

## Hong Kong in China's Geopolitical Gaze



Dr. Phil C.W. Chan and Dr. Niklas Swanström return to the ongoing demonstrations in Hong Kong, examining the challenges they present for China. They unravel the international dimensions of Beijing's approach to the former British colony, arguing that the decisions made by the city's embattled Chief Executive Carrie Lam and the leadership on the Mainland at this critical juncture will potentially have wide reaching consequences.

**H**ong Kong is entering its 12<sup>th</sup> consecutive week of protests in its “worst crisis”<sup>1</sup> since its return to China’s sovereignty after 155 years of British colonial rule. The protests began as the Hong Kong government sought to push through an extradition Bill that, if passed,<sup>2</sup> would empower and compel Hong Kong authorities to transfer<sup>3</sup> anyone in Hong Kong accused of a serious crime committed anywhere to any jurisdiction with which Hong Kong did not have an extradition agreement, including Mainland China. They have since metamorphosed into a generalized movement uniting Hong Kong people yearning<sup>4</sup> for greater government and police accountability, and for universal suffrage.

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In response to the Hong Kong police’s unprecedented brutality<sup>5</sup> and questionable tactics<sup>6</sup> in quelling protests across the city on August 11, 2019<sup>7</sup>, protestors occupied Hong Kong International Airport on August 12<sup>8</sup> and 13<sup>9</sup> resulting in hundreds of flight cancellations, clashed with riot police, and detained and assaulted two men suspected of being undercover Mainland Chinese police officers (as a result of fear of Hong Kong police officers’ impersonating<sup>10</sup> as protestors). Protestors subsequently apologized in a powerful video<sup>11</sup> and pledged<sup>12</sup> to reflect on past and future actions.

Beijing, meanwhile, has hardened its rhetoric, with thinly veiled threats<sup>13</sup> of military intervention through three press briefings<sup>14</sup> by the State Council’s Hong Kong and Macau Affairs Office, a propaganda video<sup>15</sup> by the People’s Liberation Army’s Hong Kong garrison, and large-scale drills by the paramilitary People’s Armed Police<sup>16</sup> in Shenzhen across the border. It has condemned the protests as bearing “characteristics of a color revolution”<sup>17</sup> and “signs of terrorism”<sup>18</sup> that must be punished “without leniency,

without mercy”<sup>19</sup>. Liu Xiaoming, China’s ambassador to the United Kingdom, cosignatory to the 1984 Sino-British Joint Declaration<sup>20</sup> that guarantees Hong Kong’s autonomy under the “one-country/two-system” formula until June 2047, has warned that Beijing will not “sit on its hands”<sup>21</sup> if protests continue.

Carrie Lam Cheng Yuet-ngor, Hong Kong’s Chief Executive selected in 2017 with 777 votes<sup>22</sup> by a 1200-member Election Committee appointed by Beijing, on August 5 admonished protestors that they must not “kamikaze” themselves with Hong Kong (in her arsenal of Chinese proverbs: 玉石俱焚<sup>23</sup>). At her press briefing on August 13 in which she repeatedly evaded questions about whether she was constrained, without Beijing’s approval, from formally withdrawing the Bill (one of protestors’ five demands<sup>24</sup>), Lam warned that protestors were pushing Hong Kong onto a “path of no return”<sup>25</sup>, to the “abyss”<sup>26</sup> and to “annihilation” (her Chinese proverb: 粉身碎骨<sup>27</sup>). Her ominous words have been echoed elsewhere, with Minxin Pei<sup>28</sup> observing that “Hong Kong’s residents would almost certainly treat Chinese government forces as invaders, and mount the fiercest possible resistance”. For many of the protestors, protecting Hong Kong’s autonomy and identity<sup>29</sup>, and its people’s rights and freedoms, from further erosion is “now or never”.

