

# A TRIANGULAR RELATIONSHIP: HONG KONG, CHINA, AND GREAT BRITAIN

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## INTRODUCTION

Hong Kong is an extremely unique city. Its bustling streets and towering skyscrapers are home to many shopping centers and thriving businesses, earning it a place among the four Asian Tigers, regions known for their highly free and developed economies. In addition to the city's position as an economic powerhouse in Asia, Hong Kong is also unique in its governing system as the city's government is laced with Western democracy, brought about by its years as a British colony, while at the same time being under the overhead rule of communist China. Because those living and doing business in Hong Kong feared the oppressiveness of the Chinese government, Deng Xiaoping, then the president of China, proposed the 'one country, two systems' policy to maintain Hong Kong's economic prosperity once the city was ceded back to China. Under the Joint Declaration and Basic Law written by China and Britain, Hong Kong was guaranteed the civil freedoms and free market, capitalist economy it had enjoyed as a British colony.

Since 1997 when Hong Kong was handed back to China, the city has continued to enjoy many of the defining characteristics that made it the prosperous city that it was under British rule. At a glance, Hong Kong seems to be the perfect place to live with its thriving economy and status as a Special Administrative Region of China, under the protection of one of the world's fastest growing powers yet not under communist rule. While the city would not be considered unstable compared with other countries like the former Soviet bloc, the years since the handover in 1997 and years before during Sino-British negotiations have not been

smooth sailing for the territory or China either. Interestingly enough, Hong Kong had no background of democracy under British rule despite being given many civil freedoms, but the city's population had expected to be left largely alone by the Chinese government in running their own affairs as evidenced by the sentiment of the people following Tiananmen, the 2003 protests, and the current Occupy Central movement. Because of the need to prevent capital outflow from Hong Kong, China was forced to create the 'one country, two systems' policy for the city, but the clash of Western democratic ideals with the Chinese socialist system has led to conflicts as both Hong Kong and China have different ideas about the governing system as prescribed by the Basic Law and Joint Declaration.

### **HONG KONG UNDER BRITISH RULE**

Hong Kong was not always the bustling city that it is today as it started out simply as a rocky island with fairly little economic value. Following the First Opium War, the island of Hong Kong was ceded perpetually to the British under the Treaty of Nanking. Another conflict between Britain and China regarding opium in the 1860s resulted in the Kowloon peninsula also being ceded to Britain in perpetuity. The New Territories, the third area of what now composes present day Hong Kong, was leased to Britain for a period of 99 years. Under Britain the colony developed a capitalist and free market economy that allowed it to thrive, gradually becoming the economic powerhouse that it is today. Until the Cultural Revolution in China, contact between China and Hong Kong in the form of immigration and trade still existed but came to an almost complete standstill as the country isolated itself to restructure the entire government and social system. During this time Hong Kong's economy left China's far behind as the country struggled to deal with the violence and massive upheaval of reforms. Deng Xiaoping's economic reforms brought China back out of its seclusion and opened its door to capitalistic ventures with the country's economy growing at a massive rate. Back on its feet, China now looked to reacquiring Hong Kong, its New Territories lease set to expire in 1997, but Hong Kong's economic and government structure was starkly different from China's. In addition to a population that was wary and afraid of the Chinese government, the differences in the Chinese economic and governmental structure caused massive problems for negotiations for the return of the British colony as years of British influence had entrenched into Hong Kong society Western ideals of civil freedoms and free markets.

Although Hong Kong under colonial rule was not a democracy, the colony enjoyed a high degree of civil freedoms, foremost of them being the freedom of speech, which served as one of the fundamental foundations of civil society. In many respects, the Hong Kong population was free to express their opinions and views whether it be through interactions with other people or through media outlets. With the opening of more and more venues in which the Hong Kong people could voice their opinions, Britain lost its “monopoly of news sources” as new political actors “began to compete for media attention and public opinion support.”<sup>1</sup> In addition to the formal channels of getting their voices heard in the government, the Hong Kong people now had resources in the media. As politicization of society increased and the economy continued to expand, the role of media changed to reflect the commercialization of Hong Kong and the uneasy questions over the colony’s future. When Britain and China were negotiating the terms for the Joint Declaration, “the people of Hong Kong took no part in the negotiations,” but “their views and concerns were constantly conveyed” to the British who were involved in the negotiations.<sup>2</sup> Despite the fact that the Hong Kong people had no direct say in the future of their colony, they were still able to make their concerns known to the British who represented them. There was no fear of being censored or oppressed for their views, so the general population felt comfortable going to the government with their problems and grievances.

