other words, the future of Hong Kong universities and their governance depends not only on their changing institutional needs in response to increasing competition between universities for talents, excellence, and innovation in changing global contexts, but also on the future of the CPC in China and its attitudes and approaches to handling local–central relations and managing Hong Kong affairs, especially those related to state sovereignty and security and Hong Kong independence.

Although the experiences and challenges of Hong Kong's public higher education system are not unique in the world, they have raised important concerns about university governance other public higher education systems might wish to consider, including the need: to balance public university councils' role as implementers of externally imposed regulatory policies and mechanisms, with their need to defend university autonomy to create the best environment for students and staff; to reconsider the necessity of keeping a chancellor whose function is largely ceremonial, but who has authority to interfere with university autonomy; to rethink the proportion of external and internal members on public university boards; to ensure university governors are professionally competent in university governance and accountable for their actions; and to preserve universities as a public democratic space in the face of challenges from the pervasive, perhaps even pernicious penetration of market forces and changing political contexts. Because models of and approaches to university governance vary between universities and with changing multileveled contexts in which they are situated, the importance of these concerns and the ways to address them will naturally differ. However, it is clear that, unlike corporate governance, the governance of public universities is a political exercise involving complicated interactions among various actors competing in a multileveled context to serve the best interests of their universities, and of the local, national, and/or global communities they serve.

References

Au, O. (2018, September 3). *Daxue Zhidao Shizhi Buyi* [The Dao of University: Unwavering determination]. Retrieved from https://zh-hk.facebook.com/CUHK.SU/posts/2009401419122257.

Baldridge, J. V. (1971). *Models of university governance: Bureaucratic, collegial, and political.* Stanford, CA: Stanford University.

Banks, J. A. (2008). Diversity, group identity, and citizenship education in a global age. *Educational Researcher, 37*(3), 129–139.

Barzelis, A., Mejere, O., & Saparniene, D. (2012). University governance models: The case of Lapland University. *Journal of Young Scientists, 35*(2), 90–102.

Bessant, S. E. F., Robinson, Z. P., & Ormerod, R. M. (2015). Neoliberalism, new public management and the sustainable development agenda of higher education: History, contradictions and synergies. *Environmental Education Research, 21*(3), 417–432. https://doi.org/10.1080/13504622.2014.993933.

Bland, B. (2017, November 1). Outcry as latest global publisher bows to China censors. *Financial Times*. Retrieved from https://www.ft.com/content/2d195ffc-be2e-11e7-b8a3-38a6e068f464.

Bleiklie, I., & Kogan, M. (2007). Organisation and governance of universities. *Higher Education Policy, 20*(4), 477–493.

Bruckmann, S. (2015). Shifting boundaries in universities' governance models. In E. Primeri, & E. Reale (Eds.), *The transformation of university institutional and organizational boundaries* (pp. 163–184). Rotterdam: Springer.

Cambridge University Press. (2017, August 17). *Statement regarding content in the China Quarterly*. Retrieved from http://www.cambridge.org/about-us/media/press-releases/cambridge-university-press-statement-regarding-content-china-quarterly/.

Chan, D., & Lo, W. (2011). Running universities as enterprises: University governance changes in Hong Kong. *Asia Pacific Journal of Education, 27*(3), 305–322.

Chan, J. M. M. (2018). *Paths of justice*. Hong Kong: Hong Kong University Press.

Chen, S. (2018, May 27). Beijing gives airlines more time to comply with 'One-China' rule on Taiwan, Hong Kong, Macau. *South China Morning Post,* p. 6.

Cheung, T., So, P., Cheung, G., Ng, J., Ng, T., & Wan, A. (2014, October 30). Liberal leader defiant as he resigns. *South China Morning Post,* p. A3.

Chinese People's Political Consultative Conference. (2017, June 29). *Dishierjie Quanguo Weiyuan-hui Weiyuan Mingdan* [List of the 12th National Committee Members, 2012–2018]. Retrieved from http://www.cppcc.gov.cn/zxww/2014/02/27/ARTI1393487184783942.shtml.