Although freedoms of assembly and of demonstration are protected under the Basic Law<sup>30</sup> of Hong Kong and the International Covenant<sup>31</sup> on Civil and Political Rights as incorporated in the Hong Kong Bill of Rights Ordinance<sup>32</sup>, the police banned<sup>33</sup> a proposed march from Victoria Park (where annual vigils<sup>34</sup>, in remembrance of victims in the crackdown on Tiananmen Square protests in 1989, take place) to Chater Garden (location of the Hong Kong Court of Final Appeal, and formerly of the Legislative Council) on August 18. The police instead approved only a rally within the confines of Victoria Park. An estimated 1.7 million ever-creative<sup>35</sup> “Be Water”<sup>36</sup> protestors “complied” with the police’s restricted approval by entering the park from Fortress Hill (not far from North Point<sup>37</sup> where attacks by suspected triad members<sup>38</sup> from China’s Fujian province took place on August 5), congregating at the rally and dispersing towards Chater Garden in a river of umbrellas amid hours of pouring rain<sup>39</sup>, without

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incident,<sup>40</sup> and notwithstanding threats from Beijing and the police’s newly road-tested water cannons.<sup>41</sup>

At least 28 foreign states have issued travel advisories<sup>42</sup> on Hong Kong (with Singapore<sup>43</sup> cautioning against non-essential travel), and the UK Foreign Office has classified<sup>44</sup> the crisis in the international financial hub as a “conflict in fragile states” alongside Libya, Syria and North Korea.

The United Nations Office of the High Commissioner for Human Rights has condemned<sup>45</sup> the Hong Kong police’s use of tear gas<sup>46</sup> inside subway stations. Foreign states including the UK<sup>47</sup>, Australia,<sup>48</sup> Canada<sup>49</sup>, France<sup>50</sup>, Germany<sup>51</sup> and the United States<sup>52</sup>, as well as the European Union<sup>53</sup>, have called for restraint and dialogues between protestors and the Hong Kong government. President Donald Trump went so far as to urge<sup>54</sup> President Xi Jinping to personally meet protestors, which, in China’s and Hong Kong’s political

culture of Confucian authoritarianism<sup>55</sup> in which the old are wise and the young immature and uninformed, is decidedly unlikely. (Furthermore, lest one forget, the last time a Chinese statesman personally met student protestors ended in the statesman, General Secretary Zhao Ziyang<sup>56</sup>, purged and placed under house arrest for over 15 years following Tiananmen.)

As is to be expected when it comes to issues of human rights or democracy,<sup>57</sup> Beijing has condemned any expressions of concern about the crisis in Hong Kong from any foreign states, especially the UK and the United States, as interference in China's state sovereignty<sup>58</sup> and internal affairs. Having described in 2017 the Sino-British Joint Declaration as “a historical document<sup>59</sup>, no longer [having] any realistic meaning”, Beijing demanded<sup>60</sup> that the UK “refrain from saying or doing anything that interferes or undermines the rule of law in Hong Kong”. Since the crisis erupted in June, Trump sought to placate<sup>61</sup> Beijing, despite urgings from members of the United States Congress in both Republican and Democratic parties, and from officials at the State Department and the White House. In early August, Trump described the Hong Kong protests as “riots”<sup>62</sup> and as China's internal matter. Ever the archetypal dealmaker, Trump on August 14 tied<sup>63</sup> a United States–China trade agreement to peaceful resolution of the protests. This represents not so much a change of his position but, more likely, his seeing<sup>64</sup> the crisis in Hong Kong as a bargaining chip in the United States' ongoing trade war<sup>65</sup> with China and in regaining the moral upper hand for his re-election prospects in 2020 – a move that Beijing has reciprocated.<sup>66</sup> Trump's equivocation has not stopped China from accusing the United States of being “black hands”<sup>67</sup> “colluding” with Hong Kong's leading pro-democracy figures<sup>68</sup> and supporting<sup>69</sup> the protestors, alluding in particular to a meeting<sup>70</sup> (in a public venue) between pro-democracy activists and an official from the United States consulate in the city. In response, the State Department rebuked Beijing as a “thuggish regime”<sup>71</sup> for “leaking” the official's personal details.

