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THE HONG KONG PROTESTS: A HYBRID GOVERNANCE FAILURE

POLICY BRIEF 2/2019

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Protests in Hong Kong, now in their fourth month, have continued to follow a trend of steady escalation. Originally triggered by the local government's introduction of an "extradition law" that would have cleared the way for Hong Kong citizens to be tried by mainland courts, the protests have seen both peaceful mass demonstrations and increasingly violent clashes between small groups of protesters and police forces. While the proposed law was formally withdrawn on September 4th, the struggle between demonstrators and authorities has continued over fundamental questions regarding Hong Kong's legal and political relationship with the mainland.

These tensions are a recurring pattern: 2003 saw hundreds of thousands of citizens turn out against a proposed national security law, and 2014's "umbrella movement" was triggered by a failure to open elections to the Chief Executive's office up to a popular vote. On a smaller scale, 2012 saw successful student protests against the introduction of an education programme with a national Chinese focus, and the 2016 "fishball revolution" exposed a deep-seated popular anger against police overreach and potential for violent clashes. This raises fundamental doubts about the viability of managing conflicts under the "one country, two systems" formula, especially where they arise from inherent design flaws within the model itself.

Hong Kong's political system can be described as a "hybrid regime" combining liberal and authoritarian elements. Compared to mainland China, it scores far higher on questions of citizens' rights and the rule of law, but the underlying challenge facing both systems is quite similar: upholding strong centralisation and top-down dynamics against calls for greater political inclusiveness, transparency and citizens' participation. Efficient governance, rising living standards and better access to public goods are supposed to make up for shortfalls in political self-expression.

In order to maintain legitimacy, efforts have also been made to improve regime responsiveness. The Hong Kong government has traditionally sought to integrate elites mainly from the business sector into its decisionmaking, arguing that the resulting pro-growth policies benefit overall development and living standards.[1] Additionally, citizens have the right to elect members of the Legislative Council (LegCo), although its division into geographic and "functional" constituencies results in an extremely unequal vote weighting and skew towards pro-Beijing parties.

However, the instability Hong Kong is facing at the moment, widespread dissatisfaction with the government and pace of reform, and dramatically shrinking identification with China as a nation question the future of this governance approach. I argue here that the failure to manage the conflict or constructively engage protesters stems from Hong Kong's status as a hybrid regime, further exacerbated by its subordination to Beijing and a split in interests between the central and local governments. These features have reduced the space for compromise and contributed to escalating violence. If the "two systems" slogan is not filled with meaning through further political reform, the premise that

[1] Brian Fong (2013), "State-Society Conflicts under Hong Kong's Hybrid Regime: Governing Coalition Building and Civil Society Challenges", Asian Survey 53(3), 854-882.

Hong Kong is part of "one country" is likely to be challenged as well.

A new grassroots movement challenges traditional structures

The current protest movement is marked by its size and the diversity of involved groups, which cover several distinct political camps and a broad cross-section of Hong Kong society. Common to all is the desire to resist a hollowing out of Hong Kong's democratic and civil liberties as the result of rising mainland influence over the city. Beyond this, divisions exist over political ideology (with several variants each of pro-democracy parties seeking political reform and localists striving for greater independence from the mainland) and methods (separating participants in sanctioned mass demonstrations from more aggressive groups who assemble on the spot). While its most active core is made up of young, highly educated people, the regular weekend marches have attracted much broader crowds numbering at least in the hundreds of thousands, and seen organised participation even from establishment-aligned groups like civil servants. The activist core at the forefront of the protests has also enjoyed robust support from less directly engaged, older participants, who have provided them with supplies, logistical support, and free meals.

Another striking feature is the lack of a firm organisation or widely recognised leadership. Experienced politicians from the pro-democracy movement clearly have little purchase on the movement, and have been unsuccessful with calls to refrain from violence. But even the younger generation of leaders who emerged during the 2014 umbrella movement and found electoral success in 2016 has taken on a lower profile in the current protests. This is not just due to a lack of available personnel (as several prominent leaders had been jailed for their involvement in 2014), but also reflects a strategic choice not to create an elite that could be lobbied or co-opted by the government.[2]

Instead, a decentralised organisation has sprung up, based on two pillars: the first of these, the Civil Human Rights Front (CHRF), is a loose network of pro-democracy parties, religious groups, student unions, trade associations and NGOs. It has been used to coordinate protests since 2003, but its ideological diversity and the reluctance of smaller members to concede leadership to the bigger parties have prevented a tighter, hierarchical organisation.[3] The second is made up of online platforms like the forum LIHKG, which has acted as a hub for the current round of protests. It allows direct, anonymous exchanges between activists, mass voting on the next steps and the rapid coordination of meetings in real space. The protest movement's "be water" strategy, which relies on decentralisation, fluidity and autonomy would not have been possible without this infrastructure.