Chou, O. (2014, March 19). Outgoing HKU Chief Tsui Lap-chee says academic freedom crucial. *South China Morning Post.* Retrieved from http://www.scmp.com/news/hong-kong/article/1451488/academic-freedom-crucial-teachers-hkus-outgoing-vice-chancellor-says.

Chung, C. M. (2014, November 26). *Chuansheng Gangda Fuxiaozhang Chen Wenmin Shou Zhiyi* [Johannes Chan who was tipped to be a vice-president of the University of Hong Kong was questioned]. *Wenweipo* [Wenwei News], p. A08.

City University of Hong Kong. (2018, December 28). *CityU president leads teams to Taiwan on sports exchange visit*. Retrieved from https://newscentre.cityu.edu.hk/media/news/2018/12/28/cityu-president-leads-teams-taiwan-sports-exchange-visit.

City University of Hong Kong. (2019). *Professor Way Kuo*. Retrieved from http://www6.cityu.edu.hk/op/bio_en.htm.

Coman, A., & Bonciu, C. (2015). Universities as political institutions. *Mediterranean Journal of Social Sciences, 6*(2), 9–17.

Dallyn, S., Marinetto, M., & Cederström, C. (2015). The academic as public intellectual: Examining public engagement in the professionalised academy. *Sociology, 49*(6), 1031–1046.

Du, X. (2018). Role split phenomenon of academic staff in Chinese higher education: A case study of Fudan University. *Higher Education, 75*(6), 997–1013.

Education Bureau. (2015). *Role of chancellor and composition of councils of University Grants Committee-funded institutions.* Hong Kong: Education Bureau.

Education Bureau. (2018, May 16). *LCQ5: Issues relating to the promotion of "Hong Kong Independence"*. Retrieved from http://www.info.gov.hk/gia/general/201805/16/P2018051600529.htm.

Ehrlich, T. (2000). Preface. In T. Ehrlich (Ed.), *Civic responsibility and higher education* (pp. v–x). Westport, CT: Oryx Press.

Faculty of Law, The University of Hong Kong. (2015, October 4). *Press statement on 4 October 2015*. Retrieved from http://www.law.hku.hk/faculty/statement.php.

Fielden, J. (2008). *Global trends in university governance*. Washington, D. C.: World Bank.

Fish, S. (2014). *Versions of academic freedom: From professionalism to revolution*. Chicago: University of Chicago Press.

Fong, B. C. H. (2014). The partnership between the Chinese government and Hong Kong's capitalist class: Implications for HKSAR governance, 1997–2012. *The China Quarterly, 217,* 195–220.

Fraser, H., & Taylor, N. (2016). *Neoliberalization, universities and the public intellectual*. UK: Palgrave Macmillan.

Giroux, H. A. (2006). Higher education under siege: Implications for public intellectuals. *Thought & Action* (Fall), 63–78.

Giroux, H. A. (2016). Writing the public good back into education: Reclaiming the role of the public intellectual. In J. R. D. Leo & P. Hitchcock (Eds.), *The new public intellectual: Politics, theory, and the public sphere* (pp. 3–28). New York, NY: Palgrave Macmillan.

Global Times Editor. (2014, June 30). Gao Qiyi Dayouxing Bu Fuhe Xianggang Liyi [Organizing large-scale demonstration on 1 July: Not in the interests of Hong Kong]. *Huanqiu Shibao [Global Times]*. Retrieved from http://opinion.huanqiu.com/editorial/2014-06/5039751.html.

Habermas, J. (1989). *The Structural transformation of the public sphere: An inquiry into a category of bourgeois society*. Cambridge: Polity Press.

Holmwood, J. (2017). The university, democracy and the public sphere. *British Journal of Sociology of Education, 38*(7), 927–942.