In line with China's enduring mentality<sup>72</sup> as a victim of foreign powers after the “century of humiliation”, officials in Beijing, in Bonnie Glaser's<sup>73</sup> words, “generally don't have a sense that they need to engage in self-reflection. They tend to blame the outside

world”. With the Hong Kong protests posing a direct challenge<sup>74</sup> not only to the legitimacy of the Chinese Communist Party as China's unifying force, but also to Xi's personal credibility<sup>75</sup> as a strongman and his vision<sup>76</sup> of China's “great rejuvenation”, markets<sup>77</sup> and newsrooms<sup>78</sup> around the world are jittery about the likelihood of military intervention by Beijing, especially as October 1<sup>79</sup>, China's 70<sup>th</sup> National Day, approaches. In addition to seeking to discredit protestors in Hong Kong, Beijing's disinformation<sup>80</sup> campaign on social media (without irony, via channels including Facebook and Twitter that are banned in Mainland China) is, arguably, paving the way for eventual intervention by force.

The Hong Kong protests certainly could not have come at a worse time for Beijing. In its expansive exercise of state sovereignty in achieving its vision of China as a superpower, Beijing is mired in an escalating trade war with the United States, when China's economy is contracting<sup>81</sup>. Its signature foreign policy, the Belt and Road initiative, has encountered roadblocks<sup>82</sup> from partners and been accused of being a “debt trap”<sup>83</sup> for developing states, while its disputes<sup>84</sup> with neighboring states over the East China Sea and the South China Sea continue to deepen. Last but not least, its treatment<sup>85</sup> of Muslim Uighurs in Xinjiang in the name of fighting terrorism has engendered global criticism. China's rise has proved the old adage that money and power do not buy love<sup>86</sup>.

Beijing monitors Hong Kong closely through a multitude of channels (albeit qualitatively different from its surveillance in Xinjiang<sup>87</sup> and across Mainland China<sup>88</sup>). In addition to its Liaison Office in Hong Kong and the State Council's Hong Kong and Macau Affairs Office, Beijing receives regular reports on affairs that might in the slightest way threaten its national leadership through Xinhua News Agency, semi-official think tanks in China and in Hong Kong, Mainland academics on scholarly visits to Hong Kong, Chinese state-owned corporations, and, of course, the Hong Kong government, members of pro-establishment political parties in the city, and Hong Kong members of the Chinese People's Political Consultative Conference and Hong Kong delegates to the National People's Congress. Their failures<sup>89</sup> in advising Beijing accurately of sentiments in Hong

Kong in relation to the extradition Bill, let alone broader issues such as universal suffrage, are striking.

While Hong Kong may appear to be less important in China's economy, with its GDP relative to China's shrinking from nearly a fifth in 1997 to the current 3 percent, its value<sup>90</sup> as China's gateway to the world continues to be immense and irreplaceable. In ways that Shanghai<sup>91</sup> and Shenzhen<sup>92</sup> trail, Hong Kong's army of trilingual professionals, its comprehensive financial, legal and logistical infrastructure, and above all the stability and independence of Hong Kong's legal system (concern for which set off the current crisis), have enabled thousands of foreign corporations seamless access to the Chinese market (and Chinese state-owned conglomerates the same to foreign markets), and Hong Kong remains<sup>93</sup> the largest source of foreign direct investment in Mainland China. Deployment of the People's Liberation Army or the People's Armed Police in suppressing protests will<sup>94</sup> destroy Hong Kong's status as an international financial center, cause catastrophic capital flight and mass outflux of people from Hong Kong, collapse the city's property<sup>95</sup> and stock<sup>96</sup> markets (in which Hong Kong and Mainland tycoons<sup>97</sup> and powerholders<sup>98</sup> have substantial stakes), and be seriously detrimental to China's own economy. Dissipation of confidence on the part of foreign investors in doing business in China, or with the Chinese government or Chinese state-owned corporations, will reverberate across the country<sup>99</sup>. China's multilateral endeavors that rely on its reputation as an international actor that abides by treaties and the international rule of law<sup>100</sup>, including the Asian Infrastructure Investment Bank and the Belt and Road initiative, will come to halt.

Its economic interests aside, China will face substantial international opprobrium if it intervenes in the Hong Kong protests through use of force. Sanctions from foreign states and the United Nations, depository of the Sino-British Joint Declaration, will certainly follow.