Not having a democracy had never been a big problem for Hong Kong because there was “insufficient public demand” for it and the government “largely met public expectations.”<sup>3</sup> The initial concern for many new immigrants to Hong Kong in the 1950s was to escape the political instability and to provide for their families as they struggled to make a living. When the population was finally able to shift their focus to other issues like how they were being governed, local communist supporters “disrupted stability,” leading the Hong Kong people to “rall[y] behind the colonial government” despite having “little love for it.”<sup>4</sup> After these disturbances the colonial government worked to improve

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1. Ngok Ma, *Political Development in Hong Kong: State, Political Society, and Civil Society* (Hong Kong: Hong Kong UP, 2007), 166.

2. Steve Yui-Sang Tsang, *Hong Kong: Appointment with China* (London: I.B. Tauris, 1997), 101.

3. Tsang, *Hong Kong: Appointment with China*, 119.

4. Tsang, *Hong Kong: Appointment with China*, 119.

communication between the people and those in office through which the Hong Kong people could voice their concerns and complaints. Not only did the general population gain ways in which they could make input into the colonial system, but they did not have to fear arrest or persecution from the British for voicing certain opinions as the Hong Kong people learned how to use their freedom of press more effectively over time.

Another aspect of Hong Kong, which was fairly unique in Asia at the time, is the free market capitalist system which has transformed the territory into an economic powerhouse in Asia. Hong Kong's capitalist system developed as a result of its strategic location as a port city. The land itself had little intrinsic value as it was simply barren rocks that the British built a city upon. But because of its location, Western industries used the port city as an intermediary through which they could enter China's large market because the increase in industrial output in the West generated an "urge to find new markets overseas."<sup>5</sup> During the last half of the 19<sup>th</sup> century, a huge percentage of goods exported to China was shipped through Hong Kong. The trade bypassing through Hong Kong served as a platform for its economic development and has become one of its current principal sources of income along with its financial sector. Following WWI, although the colonial government had "adopted new economic and financial responsibilities," the British were careful to "maintain a limited state."<sup>6</sup> Britain did not seek to control and regulate the economy but instead helped the people by providing basic needs like food and working to ration these supplies. The colonial government was important in providing stability so that post-WWII Hong Kong would not erupt in chaos and could quickly turn its attention back to its businesses. The British's laissez-faire attitude towards Hong Kong allowed the city to develop a free market, capitalist system where the trade and finance sectors have made the city an economy powerhouse.

Hong Kong has not always been a primarily trade and service sector economy but was forced to develop industrial industries following the US and British "economic blockade on communist China" as it could

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5. Niv Horesh, "Development Trajectories: Hong Kong vs. Shanghai," *Asian-Pacific Economic Literature* 27.1 (2013): 28.

6. Roger Buckley, *Hong Kong: The Road to 1997* (Cambridge, UK: Cambridge UP, 1997), 33.

no longer depend on trade relations with China to sustain its economy.<sup>7</sup> It was during this time period in which goods labeled “made in Hong Kong” began to appear in large quantities around the world as the city worked to develop other industries that did not depend on trade with China. In actuality, the economic blockade on China was not terribly detrimental to Hong Kong’s economy as the city received an inflow of capital from wealthy individuals fleeing the communist regime as well as Chiang’s government diverting funds out of the mainland. However, it would have been unwise to depend solely on those sources of capital. For several decades afterwards, Hong Kong’s economy developed relatively independently to China’s. Surprisingly after the Joint Declaration, Hong Kong was able to expand its economy even more by relocating its labor-intensive industries to China where the price of production could be dropped.<sup>8</sup> Because the agreement reestablished confidence in Hong Kong’s continuing economic system, the city was able to retain its economic growth despite earlier misgivings and subsequent capital outflow. As long as confidence in Hong Kong’s economy has been steady and the city has not been in a state of recession, its economy has continued to prosper and expand.

#### **NEGOTIATIONS: THE BUMPY ROAD TOWARDS REUNIFICATION**

Several decades before the New Territories lease was set to expire, Britain was already trying to tackle the problem of Hong Kong’s future with China immediately following World War II. Although Britain had recovered Hong Kong after the Japanese defeat in WWII, both Britain and China had made an agreement in which China could bring up the question of the New Territories’ future. Therefore, after urgent matters pertaining to the war were addressed, Britain worked to prepare a plan for its foreign policy regarding Hong Kong which included four options: rejecting Chinese demand for the return of Hong Kong or the New Territories, returning the territory under certain conditions, entering into a lease-back arrangement, or retroceding the entire colony.<sup>9</sup> Although the last two options were presented as possible choices, they were included as worst case scenarios. Britain did not want to cede the colony

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7. Horesh, “Development Trajectories: Hong Kong vs. Shanghai,” 28.

8. Alvin Y. So, ““One Country, Two Systems” and Hong Kong-China National Integration: A Crisis-Transformation Perspective,” *Journal of Contemporary Asia* 41.1 (2011): 105.