Hong Kong Federation of Students. (2016a). *Jiu Feichu Teshou Biran Danren Xiaojian Ji Gaige Xiaodonghui Zucheng Zhi Yijianshu* [Suggestions on the abolition of the chief executive as the chancellor by default and the reform of university council composition]. Hong Kong: Hong Kong Federation of Students.

Hong Kong Federation of Students. (2016b). *Referendum on institutional autonomy Q&A*. Hong Kong: Hong Kong Federation of Students.

Hong Kong University of Science and Technology. (2018, January 18). *HKUST appoints Prof Wei Shyy as fourth president*. Retrieved from https://www.ust.hk/about-hkust/media-relations/press-releases/hkust-appoints-prof-wei-shyy-fourth-president/.

Hong Kong University of Science and Technology. (2019a, January 8). *HKUST appoints Prof. Lionel Ni as Provost*. Retrieved from https://www.ust.hk/about-hkust/media-relations/press-releases/hkust-appoints-prof-lionel-ni-provost/.

Hong Kong University of Science and Technology. (2019b). *Professor Wei Shyy*. Retrieved from https://www.ust.hk/president/.

Kao, E. (2016, June 20). Other brands have dumped me, Ho says. *South China Morning Post,* p C1.

Kretek, P., Dragšić, Ž., & Kehm, B. (2013). Transformation of university governance: On the role of university board members. *Higher Education, 65*(1), 39–58.

Lanford, M. (2016). Perceptions of higher education reform in Hong Kong: A glocalisation perspective. *International Journal of Comparative Education and Development, 18*(3), 184–204. https://doi.org/10.1108/IJCED-04-2016-0007.

Lau, S. (2015, November 26). Fourth leak from University of Hong Kong council meetings shows president supported liberal scholar's bid for post. *South China Morning Post*. Retrieved from http://www.scmp.com/news/hong-kong/education-community/article/1883389/fourth-leak-university-hong-kong-council-meetings.

Law, W.-W. (2017). Higher education in post-1997 Hong Kong: Politics, academic freedom, and civic engagement. In G. Postiglione & J. Jung (Eds.), *The changing academic profession in Hong Kong* (pp. 39–75). Cham, Switzerland: Springer.

Lee, M. H. (2017a). Excellence without a soul?: Higher education in post-1997 Hong Kong. In K. C. Tse & M. H. Lee (Eds.), *Making sense of education in post-handover Hong Kong: Achievements and challenges* (pp. 215–231). London: Routledge.

Lee, M. H. (2017b). Managerialism and the academic profession in Hong Kong. In G. Postiglione & J. Jung (Eds.), *The changing academic profession in Hong Kong* (pp. 201–213). Cham, Switzerland: Springer.

Legislative Council. (2016). *Minutes of meeting held on Monday, 11 January 2016*. Hong Kong: Education Bureau.

Lo, A. (2019, January 10). Respect required in university changes. *South China Morning Post,* p. A2.

Lo, W. Y. W. (2017). The recalibration of neoliberalisation: Repoliticising higher education policy in Hong Kong. *Higher Education, 73*(5), 759–773.

Lombardi, J. V., Craig, D. D., Capaldi, E. D., & Gater, D. S. (2002). *University organization, governance, and competitiveness*. Amherst, MA: The Center for Measuring University Performance.

Lorenz, C. (2012). If you're so smart, why are you under surveillance? Universities, neoliberalism, and new public management. *Critical Inquiry, 38*(2), 599–629.

Lorenz, C. (2014). Fixing the facts: The rise of new public management, the metrification of "Quality" and the fall of the academic professions. *Moving the Social: Journal of Social History and the History of Social Movements, 52,* 5–26.

Loss, C. P. (2012). *Between citizens and the state: The politics of American higher education in the 20th century*. Princeton, NJ: Princeton University Press.

Macfarlane, B. (2017). Publication and performativity. In G. Postiglione & J. Jung (Eds.), *The changing academic profession in Hong Kong* (pp. 97–108). Cham, Switzerland: Springer.

