

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 FCCCHK 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 sensitive 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.

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