9. Tsang, *Hong Kong: Appointment with China*, 57.

back to China but was realistic in realizing that it could not stop the country from demanding Hong Kong in its entirety be returned to it. Fortunately for the British, China still had its hands tied after World War II, now having to deal with the Communists in northern China, choosing to address the problem of Hong Kong later.

Following the regime change in China in the 1940s, Britain's new considerations regarding Hong Kong shifted to whether the PRC would allow a "well-organized, well-run British port" or whether it would try to reclaim the colony "using every method short of war."<sup>10</sup> With the outing and exile of Chiang to Taiwan, China's policies under Mao inevitably changed but policy towards Hong Kong barely did. The British knew that the PRC would eventually ask for the return of Hong Kong but not in the immediate future. Nevertheless, they strengthened military presence in the city, looking at the city's future from a Cold War perspective rather than China simply taking back the city. Ultimately, even though both China and Britain delayed on addressing the 1997 question as Britain did not want to undermine the Hong Kong people's confidence and China wanted to continue benefitting from the city's economic prosperity, negotiations moved forward for the return of Hong Kong to China in 1997.

When Patten, the last governor of Hong Kong came into office, he worked to "enact legislation" to better ensure that the city would be "better equipped for its post-reversion future" as Britain realized that it could no longer "downplay the interests of the peoples of Hong Kong."<sup>11</sup> He expanded suffrage, giving more power to the LegCo, in an effort to give the people of Hong Kong more democratic power. Patten saw it as his duty to provide greater franchise for Hong Kong, but his efforts were eventually undone when China undid his reforms after 1997. Britain had not wanted to return Hong Kong to China, but as time progressed and the power balance shifted, it could no longer ignore China's demands, leaving Britain with only the option of safeguarding Hong Kong's economic prosperity and civil freedoms since it could no longer hold on to the territory as a colony.

After Deng Xiaoping opened China's market up and brought the country out of isolation, he set his sights on reunifying Chinese land

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10. Tsang, *Hong Kong: Appointment with China*, 72-73.

11. Buckley, *Hong Kong: The Road to 1997*, 127-128.

like Hong Kong and Taiwan under the PRC, seeking to bring China back to its former glory before the century of humiliation. Hong Kong's New Territories Lease was soon set to expire, so the colony became the starting point for the reclamation of former Chinese property. Initially, Deng Xiaoping's attitude towards Hong Kong was to "utilize it to the full to support the PRC's modernization" but realized that Hong Kong could be used as a sort of case study "to persuade Taiwan to rejoin mother China."<sup>12</sup> While China had been in isolation experiencing a massive upheaval in society, Hong Kong had left China far behind to trail in its dust of economic growth. With the introduction of capitalism to the Chinese economy, Deng Xiaoping saw Hong Kong as a useful tool to attract investments into the country as the Shenzhen area could tag along on the city's already established economy. Essentially, China wanted all the benefits Hong Kong had to offer without having to compromise on political issues to achieve those benefits. However, the views that the Chinese government brought to the negotiation table regarding Hong Kong's civil society were only compatible on the aspect of not wanting to harm the city's prospering economy.

From the government's viewpoint, "it and it alone represented the people of Hong Kong," and it did not matter what the latter or even the British thought.<sup>13</sup> China never really saw Hong Kong as belonging to the British but only that the British were acting as the caretakers. Despite the island of Hong Kong and the Kowloon peninsula having been ceded to Britain in perpetuity, the Chinese government at that time could do nothing about it, so the loss of the territory was seen as temporary rather than permanent on the basis that the treaties unfairly favored the British. Having at least managed to stabilize the country and economy to a certain extent, the Chinese government could now turn its focus on Hong Kong, its loss which was attributed to unequal treaties with the British. One of the easiest ways for China to do this was to superimpose its ideals on the city, especially the press. Unlike Hong Kong, China saw "mass media as an instrument of the state" rather than an independent actor in society<sup>14</sup> (Ma 169). One of the PRC's main concern is preserving its one party system while at the same time adjusting to globalization and a capitalist system, and one way with which they can work to maintain their current

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12. Tsang, *Hong Kong: Appointment with China*, 90-91.

13. Tsang, *Hong Kong: Appointment with China*, 102.

14. Ma, *Political Development in Hong Kong: State, Political Society, and Civil Society*, 169.

political system is through control of the press. In the years since Hong Kong's return to mainland China, the two parties have clashed multiple times over their differences and desires as one's victory in a policy meant loss for the other. Because the regimes of China and Hong Kong are so different, their relationship is essentially zero-sum. Neither one can enact policy for its benefit without setting itself up for dispute from the other party who stands to lose.