Mathieson, P. (2017). *2017 end-of-year message*. Hong Kong: University of Hong Kong.

Mattingly, P. H. (2017). *American academic cultures: A history of higher education*. Chicago: University of Chicago Press.

Ming Pao Reporter. (2013, August 8). Zhi Zhanzhong Zu Jiaoxue Gangda Jiazhang Tousu Dai Yaoting [Parents of Hong Kong University students complain Yiu-ting Dai whether his involvement in the occupy central movement affects his teaching]. *Ming Pao* [Ming Pao News], p. A4.

Mok, K. H. (2008). Varieties of regulatory regimes in Asia: The liberalization of the higher education market and changing governance in Hong Kong. *Singapore and Malaysia. Pacific Review, 21*(2), 147–170.

Mok, K. H. (2014). Enhancing quality of higher education for world-class status: Approaches, strategies, and challenges for Hong Kong. *Chinese Education & Society, 47*(1), 44–64.

Mok, K. H., & Cheung, A. B. L. (2011). Global aspirations and strategising for world-class status: New form of politics in higher education governance in Hong Kong. *Journal of Higher Education Policy and Management, 33*(3), 231–251.

Moodie, G., & Eustace, R. (1974). *Power and authority in British universities*. London: George Allen & Unwin.

National People's Congress. (2014). *Xianggang Daibaiotuan Daibao Mingdan* [List of the Hong Kong delegates to the 12th National People's Congress, 2012–2018]. Retrieved from http://www.npc.gov.cn/delegate/dbmd.action?id=d5.

National People's Congress Standing Committee. (2015). *Zhonghua Renmin Gongheguo Gaodeng Jiaoyufa* [The higher education law of the People's Republic of China (Revised)]. Beijing: China Law Publishing House.

Newby, H. (2015). *Governance in UGC-funded higher education institutions in Hong Kong*. Hong Kong: University Grants Committee.

Newman, J. H. (1886). *The idea of a university* (6th ed.). London: Longmans.

Neyland, D., & Milyaeva, S. (2017). *The challenges of research assessment: A qualitative analysis of REF2014*. London: Goldsmiths College.

O'Meara, B., & Petzall, S. (2007). How important is the role of the chancellor in the appointment of Australian vice-chancellors and university governance? *International Journal of Educational Management, 21*(3), 213–231.

Peking University. (2014). *Beijing Daxue Zhangcheng [The charter of Peking University]*. Beijing: Peking University.

Peters, M. A. (2013). Managerialism and the neoliberal university: Prospects for new forms of 'open management' in higher education. *Psychosociological Issues in Human Resource Management, 1*(1), 15–30.

Research Excellence Framework. (2014). *REF 2014 key facts*. London: Higher Education Funding Council for England.

Research Excellence Framework. (2015). *REF manager's report*. London: Higher Education Funding Council for England.

Research Excellence Framework. (2018). *REF 2021: Decisions on Staff and Outputs*. London: Research Excellence Framework.

Review Panel on University Governance. (2017). *The report of the review panel on university governance*. Hong Kong: University of Hong Kong.

Roberts, J. M. (2014). *New media and public activism: Neoliberalism, the state and radical protest in the public sphere*. Chicago: Policy Press.

Saint, W., & Lao, C. (2009). *Legal frameworks for tertiary education in sub-saharan Africa: The quest for institutional responsiveness*. Washington, D. C.: World Bank.

Shepherd, S. (2018). Managerialism: An ideal type. *Studies in Higher Education, 43*(9), 1668–1678.

Stuart, D. (2017, March 1). University challenge. *Australian Institute of Company Directors Magazine*. Retrieved from http://aicd.companydirectors.com.au/membership/company-director-magazine/2017-back-editions/march/university-challenge.