A unique advantage that Hong Kong offers China's economy inheres in the United States–Hong Kong Policy Act<sup>101</sup> of 1992, passed by Congress in anticipation of the transfer of sovereignty over Hong Kong in July 1997. The legislation obliges the United States to continue to treat Hong Kong as fully

autonomous from China in respect of economic and trade matters after June 1997, so long as Hong Kong, in the President's opinion, remains "sufficiently" autonomous to justify separate treatment. Chinese companies benefit<sup>102</sup> enormously from Hong Kong's special status under United States law in terms of tariffs, free exchangeability between United States dollar and Hong Kong dollar, intellectual property, and acquisition of technologies, among others. A bipartisan Hong Kong Human Rights and Democracy Bill, cosponsored by members of both the Senate and the House of Representatives, has attracted growing<sup>103</sup> Congressional support in light of the Hong Kong protests. Its passage will amend the United States–Hong Kong Policy Act and require the President to review annually Hong Kong's special status under United States law and determine if it remains justified. Significantly, similar to the Global Magnitsky Human Rights Accountability Act<sup>104</sup> of 2016, the Bill provides for sanctions and travel restrictions on individuals whom the President determines to have been responsible for abductions, renditions or actions aimed at suppressing basic freedoms in Hong Kong. Without irony or, to use Glaser's word, "self-reflection", Beijing has condemned<sup>105</sup> the Bill for undermining the rule of law and interfering in China's internal affairs.

Last but not least, Beijing's grand national objective of reuniting China with Taiwan, for which Deng Xiaoping intended Hong Kong's "one-country/two-systems" formula to be an experiment<sup>106</sup>, has already been jeopardized by<sup>107</sup> the extradition Bill saga. Taiwan has featured in Beijing's calculations in almost all domestic and foreign policies in the past decades. Lowell Dittmer argues that "China's unfulfilled quest for identity is of paramount importance in stimulating Chinese nationalism, which has become the regime's main legitimating ideology since the collapse of communism as a plausible candidate for international leadership in 1989–1991. And national division, of which Taiwan is the sole remaining exemplar, is of course the missing piece in the nationalist parade."<sup>108</sup> Under international law, Taiwan is part<sup>109</sup> of China. That legal fact does not alter Taiwan as an essentially political question.

Beijing's support for the Hong Kong government's push for the Bill, and its responses to the Hong Kong protests, have exposed the fragility of the

“one-country/two-systems” formula to its core. It was a murder<sup>110</sup> in Taiwan in 2018 that set off the protests. Taiwan’s President Tsai Ing-wen, whose re-election prospects in 2020 have been drastically bolstered<sup>111</sup> as a result of the crisis in Hong Kong, has indicated that Taiwan will not<sup>112</sup> accept the transfer of the alleged murderer on the basis of the Bill, and has expressed solidarity with Hong Kong people by accelerating processing of immigration<sup>113</sup> applications from Hong Kong and extending asylum<sup>114</sup> to Hong Kong protestors. Above all, Tsai has rejected<sup>115</sup> Xi’s reunification roadmap<sup>116</sup> and the “one-country/two-systems” formula taking hold in Taiwan. Amid rising tensions across the Taiwan Strait and between Beijing and Washington, Beijing has banned<sup>117</sup> solo travellers visiting Taiwan, while the Trump administration has formally approved<sup>118</sup> a major arms deal with Taiwan involving 66 new F-16 fighter jets. It is not beyond the realm of plausibility that Xi might decide, in a game of chicken, that in order to deter<sup>119</sup> Taiwan from ever declaring independence, a display of sheer force to suppress the protests in Hong Kong is the only way.

A “Tiananmen 2.0” in Hong Kong will irretrievably alienate Hong Kong people from China and their Mainland compatriots, and bring about the premature death of the “one-country/two-systems” formula and of Hong Kong as the world knows it. It will put paid to China’s peaceful rise in the world and set China, Hong Kong, Taiwan and the United States<sup>120</sup> on a dangerous trajectory<sup>121</sup> – as Lam has put it, 玉石俱焚 粉身碎骨 – where military conflict between the two superpowers eventualizes, all because of one person’s arrogance<sup>122</sup> and incompetence<sup>123</sup>.

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