Hong Kong under British rule had little to complain about as its society had the economic prosperity and civil freedoms that many people around the world immigrated to America to obtain. Maintaining their city's economic prosperity was of utmost importance to the people of Hong Kong in addition to the preservation of freedom of speech because they saw a "free and pluralistic press as a vital component of their 'capitalist way of life.'"<sup>14</sup> For the people of Hong Kong, freedom of speech and a free market system are interconnected. The Hong Kong people were not willing to give up their civil liberties, especially their freedom of speech, which China wanted to limit in order to prevent democracy and Western ideals from threatening its one party system. This was especially evident in the 1980s when Hong Kong experienced "sudden irrational fluctuations in the financial market and massive emigration of financial and human capital."<sup>15</sup> Losing confidence in light of the upcoming transition to China, the people of Hong Kong and foreign investors transferred their assets and capital out of the city. During this transition period, nothing was guaranteed for Hong Kong, and no one knew if Hong Kong would simply be reintegrated back into China or would be given special privileges on account of its circumstances. After all, communism's economic philosophy dictates common property, which if applied to Hong Kong could mean the loss of everything people would have worked to own.

Initially, Hong Kong had high hopes about the British position in negotiations because "China had just started the Four Modernisation reforms," and it believed that the country would not want to risk losing "substantial Hong Kong investment in China" and Hong Kong's "economic usefulness... for a China with limited trade and investment

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15. So, "'One Country, Two Systems' and Hong Kong-China National Integration: A Crisis-Transformation Perspective," 103.



links.”<sup>16</sup> When the question of 1997 was brought up, the thought of being ceded back to China had not been a much entertained idea because London seemed to have a pretty good negotiating position, and Hong Kong could be very valuable to China the way it was currently. However, much to the city and Britain’s surprise, Beijing not only refused to renew the lease for the New Territories but also wanted to have the city back under Chinese rule. It was the understanding of the need to maintain confidence in Hong Kong and win the city’s public opinion that led to the development of the ‘one country, two systems’ policy. Because they were now guaranteed their civil freedoms and free market system in the Joint Declaration, the “panic in Hong Kong society,” “emigration waves,” and “irrational currency fluctuations” eventually disappeared.<sup>17</sup> Hong Kong only wanted two things: civil freedoms and a capitalist market. From a Western standpoint, these two items are fairly easy to guarantee a society because these are elements of Western society, but for communist China, civil rights and a free-market system went against almost every aspect of its government and societal system. Only with a written guarantee did the unrest in Hong Kong die down, but the Joint Declaration and the Basic Law also presented another set of problems.

In order to preserve Hong Kong’s prosperity after its return to China, China and Britain drew up the Basic Law, a mini constitution, which created the territory’s current governing system. While the document provides for ‘one country, two systems,’ ensuring that Hong Kong would not be ruled under socialist policies, certain ambiguities in the writing have resulted in conflict between Hong Kong and China. In fact the Joint Declaration too had been “subject to a great number of conflicting interpretations” as Britain and China disagreed “over political change for the territory.”<sup>18</sup> Compared to the Basic Law, the Joint Declaration was shorter and served as a basic outline for how Hong Kong would look after 1997. In an effort to please all sides, the document effectively contradicts itself indirectly several times in order to put the Chinese government in control of the city while at the same time reassuring the British that they still had some influence and the Hong Kong people that they could retain their current civil society. The Basic Law was more

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16. So, “‘One Country, Two Systems’ and Hong Kong-China National Integration: A Crisis-Transformation Perspective,” 103.

17. So, “‘One Country, Two Systems’ and Hong Kong-China National Integration: A Crisis-Transformation Perspective,” 104.

18. Buckley, *Hong Kong: The Road to 1997*, 117-118.

detailed than the Joint Declaration in setting up the territory's future governing system, but much of its implementation also "depend[ed] on the victors in the succession struggles following the death of Deng."<sup>19</sup> Adopted in 1990, the Basic Law would not go into effect until the return of Hong Kong to Chinese hands. Thus, between the time that it was written and the time it was to be adopted, the British and more importantly, the Chinese, had time to iron out how exactly the territory should be governed.

With the British initiating more and more democratic reforms in Hong Kong before 1997, the Chinese government needed to determine how best to enact policies in its interests without creating an outflow of capital from the city. The Basic Law does not cement the Hong Kong government from 1997 until 2047 but also includes "specific dates by which the procedures" for the election of the Chief Executive and Legislative Council or LegCo "are on the public agenda for possible change."<sup>20</sup> For example, in 2017 the constitution calls for the election of the Chief Executive by universal suffrage. Ironically, it is not the problem of universal suffrage that sparked the Occupy Central movement and other current protests around Hong Kong but the selection of candidates. Citizens of Hong Kong will be given universal suffrage in terms of their ability to vote, but they are not happy with the fact that the candidates from whom they will be choosing from are those backed by the PRC. There is no point to universal suffrage if the people of Hong Kong have no choices to pick from.

