Police Officer in Hong Kong. PC: (CC) @yeahayah, Flickr.com.

The Annihilation of Hong Kong's Civil Society

Implications and Weaknesses

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Since the passage of the National Security Law in July 2020, a relentless purge has been going on in Hong Kong, targeting political opposition parties, large and small trade unions, student associations, nongovernmental organisations, churches and their affiliates, and media. This essay takes stock of the implications of this crackdown for civil society in both Hong Kong and mainland China and looks into the tactics employed by Hong Kong political activists to cope with the changed reality.

A great purge has been going on in Hong Kong. At the time of writing in November 2021, 153 people have been prosecuted under Hong Kong's National Security Law (NSL), which was imposed by Beijing in July 2020 (Stand News 2021d). The threat from Beijing has prompted many organisations to disband. Between January and the end of September 2021, 49 civil society organisations chose to shut in the face of intimidation or potential repression. This included political opposition parties, large and small trade unions, student associations, nongovernmental organisations, churches and their affiliates, and media. Among the most notable turn of events, on 11 September, the Professional Teachers' Union (PTU), the largest teachers' union in Hong Kong with around 90,000 members, voted to disband. Less than one month later, on 3 October, the Hong

Kong Confederation of Trade Unions (HKCTU), the largest independent trade union confederation in the city, followed in their footsteps, putting an end to a grassroots movement that had lasted more than three decades. If a ‘free-market’ Hong Kong with its inequalities and social injustices was still worth defending by the working people there, it was because the city was also home to a variety of vibrant local social movements, even if they were still in their infancy. In just one year, however, this public space was destroyed.

It Is Not Just about Hong Kong

The present crackdown is meant to be not only a relentless purge to crush civil society, but also a cultural purge to control the thought and the soul of the Hong Kong people. In this sense, it is not surprising that the Hong Kong Government—after making civil servants pledge an oath of loyalty—is now trying to make teachers do the same thing (Cheng 2021). This is on top of its long-time policy of trying to replace Cantonese as the teaching medium for the subject of Chinese language with Mandarin; since Cantonese is an integral part of many Hongkongers’ cultural identity, some see this change as an attempt to assimilate Hongkongers into the mainland Chinese cultural milieu. While Hong Kong artists and curators used to have the freedom to create, the cultural sector now suddenly finds itself at the mercy of censorship and harassment, to the extent that even viewing documentaries about the 2019 revolt is a punishable offence.

However, what is often overlooked in most commentary is that this great purge is not just about Hong Kong. The intertwining of Hong Kong and mainland civil society suggests that what happens in the city also has deep ramifications for grassroots organising and activism in the rest of the country. The latest casualty was the Hong Kong Alliance in Support of Patriotic Democratic Movements of China (hereinafter HKA), a pro-democracy civil society group most hated by Beijing for its continuous support of the mainland democracy movement. For more than three decades, the

HKA held a June Fourth memorial in Hong Kong—the only place in China where it was possible to commemorate the tragic Tiananmen crackdown, until 2020, when the memorial was banned. This was followed by harassment of the HKA’s leaders by the authorities, until the alliance was forced to disband on 25 September 2021.

While the disbandment of the HKA attracted attention from mainstream media, the public has been less aware of a specific sector of Hong Kong’s civil society that has been shrinking over the past couple of years. This sector comprises Hong Kong organisations that have been supporting China’s civil society—from lending a hand to persecuted mainland lawyers to supporting labour activism. They were among the first victims of Beijing’s crackdown, but since they tend to maintain a low profile in their activities, their plight usually goes underreported. For three decades, such Hong Kong groups (self-help groups, networks, and NGOs covering a wide spectrum of areas from the environment and labour to gender and community engagement) have been crucial in bringing the practices of civil self-organisation to the mainland.

