During the so-called “Third Wave of Democratization” that swept Asia beginning in the 1980s, there was widespread optimism that democracy was developing deep roots in the region. But with growing rivalry between China and the US, and changing political dynamics in many countries in Asia, there are now growing fears of democratic backsliding throughout the region.

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Death by a Thousand Cuts: Democratic Backsliding in Hong Kong

By Brian C.H. Fong

The pro-democracy protests that roiled Hong Kong for months beginning in June 2019, and which have simmered beneath the surface this year as the city struggles with the coronavirus outbreak, are rooted in democratic aspirations that go back to the period before Hong Kong’s handover to China. Those aspirations, alas, are facing concerted efforts by Beijing to snuff them out. Brian C.H. Fong examines the nature of Hong Kong’s fight for democracy.

The so-called Water Revolution in Hong Kong, which began in June 2019 and is still continuing — although currently overshadowed by the spread of the Covid-19 coronavirus — will be remembered as one of the longest and the most dramatic civil resistance movements in modern history. People outside Hong Kong may be surprised by the extent and intensity of the resistance, particularly since it has been happening in a global financial center famous for its freedom and rule of law.

But if one looks at the Water Revolution in the broader perspective of Hong Kong’s regime trajectory since the imposition of Chinese rule in 1997, then we should not be surprised by the periodic mobilizations of civil resistance in the territory. These have ranged from the 2003 anti-Article 23 movement to the 2010 anti-national education movement and the 2014 Umbrella Movement. All have drawn massive and mostly peaceful crowds into the streets.

While the Water Revolution is just the latest round of civil resistance it is somehow seen by many Hong Kongers as their “last fight” against the serious democratic backsliding in the territory in recent years. This fight has been larger, fiercer and more prolonged than others in the recent past.

Regime Trajectory from British to Chinese Rule

It would be useful to begin with a brief review of Hong Kong’s ruling history. Hong Kong became a British colony in 1841. As a typical imperial out-

post of the British Empire, the people of Hong Kong were denied the political right to elect their own government and legislature. British governors and senior civil servants were colonial cadets directly appointed by the Colonial Office in London, with members of the Legislative Council handpicked by the governors until 1984. While popular elections were absent until near the end of British colonial rule, as a free port, Hong Kong developed a tradition of limited government interventions in society and free market operations.

In the final days of British rule in the 1980s and 1990s, Hong Kong gradually evolved from an imperial outpost into “semi-democratic autonomy,” featuring its own civil service-led government that was substantially autonomous from London and a partially elected legislature (half of the seats in the Legislative Council were directly-elected under the 1995 reforms of Gov. Chris Patten). A comprehensive legal code for protecting civil liberties and human rights was also adopted following the enactment of the 1991 Bill of Rights Ordinance. In short, Hong Kong in the 1980s and 1990s went through a substantial period of “constitutional liberalization” and “electoral popularization,” to borrow the concepts of democratization scholars.

On July 1, 1997, Britain handed over to China not only Hong Kong’s sovereignty but also a semi-democratic autonomy, which is supposedly entrenched in the Basic Law under the One Country, Two Systems (OCTS) model. But Hong Kongers would soon find that what had been waiting for them was not the full democratization vaguely promised by China in Articles 45 and 60 of the Basic Law. Instead, the territory has experienced a gradual process of democratic backsliding — the semi-democratic autonomy, which they barely enjoyed in the final days of British rule, has been steadily reversed.

RE: AUTOCRATIZATION BY A THOUSAND CUTS

In recent years, democratization scholars have heatedly debated the global trend of democratic backsliding. Some researchers have observed the worldwide trend that “blatant forms of autocratization” such as military coups and election-day vote fraud are being replaced by “clandestine forms of autocratization” such as executive aggrandizement and strategic electoral manipulation and harassment. This trend toward electoral authoritarianism is becoming popular, probably because aspiring autocrats have learned to contain domestic and international opposition by imposing controls within a democratic façade. In other words, the gradual erosion of democratic institutions and civil liberties is the hallmark of contemporary democratic backsliding.

Hong Kong is no exception to this global trend, although the underlying driving forces should be put into context. Since 1997, and particularly in recent years, Hong Kong’s elections, opposition activities and media have been increasingly subject to systematic manipulation.

To give some examples: for more than a decade, the pro-democracy opposition has been caught in unequal competition for resources with the pro-China parties in the Legislative Council and District Council elections. Supported by pro-China Hong Kong capitalists, the flagship pro-China party, the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB), consistently outspends its pro-democracy counterparts by 10 to 1. The pro-China parties distribute spoils to grassroots voters, including food and gifts, meals and organized tours. Suspected cases of “voter-rigging” by the pro-China parties are also quite common, with grassroots people and the elderly being persuaded to provide their voter registration information so they can then be mobilized to vote on election days. Of course, the most obvi-
ous authoritarian-style electoral manipulation was the disqualification of six pro-democracy/pro-independence legislators in the 2016 Legislative Council election. Since then, it has become an infamous practice in Hong Kong for government election officers to screen the political biographies of opposition candidates before allowing them to stand for elections. The disqualification of young activist Joshua Wong, a mainstay of the 2014 Umbrella Movement, from entering the 2019 District Council election, which had attracted extensive international media attention, was just the tip of the iceberg.