While the Basic Law allows for the expansion of democracy in electing government officials, China sets the time frames for these policies to come into effect as evidenced by the wording "at an appropriate time" stated multiple times in the Basic Law.<sup>21</sup> The PRC needs to maintain its one party system, but it cannot control a "powerful and independent legislative body with a fully elected membership based on geography" in Hong Kong which could undermine politics in

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19. Buckley, *Hong Kong: The Road to 1997*, 120.

20. Lynn T. White III, "The Political Appeals of Conservatives and Reformers in Hong Kong," in *Hong Kong Reintegrating with China: Political, Cultural and Social Dimensions*, (Hong Kong: Hong Kong UP, 2001), 25.

21. *The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China*.

Beijing.<sup>22</sup> The Chinese government is stuck in a position where it must be able to placate the people of Hong Kong or risk capital outflow from the city while at the same time prevent democracy and other Western ideals from destabilizing the communist government. Only under vague promises could the CCP delicately balance the ‘one country, two systems’ policy, but this structure does little to solve the tension between Beijing and Hong Kong as each is interested in maintaining its current way of life without being undermined by the other.

### **INTERACTIONS: CLASHES BETWEEN CHINA AND HONG KONG**

Despite the assurances under the Basic Law of a separate governing system from China, the involvement of the PLA in the Tiananmen protests struck fear in the hearts of the Hong Kong people because they feared that this situation too could happen to them. The Tiananmen protests in China were a big turning point in the Hong Kong people’s attitude towards the PRC as they saw their concern about the Beijing government possibly ignoring “any constitutional provisions that conflicted with the priorities of the state and communist party” become real.<sup>23</sup> The political climate of Hong Kong changed dramatically after the protests as the people sought to push for more changes in the Joint Declaration and Basic Law to ensure the protection of their rights. Until this point, Sino-British negotiations had been relatively smooth without much anxiety and fear from the population, but now Britain had to contend with the anger and fear of the Hong Kong people over the future. For the people of Hong Kong, Tiananmen had been a glimmer of hope in their future as they could identify with the actions of the demonstrators “freely” protesting “against the perceived injustices by the state” and their “ideological position in the liberal-democratic school of thought.”<sup>24</sup> The protests represented a possibility that China could finally be relaxing its grip on the political system to allow dissent in calling for changes. If the Chinese government could negotiate and come up with a solution in answer to the protests, then this would represent positive implications for how the territory would be handled by the PRC in the future.

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22. E.V. Roberts, “Political Developments in Hong Kong: Implications for 1997,” *The ANNALS of the American Academy of Political and Social Science* 547.1 (1996): 30.

23. Buckley, *Hong Kong: The Road to 1997*, 123.

24. Nicholas Thomas, *Democracy Denied: Identity, Civil Society and Illiberal Democracy in Hong Kong* (Aldershot, Hants, England: Ashgate Pub., 1999), 207.

However, the protest ended with the loss of lives and with it the Hong Kong people's confidence that their rights would be protected post-1997 as many believed that if these rights could not be assured in China, they could not be preserved in Hong Kong.<sup>25</sup> Money and support were directed to the Tiananmen protesters from Hong Kong as they could strongly identify with their actions and ideas and saw the movement as harbinger of a future in which there would be no fear of China encroaching upon their civil freedoms. As a result of the bloodshed in Beijing, Hong Kong experienced massive emigration because many people lost faith in the PRC being able to come through on its promises as set in the Basic Law and Joint Declaration. People took to the streets following the massacre, revitalizing the democracy movement, resulting in Beijing coming to "perceive Hong Kong as a base of subversion against the Chinese government."<sup>26</sup> Afraid, China inserted Article 23 into the Basic Law which states that at a time determined by Hong Kong, the city will enact laws to "prohibit any act of treason, secession, sedition, subversion" against the PRC.<sup>27</sup> When these laws are enacted, then the Chinese government could then crack down on any activity they viewed to be threatening to its one party rule, which could be used to check the power of the democracy movement. However, the insertion of Article 23 only served to spark the second major protest in Hong Kong history in 2003.

With the economic crisis that came with the SARS epidemic and Tung Chee-Hwa's unpopularity, the move to begin enacting Article 23, national security laws, brought out masses of the people to the street in protest against what they saw as potential encroachments on their civil rights and freedoms. In 2002, Tung's administration began to propose a series of legislation in accordance with Article 23 of the Basic Law which created an "uproar in Hong Kong" because the people saw the proposals as instruments for "Beijing to limit their civil liberties."<sup>28</sup> With offenses vaguely and obscurely described, any remote action that threatened the Chinese government could be deemed as treason, leading

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25. Tsang, *Hong Kong: Appointment with China*, 160.

26. So, "'One Country, Two Systems' and Hong Kong-China National Integration: A Crisis-Transformation Perspective," 107.

27. *The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China*.