I am most familiar with the Hong Kong groups that were committed to supporting labour activism on the mainland. Since the mid-1990s, about 10 Hong Kong groups have been working in this field (Chan 2013). Most ran their own community or labour centres in the Pearl River Delta, some chose to support mainland partners, and others did both. At first, they were tolerated by local authorities, and some were even able to quietly collaborate with local offices of the All-China Federation of Trade Unions (ACFTU), the only trade union legally allowed on the mainland. But this did not last. Now, facing an increasingly hostile environment on the mainland, most Hong Kong organisations there have been pressured through various means to cease their activities. After the enactment of the Hong Kong NSL, some even had to ‘voluntarily’ cancel their Hong Kong registration as well.

The demise of these labour advocacy groups had already begun in 2015, when, on 9 July, Chinese authorities began rounding up nearly 300 lawyers who had engaged in *weiquan*—that is, defending the legitimate rights of the underclass or dissidents (on the so-called 709 Incident,

Demonstrators holding posters of Mao Zedong, reminiscent not only of political rallies in the 1960s, but also of worker protests in state-owned enterprises in the late 1990s. PC: Mimi Lau, *South China Morning Post*.

see Pils 2021). Towards the end of that year, two dozen labour rights advocates were also arrested, a few of whom ended up on trial and subjected to a smear campaign in state media (Franceschini and Nesossi 2018; Franceschini and Sorace 2019). Three years later, in 2018, another wave of arrests took place, this time mainly targeting dozens of Marxist students who had come out *en masse* to support the resistance of workers at Jasic Technology in Shenzhen, a publicly listed private firm specialising in the manufacturing of welding machinery (Au 2019; Zhang 2018, 2020). During this crackdown, the authorities also arrested staff working for labour groups founded by Hong Kong citizens, although they were not involved in the Jasic struggle (Lin 2019).

These groups have since experienced regular harassment from the Chinese authorities. Most either significantly reduced or ceased their operations. For the few that managed to stay, it has been increasingly difficult to conduct even the most ordinary activities in support of labour rights. This was the beginning of the end for Hong Kong groups supporting Chinese labour. With the enactment

of the NSL, some of these organisations began to worry about their presence in Hong Kong as well, especially when mainland state media and pro-Beijing media in Hong Kong not only condemned local organisations that received funding from the United States, but also, for the first time, criticised European organisations that had contributed developmental funding to Hong Kong groups, from trade unions to church groups (see, for instance, Ye 2021). This wave of criticism pushed some groups to disband.

A Handful of People Holding the Line

In the face of the harsh repression from Beijing, Hong Kong's political opposition and civil society have necessarily taken a defensive position to minimise further losses. Since the passage of the NSL, it has been a time of tactical retreat. Sometimes one must sacrifice the knights to save the queen. The problem, however, is whether the retreat is

an orderly or a chaotic one, dominated by panic and resulting in the complete annihilation of one's forces. Recent events make one increasingly worry that the latter may be how things go. The current repression has also tested those who still have the will to resist, even if their resistance is of a more symbolic and moral nature.

The disbandment of the PTU—the largest trade union in Hong Kong—presents us with one example of the most controversial way to retreat. Technically, the motion to disband was decided by a democratic vote among member delegates, yet the leadership had already decided the union would be disbanded in the face of verbal threats from Beijing (the PTU had made this public) (Ming Pao 2021). To achieve this goal, the leadership rushed to change the union's charter so that instead of requiring a two-thirds majority of members to consent to the disbandment, only a meeting of delegates was needed. In the end, instead of allowing nearly 100,000 members to vote on the leadership's motion or to observe the meeting if any of them chose to, only 140 delegates voted, with 132 in favour, six against, and two abstentions (Stand News 2021b, 2021c). The main argument put forward by the PTU leadership to explain their decision to manipulate the decision-making process with such haste was that this secured them leniency in the face of the ongoing crackdown (Stand News 2021a). Ironically, when the leadership made public its decision, pro-Beijing media immediately made it clear that even if the union disbanded, Beijing would continue to go after the unionists (HKTKWW 2021).