Tai, Y. T. (2018, December 12). *Closing submission of Tai Yiu-ting (D1)*. Retrieved from https://www.facebook.com/BennyTaiHK/posts/1009265205933907.

Tierney, W. (2018, December 5). Academic freedom goes on trial in Hong Kong. *University World News.* Retrieved from http://www.universityworldnews.com/article.php?story=2018120706510564.

Trakman, L. (2008). Modelling university governance. *Higher Education Quarterly, 62*(1–2), 63–83.

Triantafillou, P. (2017). *Neoliberal power and public management reforms*. Manchester: Manchester University Press.

University and College Union. (2013). *The research excellence framework (REF): UCU survey report*. London: University and College Union.

University Chancellors' Council, & Universities Australia. (2011). Voluntary code of best practice for the governance of Australian Universities.

University Chancellors Council. (2017). *University governance in Australia*. Australia: University Chancellors Council.

University Grants Committee. (2000). *Research Assessment Exercise 1999 - Local universities achieve remarkable research results*. Hong Kong: University Grants Committee.

University Grants Committee. (2007). *Excellent results from the research assessment exercise 2006*. Hong Kong: University Grants Committee.

University Grants Committee. (2013). *"3 + 3 + 4" - Nurturing our talents (Annual Report 2012–13)*. Hong Kong: University Grants Committee.

University Grants Committee. (2016). *50th anniversary album*. Hong Kong: University Grants Committee.

University Grants Committee. (2017). *Annual report 2016–17*. Hong Kong: University Grants Committee.

University Grants Committee. (2018). *Research assessment exercise 2010 - guidance notes*. Hong Kong: University Grants Committee.

University of Hong Kong. (2013). *Promotion and tenue panel*. Hong Kong: University of Hong Kong.

University of Hong Kong. (2016). *University selection and promotion committee*. Hong Kong: University of Hong Kong.

University of Hong Kong. (2017, December 15). *The University of Hong Kong appoints Professor Xiang Zhang as the 16th vice-chancellor*. Retrieved from https://www.hku.hk/press/news_detail_17263.html.

University of Hong Kong. (2018). *Provost and deputy Vice-Chancellor: Professor Paul K H Tam*. Retrieved from https://presidentoffice.hku.hk/smt/dvc.html.

University of Hong Kong Concern Groups. (2016). *Daxue Buyao Dangwei Shuji: Hanwei Yuanxiao Zizhu Da Youxing Lianhe Shengming* [Joint declaration on rally for defending institutional autonomy: No party secretaries in universities]. Hong Kong: University of Hong Kong Concern Groups.

University of Hong Kong Council. (2014). *Summary of matters dealt by the council (24 June)*. Hong Kong: University of Hong Kong.

University of Oxford. (2016). *University statutes and regulations*. Oxford: University of Oxford.

Vrielink, J., Lemmens, P., & Parmentier, S. (2013). *Academic freedom as a fundamental right*. Leuven: League of European Research Universities.

Wenweipo Editorial. (2016, January 12). Jianchi Xingzhi Youxiao De Teshou Xiaojianzhi [To persist in the effective system of chief executive as ex-officio chancellor]. *Wenweipo* [Wenwei News], p. A3. Retrieved from http://paper.wenweipo.com/2016/03/21/WW1603210001.htm.

Wong, W. K. (2014). Reflecting upon the research assessment exercise in Hong Kong: A cultural economy's perspective. *Cultural Studies@Lingnan, 38*(1). http://commons.ln.edu.hk/mcsln/vol38/iss1/5/.

Yang, S. (2013, May 31). 'Occupy' Disrupts social order. *China Daily (HK Edition),* p. 9.

Zhao, S. (2016, January 30). HKU Chief Arthur Li's provocative Drug Slur against students will not help relations, say fellow council members. *South China Morning Post,* p. C2.

Zhao, S., Ng, J., & Chan, G. (2015, September 30). HKU council votes 12–8 Against Johannes Chan. *South China Morning Post,* p. A1.

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