28. Stan Hok-Wui Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong* (TS, The Chinese University of Hong Kong, 2014), 80-81.

to self-censorship due to fear of arrestment. From the Hong Kong people's viewpoint, Article 23 gave the Chinese government an excuse to control their free speech, press, and media in the name of preventing treason. The 2003 protest was the largest since 1989 when Tiananmen occurred, and the size, passion, and the "variety of social groups taking part" reflected the "pervasive public dissatisfaction with governmental performance" and support for "greater democracy."<sup>29</sup> As evidenced during the Cold War, many people saw democracy as the counter to communism, the two regimes at opposite ends of the spectrum. Though limited in their experience with democracy, the people of Hong Kong understood that this type of governmental regime could guarantee their civil rights, especially the freedom of speech, which they did not want to lose to censorship by the Chinese government.

Already unpopular, even at the start of his second term as Chief Executive, Tung created a political crisis with the attempt to implement Article 23. With China's central government seeking stability, Tung also lost his support and backing from the PRC and eventually stepped down in 2005 when a more "credible leader [was] needed" to appease the public dissatisfied with the economy and government.<sup>30</sup> Again China was focused on maintaining its stability without compromising its one party system. Since the establishment of communism in Russia, democracy has been the antithesis of the regime, and China was determined not to let Hong Kong's democratic and Western ideals get out of hand in influencing the mainland. Tung resigning as Chief Executive and the putting away of Article 23 for the time being did not by a long shot solve any of the underlying problems that the people of Hong Kong were protesting against. However, China's reluctance to give the city any more say in its governing system has led to a stalemate in which neither Hong Kong nor the PRC will budge because of the fear of being undermined by the other party.

Despite being at a disadvantage in choosing leaders who will be the movers and shakers in Hong Kong society, the people of Hong Kong have used whatever tools the system has given them to voice their discontent

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29. Ming Sing, "Explaining Mass Support for Democracy in Hong Kong," *Democratization* 17.1 (2010): 175.

30. *Hong Kong Politics: Security-Bill Reprieve*. New York: The Economist Intelligence Unit N.A., Incorporated, 2003. <http://search.proquest.com/docview/466328555?accountid=6667>.

and pressure for changes from the pro-Beijing leaders. Although the ordinary people could not vote Tung out of office, they could exercise their freedom of speech and used “phone-in radio programs and online forums” to “vent anger at Tung or the larger political system.”<sup>31</sup> While they did not have the power to remove an official from office, the people did have the ability to make a politician like Tung extremely unpopular. Without any other means of acting on their discontent, many hoped that fueling Tung’s growing unpopularity would be enough to have him removed from office or to pressure him into resigning. In addition to the general use of media, “journalists, legal professionals, and academics” worked together to show their disapproval of legislation by “issuing public statements and organizing concern groups.”<sup>32</sup> Not only were individuals venting their discontent on the web, radio, and other media outlets, there were also organized groups in academia issuing well-informed and well-thought out statements regarding their opinions. Even religious organizations like the Catholic Church became involved because their ties with underground mainland churches might land them in trouble with the PRC. After 1997 Hong Kong’s civil society rallied against perceived threats to civil rights from Beijing. Because of China’s controversial policies regarding the city, Hong Kong’s civil society has thrived in response due to narrow channels for change through the government.

### **CONSEQUENCES: IMPLICATIONS OF THE “ONE COUNTRY, TWO SYSTEMS” POLICY**

The overlay of Chinese rule on top of a society used to a free market and civil freedoms meant that the Hong Kong people expected China to leave them alone without significant interference, giving them the right to as much self-governance as possible. After watching the beginning of the Tiananmen protests, the people of Hong Kong hoped to see China “liberalising its political system” where “greater safeguards” would be built “into the political system.”<sup>33</sup> When the Joint Declaration gave them a high degree of autonomy, the people of Hong Kong did not expect to China to interfere greatly with the governing of their city. With China having opened its door to capitalism after having isolated itself from the rest of the world, it was not too much to hope that the country could

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31. Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong*, 79.

32. Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong*, 81.

33. Thomas, *Democracy Denied: Identity, Civil Society and Illiberal Democracy in Hong Kong*, 207-208.

also reform its political system as well, little by little. Students even had the confidence to write a letter to the premier of the PRC asking for “Hong Kong to have democracy at the time of reunification” which was answered in the affirmative, demonstrating how anxious China was to “court Hong Kong people’s political support.”<sup>34</sup> Despite having misgivings about being returned to China and authoritarian rule, the people of Hong Kong still retained hope during negotiations because it was understood that the city had a significant economy which could be made into a very valuable asset for China. The PRC itself was unlikely to embrace the same democratic and Western ideals as Hong Kong just as unlikely it would be for Hong Kong to submit itself to authoritarian rule after a century under British rule with civil liberties which was just a dream for the Chinese under Mao.