In contrast, the way the HKA disbanded proved to be a bit more uplifting. On the surface, it followed a pattern like that chosen by the PTU, but when the leadership met to discuss the motion to disband, there was strong internal dissent, and the decision was eventually passed with only a four-to-three majority (Mak 2021). The opposition was led by Chow Hang-tung, a young barrister and activist. By the time HKA members were allowed to vote, she had already been detained for incitement to subversion. However, before the vote, she wrote a public letter to members, asking them not to give in (Chau 2021). She argued that the 'disbandment in exchange for leniency' tactic

was flawed and that by refusing to capitulate, the organisation would show the world the determination of the Hong Kong people to keep the struggle alive. By acting this way, her supporters lost the vote—of 45 members who voted, 41 voted in favour of disbanding (Grundy 2021)—but Chow and her comrades upheld the spirit of the Hong Kong resistance. Today, many people look to her as a new symbol of resistance.

As for the HKCTU, there has been no publicly visible opposition to its suggestion to disband. On 3 October 2021, the union's convention passed a motion to disband with a 57-to-eight majority. In contrast to the PTU, both the HKA and the HKCTU allowed their members to exercise their legitimate right to vote. Even as we understand how difficult it is to resist Beijing right now, it is important to acknowledge the few who continue to stand up against it.

A deep demoralisation has set in among Hong Kong activists and prodemocracy movement supporters because of the disbandment of mass organisations. This has also affected students and their organisations. On 7 October 2021, the Student Union of the Hong Kong Chinese University (HKCU), one of the most important bases for the city's student movement, also disbanded. Strictly speaking, it was only the university that was making things difficult for the student union (forcing it to disaffiliate from the university), while the government had not yet taken it on. It is therefore difficult to see why it should dissolve itself so speedily.

Unlike previous cases of dissolution of civil society organisations, the student union's disbandment drew criticism not only from students, but also from outsiders. The most noticeable criticism came from HKCU Professor Chow Po Chung, a well-known liberal scholar who was active in the union when he was a student at the university. On the same day the HKCU Student Union announced its dissolution, Chow (2021a) asked on Facebook how the union leadership could have declared the disbandment, considering its charter required full consultation with its members followed by a referendum to disband. His comment was met with hostility by some, who reminded him that he was not in a position to make such criticism as

he was not the one being targeted. Chow (2021b) responded with great decency by saying that he might not have been clear enough in his post, and he just wanted to reiterate that the decision of the union's leadership had no legal effect on any students there who wished to revive the student union in the future. In other words, his message was more about advising those who wished to keep the union going. His message was soon heard. A month after the HKCU Student Union's announcement of its dissolution, a student appealed to the organisation's legal committee and persuaded them to rule that, according to the union's charter, the leadership did not have the power to disband the organisation and hence their decision was void (inmediaHK 2021).

The Self-Defeating Strategy of *Yaugaiking*

Without a doubt, Beijing's crackdown is very serious and the price to pay for any resistance is high, although one must have a sense of proportion as well; it is still far from the kind of repression we saw in Myanmar in 1988 or in Beijing in 1989. Surely no-one can force another person to be a martyr against his or her own will. If you are the leader of an organisation, a better response would be to adopt the 'walking on two legs' strategy: understanding those who wish to avoid risks, while also allowing those who want to resist through nonviolent means the time and space to do what they want, especially when the organisation's charter entitles them to such rights. Too often, those leading organisations wanted to avoid risk for themselves and simply did not respect their own charters or sought to manipulate them.