Pro-democracy politicians and civil society activists have increasingly come under different forms of attack. Counter-mobilization, as argued by political scientists, is a rising trend. Now it is not uncommon to see pro-democracy activists being attacked by Chinese state media, local leftist papers and pseudo-civil society groups. Counter-protesters are also frequently mobilized to intimidate and confront pro-democracy activists on the streets. Perhaps the most serious challenge is police suppression. In recent years, a large number of pro-democracy politicians and protesters have been selectively prosecuted for “unlawful assembly,” a vaguely worded legal charge under the Public Order Ordinance that could be applied whenever three or more persons assemble together. Of course, since the Water Revolution began in June last year, protesters are no longer just facing selective prosecution but also extensive police brutality in violation of internationally recognized human rights norms. Indiscriminate beating, arrest and prosecution by the “paramilitary police state” is now very much a part of everyday Hong Kong life, which is rarely found in developed societies.

As for the media, over the years the vast majority of local media outlets have fallen under the control of pro-China Hong Kong capitalists, who
are usually concurrently serving as local delegates to Chinese united front organizations, namely the National People’s Congress (NPC) and the Chinese People’s Political Consultative Conference (CPPCC). In recent years, Mainland Chinese tycoons have gone further by acquiring local media firms. The direct acquisitions of TVB (Television Broadcasts Ltd.) by Li Ruigang and the venerable South China Morning Post by Jack Ma are cases in point. Non-compliant media outlets face heavy-handed pressure tactics. Examples include a knife attack on the former Ming Pao chief editor Kevin Lau in February 2014, detainment of House News founder Tony Tsoi by Chinese authorities in July 2014, petrol bomb attacks on the entrance gates of Next Media Group’s headquarters and its founder Jimmy Lai’s home in January 2015. As most local media outlets have been put under control and non-compliant media outlets operate under a white terror, self-censorship has become part of the daily operation of local newsrooms. Having once enjoyed the reputation of having the freest media in Asia, Hong Kong has undergone a serious deterioration in recent years, as documented by Freedom House and Reporters Without Borders.4

In short, Hong Kong’s semi-democratic autonomy was not reversed overnight, but it is being killed by a thousand cuts.

THE POLICY BEHIND CLANDESTINE AUTOCRATIZATION

Scholars have so far offered different explanations for the causes of democratic backsliding. The interaction of economic inequality, democratic dissatisfaction, populism and social media are the most common. China and Russia’s export of authoritarian influence is another growing factor, with the two great powers being seen as promoting an alternative illiberal governance model in different places — manipulating the media and universities in the West and undermining democratic institutions in Free World countries.

In the case of Hong Kong, China’s influence is the single most important factor leading to the erosion of semi-democratic autonomy.

It is worth considering China’s governing policy considerations toward Hong Kong. The first side of the policy coin is to impose greater centralized, authoritarian controls over Hong Kong. It is basically an extension of the Chinese Communist Party’s overall strategy on assimilating Chinese peripheries, ranging from Manchuria and Mongolia to Xinjiang and Tibet. That policy has been more forcefully applied to Hong Kong under President Xi Jinping’s regime since 2012. The other side of the policy coin is to continue to make best use of Hong Kong as an international financial center to serve Beijing’s strategic and economic interests. For many decades, China has heavily depended on Hong Kong to raise capital, including relying on Hong Kong as its largest source of inward direct investment, major center for offshore equity financing, offshore bank loans and as an offshore platform for corporate bond financing. It is the largest offshore RMB clearing center and main offshore safe haven for hiding private assets.

The coupling of China’s centralized authoritarianism and its irreplaceable financial dependence on Hong Kong have driven the CCP to adopt “clandestine forms of autocratization” in the territory — changing the “inner content” of the One Country, Two Systems model to facilitate centralized, authoritarian control, on the one hand, while keeping the “outer shell” of the model to make the best use of Hong Kong’s function as an international financial center to serve its own agenda, on the other hand. In other words, in recent years, China’s governing policy toward Hong Kong has been to contain domestic and international opposition with authoritarian controls within the semi-democratic, autonomous façade under the One Country, Two Systems model.

Such “clandestine forms of autocratization” mean that China will not reverse Hong Kong’s semi-democratic autonomy overnight by openly extending the CCP regime’s direct rule over the territory. Instead, China is practicing various forms of offshore influence operations in the context of Hong Kong, which is by nature very similar to what it has carried out in other jurisdictions such as Taiwan and other Indo-Pacific counties.

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