Because they were not allowed to directly participate in the Sino-British negotiations over the return of Hong Kong to China, the people of Hong Kong did not expect the PRC to listen to their demands and so settled upon “pushing for democratization, because democratic institutions are the most powerful bulwark” against Chinese authoritarian rule.<sup>35</sup> This outlook is ironic because while the Hong Kong people expected to receive considerable free reign, at the same time they also believed that the Chinese government would try to restrict their rights. The people of Hong Kong counted on the city’s economic powerhouse status to force China to carefully approach any policies pertaining to the territory, but still afraid and knowing that this factor alone would not stop the PRC from gradually trying to absorb Hong Kong back into its political fold, they pushed for democratization. In dealing with China, everyone simply hoped for the best while preparing for the worst because Hong Kong’s future largely depended on how the PRC interpreted the Basic Law in ruling the region. Less and less sure that their civil rights will continue to be protected, the people of Hong Kong have become increasingly discontent with Beijing and have started pushing harder than ever for democratization.

Beijing’s cooptation strategy to keep Hong Kong happy without undermining its own communist regime has been to create essentially an illusion of free elections which are in actuality controlled by the PRC.

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34. Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong*, 59-60.

35. Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong*, 73.

The Basic Law calls for the eventual election of the Chief Executive and LegCo by universal suffrage but neglects to specify a time frame or road map which allows for China to control the degree of political liberalization in Hong Kong.<sup>36</sup> The institutions for elections do exist, but they only create the perception of choice because China controls how elections will function and to what extent citizens can have a say in the voting process. For the most powerful positions in the Hong Kong government, Beijing is the one pulling the strings and has essentially rigged the elections for the candidate it favors. The Chief Executive and many LegCo members, while elected, are not popularly elected in the sense that they are nominated and voted for by ordinary citizens.<sup>37</sup> In the process of selecting a Chief Executive, candidates are first nominated by a committee that is notably composed of pro-Beijing figures. Half of the LegCo is composed of functional constituencies which represents professional, economic, and social groups who tend to have narrower constituency bases and also happen to be largely controlled by pro-Beijing politicians. Popularly elected seats make up the other half of the LegCo but are already in a stalemate in legislation because of the seats controlled by those sympathetic to China. In looking at China's cooptation strategy, the people of Hong Kong are not so much concerned with the matter of universal suffrage but with the election of officials from the grassroots. For ordinary citizens there is no point in the elections and voting if the candidate that they would like to elect is not even on the ballot. The PRC has allowed the people of Hong Kong to control the power of the voting booth, but it has not allowed for truly free elections because Beijing controls the nomination and candidate selection process.

Because the phrase 'high degree of autonomy' is ambiguous, China's interpretation of this policy in dealing with Hong Kong differs from what most of the population expects, leading China to implement policies that the territory views as reneging on the Basic Law. Although the city had been granted democracy in electing the Chief Executive, Beijing maintains virtual control on Hong Kong's executive power. While Article 45 guarantees that the Chief Executive will be elected and universal suffrage will eventually be adopted, "obscurely worded terms" allow Beijing to restrain political liberalization due to "flexible

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36. Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong*, 65.

37. Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong*, 66, 68.



interpretations.”<sup>38</sup> While the Basic Law calls for a gradual process of political liberalization, it does not specify what can be defined as gradual, essentially making any progress, no matter how small, a gradual process. The Chief Executive is also to be nominated by a committee according to “democratic procedures,” but this term as well is not specified giving the Chinese government the ability to screen candidates through the nominating committee if it so desires.<sup>39</sup> Hong Kong was given the ability to govern itself mostly outside of the constraints of Chinese authoritarian rule, but China still retains oversight in the region and can thus still have great amount of power in determining how the city is run from the top down.

In addition to being elected, the Chief Executive also has to be appointed by Beijing, giving the PRC the “ultimate veto power over leadership selection.”<sup>40</sup> One of the sparks in the current protests in Hong Kong is over the 2017 Chief Executive election which marks the turn to universal suffrage. However, because Hong Kong is a part of China, Beijing believes that it retains the rights to dictate to a certain extent how the city is run by putting forth a leader who will not threaten the government in the mainland. Another interesting provision written into the Basic Law is that the “Chief Executive cannot be a member of [a] political party,” reflecting the PRC’s aversion to threats posed by opposition parties.<sup>41</sup> China is committed to preserving its one party system, and if party politics in Hong Kong manage to infiltrate into politics in mainland China, then the Chinese government would be undermined and destabilized. Party politics would also introduce other thought systems to the people in mainland China, allowing them to incorporate ideals into their belief system that could run contrary to Beijing’s party line, and ultimately disrupting society as well. While the bulk of Beijing’s oversight as interpreted from the Basic Law is directed at the executive branch, stipulations in the mini constitution also limit Hong Kong’s legislative branch, helping to protect the one-party system in China.

Hong Kong’s legislative branch consisting of the Legislative

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38. Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong*, 66.

39. *The Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China*.

40. Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong*, 66.

41. Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong*, 66.