While we should not be too harsh on those students who announced the dissolution of their union without following proper procedures, we should cast doubt on those experienced leaders from the Democratic Party who acted similarly. The party's forerunner, the United Democrats of Hong Kong, was founded in 1990 to run for election under the colonial political reform package. While in those early years the party won landslide

victories and became the biggest pan-democracy party in Hong Kong, the organisation was severely weakened by subsequent splits. However, even in this weakened state, the Democratic Party still had more significant and unique influence over the PTU and the HKA than any other opposition party in the city. Over the past decade, there has been a lot of hearsay that this or that leader from the Democratic Party, the PTU, or the HKA has been coopted by Beijing. While rumours abound, there are no smoking guns. Nor do we need to find them. All we need is a short review of the political strategy of the Democratic Party.

To its credit, the party did not condemn the 2019 revolt, as demanded by Beijing. Rather, it went along with the rebellious youth to some extent, and now some of its leaders are in jail because of this. Politically speaking, however, the line it has been pursuing since the 1980s sowed the seeds for the speedy crumbling of Hong Kong's social movement today. This can be summed up with two of the party's Cantonese terms: *yaugaiking* (有偈傾) and *doizyusin* (袋住先). The former literally means 'we can talk' (with Beijing)—from lobbying the mainland authorities to give Hongkongers universal suffrage to persuading them to allow more directly elected seats in exchange for their failure to honour a promise of a completely open and democratic election. The latter literally means 'accepting whatever concession is offered' (again, by Beijing).

Consistent with this line, the pan-democrats agreed with Beijing that the implementation of universal suffrage should be piecemeal and gradual. For instance, in 2010, the Democratic Party accepted a political reform package from Beijing to partially increase the number of directly elected seats in the legislature, which was a typical action of *doizyusin*. Yet, this drew widespread criticism from the prodemocracy camp, and was also the moment when the Democratic Party began to lose support and credibility. The party was unaware that the failure of its compromise strategy was already written on the wall.

A more recent example of *yaugaiking* and *doizyusin* can be seen in the unexpected decision of Han Dongfang, the well-known founder and executive of the *China Labour Bulletin* (CLB), to try to secure

nomination by the Democratic Party to run in the December legislative election. This was surprising because if he had managed to secure a nomination, he would have been running alone, as most of the leaders of the opposition yellow camp were not bothering to run, including members of his own party. This is because Beijing has all but destroyed the electoral system and potential candidates will be screened through the NSL. Moreover, Beijing has wound the clock back so far the proportion of those directly elected has been cut from half the seats to just 22 per cent. Han explained his reason for running by saying: 'If I haven't eaten for a month, if you place a piece of mouldy bread in front of me, I'll eat it, though others might not. Even though it might make me sick' (CLB 2021).

tance, whether our organised struggle would diminish into disparate acts of individual resistance in the face of state repression. All of that is deeply impactful not only to Hongkongers' organisational effort in their history of resistance, but also to the future of Hong Kong's civil society. ■

Spreading the Word

So, this is the end of the Hong Kong democracy movement. With an absolute asymmetry of forces, once Beijing made up its mind to crush Hong Kong's autonomy, even a strong and flawless Hong Kong democracy movement would not have stood a chance of winning. Still, such rapid adaptation to the 'new normal' in Hong Kong has had a profoundly demoralising effect on people. But let us not be harsh on those who have chosen to adapt. Instead, we should double our efforts to spread the words of the handful of activists who have chosen to resist at the expense of their freedom. Let us remember what Chow Hang-tung (2021) told her comrades:

[I]n the coming trials we all have to choose between defending the position of our organisation or dissolving ourselves ... Among these two options, I choose not to forget, not to quit, not to abandon [our struggle], and also to hold the line until the last moment. Although I am now being prosecuted on four counts of charges and therefore face the threat of long prison sentences, I am more concerned about how these political persecutions would impact the energy of our movement. I am also concerned about the history of our resis-

This text is taken from *Made in China Journal: Volume 6, Issue 3, 2021*, edited by Ivan Franceschini, Nicholas Loubere and Shui-yin Sharon Yam, published 2022 by ANU Press, The Australian National University, Canberra, Australia.

doi.org/10.22459/MIC.06.03.2021.08