Despite its diversity and lack of hierarchy, the movement has drawn unity from the actions of the government. Its original rallying point was opposition to the extradition law, but the heavy-handed police response further galvanized the movement,[4] whose key demands now include an independent inquiry into police conduct, the release of arrested protesters and a stop to official characterisation of their activities as "riots" (a final demand, the adoption of universal suffrage for all elections in Hong Kong, mirrors those of the 2014 protests). Since they were first formulated in mid-June, these demands have been unanimously raised by the movement's moderate and radical wings, defying attempts to divide them.

For the Hong Kong government, dealing with the protests has turned out to be much more difficult than the ones in 2014, exposing serious problems with its hybrid character and position in China's political hierarchy that requires it to balance between different constituencies.

In facing the protest movement, the local government (again) resorted to a range of tactics designed to split its most active and aggressive elements from the broader popular support. This has included some concessions - the shelving and eventual retraction of the extradition law, a mooted citizens' dialogue, and promises of economic relief.

In drawing up these offers, Hong Kong's chief executive Carrie Lam sought the advice of a small group of "city leaders", including former officials, religious figures, and at least one participant of a small, moderate party.[5] In a similar setting, she reportedly expressed a personal willingness to

[2] Source within the protest movement.

[3] Ma Ngok, "Civil Society and Democratization in Hong Kong", *Taiwan Journal of Democracy* 4(2), 155-175.

[4] Ching-Kwan Lee, "What's happening in Hong Kong after nearly three months of protests?", *Washington Post/Monkey Cage*, 22 August 2019.

[5] Ina Zhou, "Hong Kong's Lam meets ex-officials, pleads for end to deadlock", Bloomberg, 24 August 2019; Alvin Lum, "Chief Executive Carrie Lam pressed by range of Hong Kong leaders to meet top demands of anti-government protesters, sources say", South China Morning Post, 25 August 2019.

resign, but argued that the central government prevented her from doing so.[6]

However, the concessions that were eventually offered fell far short of protesters' demands, were rejected as insincere and did not lead to a reduction in tensions or even just the beginning of a dialogue. Constraints imposed by Beijing were far from the only problem: Lam's own credibility suffered from previous failures to follow through on promises of outreach, and by the time the dialogue offer was made, popular trust in the government had dwindled to a point where no takers were left.[7]

Hong Kong's traditional, elite-centric policy making approach seems unsuited to dealing with a new reality of widespread discontent that is channelled through a loose network of non-establishment groups. Far from bridging it, the practice of "small-circle" stakeholder engagement contributed to the estrangement between the executive and the people.

Further contrary to this limited outreach, the Hong Kong government has taken a very repressive approach to participants in unsanctioned protests, marked by excessive police violence,[8] the arrest of many key activists, and most recently, economic reprisals at the hands of their employers, ultimately acting under pressure from Beijing.[9]

At other times, the police employed a curiously standoff approach - like during the July 1st vandalism of Hong Kong's LegCo building, raising suspicions that this was intended to produce images useful for delegitimising and splitting the protest movement.[10] A mass attack by street gangs on returning protesters on July 21st also did not trigger a timely police response.

This mixture of conflict management tactics, made up of elite-centric stakeholder engagement and repression methods that are reminiscent of mainland China, reflects the contradictory impulses of Hong Kong's "hybrid" governance. In the end, they were ineffective in either engaging protesters or scaring them into submission.

The need to get approval from mainland authorities further complicated attempts to quell the unrest. When it comes to Beijing's position, a major factor has been the steady erosion of Hong Kong's overall importance to the Chinese economy. During the handover negotiations in the 1980s, assurances about the city's political future were mandated by its importance as a financial hub and clearing house for foreign investments into China. However, three decades of rapid nationwide growth later, the city's share of China's total GDP has shrunk to about 3%, while the mainland has become much less dependent on external capital.

This explains why China has also become steadily less willing to explore a distinct political pathway for Hong Kong, and why official statements about the protests pay so little heed to the local situation. Rather, Beijing seems fully focused on preventing a possible spread of protests to the mainland and avoiding a precedent for conceding to grassroots demands. This is evident in the narrative disseminated by the domestic propaganda apparatus, which relentlessly highlights instances of protester violence and spurious connections to "foreign agents" - both well-trodden themes designed to cast protesters as a tiny, radical minority alien to the Chinese body politic.[11]

Such a portrayal, whose cues will not be lost on local authorities, obviously makes it harder to engage with the opposition and mandates a repressive stance instead. But the second, even bigger problem is that it creates its own perverse incentive - escalating violence can actually be useful as evidence for the underlying narrative and for driving a wedge between disaffected citizens in Hong Kong and mainland China. The presence of localist (or, in the mainland reading, separatist) elements among the protesters and instances of defacing Chinese national symbols can be similarly exploited. This propaganda campaign has been remarkably successful in urging citizens to support the Hong Kong police, act as "protectors of the flag" and stage counterprotests against Hong Kong solidarity rallies overseas.