Council or LegCo does not have as much power as the Chief Executive, which is consistent with Beijing's desire to limit the people of Hong Kong's influence on their governing system. For example, the LegCo is not allowed to "introduce any bill related to public expenditure, political structure, and the operation of the government."<sup>42</sup> Even though the people of Hong Kong can directly elect some of their representatives to the LegCo, these elected officials can only do so much in enacting policies that their constituents want due to limitations on the legislative branch's power. Under Article 74, China has essentially set in stone the structure of the Hong Kong government because the LegCo can do nothing to change the political structure, and because the Chief Executive is screened for political opinions that do not counter Beijing's policies. Additionally, while the LegCo can bring up bills regarding government policies, they must be approved by the Chief Executive who as previously discussed has to also have been approved by the Chinese government.

Under the last several years of British rule, attempts were made to strengthen the power of the LegCo, but it lost even more power after the handover due to "changes in post-1997 electoral rules" as the system under Governor Patten was "seen by the Chinese government as violating the Basic Law."<sup>43</sup> Patten's changes in the legislative system involved further democratization which angered Beijing because it undermined its support in Hong Kong. This session of the LegCo was dissolved upon Hong Kong's return to China and was replaced with a provisional council until the next round of elections where voting reverted back to pre-Patten rules. As with the Chief Executive, stipulations for the LegCo seem to give the people of Hong Kong considerable power in having a say in the government, but again Beijing has worded its appeasement in vague and obscure terms and has structured the LegCo to maximize power for pro-Beijing groups.<sup>44</sup> Patten's system had prevented many of the pro-Beijing groups from gaining seats in the LegCo because as less popular parties, they faced considerable more difficulty in a winner-take-all system. While the LegCo definitely is not as powerful as the Chief Executive, the PRC still considers the power that it has something

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42. Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong*, 67.

43. Ma, *Political Development in Hong Kong: State, Political Society, and Civil Society*, 119.

44. Wong, *Protest and Patronage: Electoral Politics in Post-1997 Hong Kong*, 67-68.

to be watched and restricted. For China, the game of governing Hong Kong is finding the best balance of allowing the city enough democracy to maintain its stability and economic prosperity without doing it at the expense of Beijing's own political and societal stability.

### CONCLUSION

British colonial influence has left a considerable mark on Hong Kong. While many other colonies have found themselves struggling to establish an identity, industries, and economies for themselves after decades and centuries under foreign rule, Hong Kong found itself emerging out of British rule as an economic powerhouse and a city China could not simply subdue with force. China could not simply impose on Hong Kong its authoritarian and one-party system of rule as the people of Hong Kong had developed a belief and system of thought that ran contrary to the PRC's. Any attempt to do so would bring the city's economic prosperity to a crashing halt as evidenced by the capital outflow and wave of emigration in the 1980s when negotiations went under way for the return of Hong Kong to China. In order to create what China saw as the best of both worlds, having Hong Kong's economic prosperity based on a capitalist system under Chinese authoritarian rule, the country proposed the 'one country, two systems' policy. The writing of the Joint Declaration and Basic Law thus set out to marry Western ideals with a communist regime to create the post-1997 government of Hong Kong. Although these two documents solved the problem for the time being, they brought about another set of problems for Hong Kong's future.

The city and nation are still at odds with each other even with the two documents mediating relations between the two. In reality, the Joint Declaration and Basic Law which serves as a mini constitution are far from perfect as the guidelines, rules, and laws put forth by these two documents deliberately leave room for interpretation. Hong Kong wants as little interference from China as possible so that the city can focus on its trade and financial business centers. The PRC too desires the best for Hong Kong in the economic sector but only up to the point where it can still retain sovereignty. Without its one-party system, Beijing is afraid that it will lose control of the country, and the nation could become entangled in domestic political and societal instability. However, the catch for the PRC is that it cannot force Hong Kong into following its rules without risking the city's economic wellbeing. Hong Kong and

China both stand to lose in their zero-sum game. The democracy and freedom of press and media is the tool of the Hong Kong people to make their voice heard about their interests, and they will do all they can to protect what they see as necessary in their society.

As the people of Hong Kong have seen in the Tiananmen protests, China will go as far as using force as a last resort to retain its sovereignty. Each side is dangerous to the other. Hong Kong's democracy and Western ideals have the potential to undermine Beijing's political platform, and the PRC has the power and might to destroy Hong Kong's civil society. As long as the two parties struggle to find a way to ensure their most fundamental demands, the people and two governments will continue to clash over and over again because these demands are the foundations for the two societies. China will not back down and neither will Hong Kong. The current protest in Hong Kong has been the longest since Tiananmen in 1989, and neither side has won concessions from the other. China and Hong Kong are at an impasse where Western ideals of democracy and civil freedoms and China's communist system of one-party sovereignty cannot come to an agreement with each other.