While incentives are clearly aligned against a compromise solution, another problem for the central government's handling of the situation appears to be a lack of accurate information on local tensions. Despite a vast network of local sources feeding such information to Beijing, central authorities were blindsided by the expansion and escalation

[6] Greg Terode, James Pomfret and Anne Marie Roantree, "Special Report: Hong Kong leader says she would 'quit' if she could, fears her ability to resolve crisis now 'very limited'", Reuters, 3 September 2019.

[7] Source within the protest movement.

[8] Amnesty International, "How not to police a protest", 21 June 2019.

[9] "Cathay Pacific's fate rattles multinationals in Hong Kong", *The Economist*, 22 August 2019.

[10] Kirsty Needham, "'A complete trap': Police move in after Hong Kong protesters storm Legislative Council", *Sidney Morning Herald*, 2 July 2019; Stéphanie Giry, "The Extraordinary Power of Hong Kongers' Solidarity", *The New York Times*, 7 July 2019.

[11] David Bandurski, "Seeing through the violence", *China Media Project*, 15 August 2019.

of protests,[12] possibly because frank assessments are systematically filtered out - a problem that has also plagued Beijing's perceptions of trends in Taiwan.[13]

Hybrid governance at a crossroads

This collection of interests and strategies has ultimately caused an escalatory dynamic that has now taken hold of Hong Kong. The rigidity of the government's position, coupled with mounting frustration on the side of the protest movement, have locked both sides in a classic conflict spiral. The failure is all the more striking because of the clear warning signs provided by the 2014 demonstrations and 2016 elections. Instead of reacting to the mounting unrest by building a more inclusive political regime and extending the electoral franchise as mandated by the Basic Law, local and central authorities put political reform on hold and denied representation to elected lawmakers from the localist wing. Pushing ahead with the extradition law in the face of an increasingly broad movement opposed to mainland encroachment turned out to be the final straw.

There is also another, more fundamental trend challenging the "one country, two systems" approach: the proportion of Hong Kong citizens who identify as "Hong Kongers", Chinese, or some combination thereof. Such data has received a lot of attention in the case of Taiwan, where the rise of "Taiwan identity" is often cited as the main reason for growing alienation from the mainland. In contrast, Hong Kong seemed to experience a fusion of regional and national identities for most of the 00s,[14] with Chinese-oriented identity expressions reaching a plurality around the time of the 2008 Beijing Olympics.

However, locally focused identities have experienced a renaissance over the past decade. The most recent set of surveys, conducted during the first wave of protests in June, has seen a massive jump in respondents who gave their identity as exclusively "Hong Konger", for the first time ever reaching a majority (52.9%).[15] Taken together with other points of evidence, like the success of localist parties in the 2016 LegCo elections, hostility towards mainland tourists and the usage of anti-Chinese slurs by protesters, this suggests that China is quickly emerging as the "Other" against which a growing Hong Kong identity is constructed.

Instead of dividing the activist core and broader populace, the struggle over the extradition law seems to have galvanized localist identities and moved them into the mainstream. Notably, the slogan "retake Hong Kong, the revolution of our time", which was first coined by localist candidate Edward Leung in 2016, is now being used as a rallying cry across the city.

The protest movement's core demands do not include independence and could be satisfied by further expanding the democratic elements of Hong Kong's distinct system, as envisioned by the Basic Law. Accepting the demands for an independent inquiry into police conduct and, ideally, also for an unimpeded popular election of future executives would strengthen faith in local governance.

In the short term, a dialogue is urgently needed, but given the government's near-total loss of trust, this process should best be handled through mediators that enjoy the confidence of both sides. Local religious authorities have often straddled the establishment and grassroots camps and might be available themselves or could enlist the help of external colleagues. Finally, international media attention, and the battle over global public opinion, have been major factors inhibiting violence on both sides. It is crucial to maintain this spotlight as the protests drag on.

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[12] Nectar Gan and Chow Chung-yan, "Blindsided: why does Beijing keep getting Hong Kong wrong?", South China Morning Post, 16 August 2019.
[13] Pascal Abb, "Mapping Taiwan-focused Research Institutes in China", *Global Taiwan Brief* Vol. 2, Issue 22.
[14] Eric Ma and Anthony Fung (2007), "Negotiating Local and National Identifications: Hong Kong Identity Surveys 1996–2006", *Asian Journal of Communication*, 17(2), 172-185.
[15] Hong Kong University polling data on categorical ethnic identity, going back to 1997, can be found on the website of HKU's Public Opinion Programme.