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Focus – *Hong Kong Twenty Years after the Handover: Quo Vadis?*

***Foreword – Upon the Twentieth Anniversary of the Hong Kong
Handover: An Update on State-Civil Societal Relations*** (pp. 523-548)

Emile Kok-Kheng YEOH
University of Malaya

(editorial, no abstract)

***Introduction – The Hong Kong Special Administrative Region: 1997-
2017*** (pp. 549-574)

Joseph Yu-shek CHENG
Independent Scholar, Hong Kong
Formerly City University of Hong Kong

Abstract

In this survey of the two decades since Hong Kong's return to the motherland, the author chooses to focus on the performance of the economy, Beijing's policy towards the territory and the development of the pro-democracy movement. These three variables probably have the most important impact on Hong Kong's political and social stability and its challenges ahead.

Keywords: *Hong Kong, pro-democracy movement, political reforms, localism, independence, gap between the rich and poor, young people*

Human Rights Development in the First 20 Years of the Hong Kong Special Administrative Region (pp. 575-616)

CHONG Yiu Kwong

The Education University of Hong Kong

Abstract

Have human rights been improved since the establishment of the Hong Kong Special Administrative Region (HKSAR)? Perspectives will be drawn from comments of the United Nations (UN), public perception, application of UN human rights conventions, enactment of human rights laws and landmark judgments by the Court of Final Appeal (CFA). Major human rights improvements were achieved before the 1997 handover whereas little progress has been made thereafter. Human rights deterioration after 1997 was signified by the first interpretation of the Basic Law by the Standing Committee of the National People's Congress (NPCSC) in June 1999. Anti-national security law movement in 2003 and the Umbrella Movement in 2014 substantially changed the political landscape as well as the human rights environment. The Central People's Government (CPG) has been tightening control on HKSAR's autonomy, resulting in lowering the degree of autonomy and less protection of human rights.

Keywords: *human rights, law, HKSAR, United Nations, democratic development*

Localism in Hong Kong: Its Origins, Development and Prospect (pp. 617-655)

Yiu-chung WONG

Lingnan University, Hong Kong

Abstract

The paper firstly aims to analyse the changing political landscape after the Legislative Council election in September 2017. Secondly, the social political context in which localism emerged is delineated. An analysis of the rise of the politics of democratization and identities in the post-Handover Hong Kong is provided. The policies of "One Country, Two Systems" (1C2S), initiated by the People's Republic of China (PRC) to resolve the sovereignty issue of 1997 are discussed. It is argued that in the implementation of the 1C2S since the Handover in 1997, the Chinese party/state has shifted from non-interventionism to pervasive integration, which violates its pledges of "fifty years unchanged". The Basic Law is arbitrarily interpreted to suit political expediency. Its Leninist absorption of Hong Kong into Chinese authoritarianism has directly triggered the rise of localism in the younger generation. The paper also explores the two theoretical discourses of the "independence" and "self-determination" narratives in contemporary Hong Kong and finally the prospect of the "independence" movement is examined.

Keywords: “One Country, Two systems” (1C2S), localism/nativism, universal suffrage, democratization, identities, nation-building movement, Occupy Central, Umbrella Movement

Social Construction of National Reality: Chinese Consciousness versus Hong Kong Consciousness (pp. 657-686)

Fu-Lai Tony YU** and *Diana S. KWAN**

** Hong Kong Shue Yan University*

*** The Chinese University of Hong Kong*

Abstract

The struggle to break away from the parent state and claim for independence often results in political unrest, terrorist activities and even ethnic cleansing. In East Asia, the hostilities between people from Hong Kong and mainland China also intensify rapidly in recent years. The late 2000s and early 2010s witness a surge in anti-Mainlander sentiment in Hong Kong and a call for self-determination, resulting in a series of political upheavals. In literatures, irredentist and secessionist advocators generally defend themselves in terms of common blood, race and culture. None of them regards the issue from human agency theory. This paper has two objectives. Firstly, based largely on the works of Max Weber, W.I. Thomas, Alfred Schutz and Peter Berger, this paper constructs a theoretical framework, namely, the social construction of national reality, which allows us to explain the origin of national identity and the reason for people to call for autonomy or secession. It will argue that collective consciousness originates from everyday life experience taken for granted during socialization. Individuals make sense of the external world. Experiences taken for granted become the actor's stock of knowledge. A common scheme of knowledge shared by the community serves to differentiate in-group (nationals) and out-group (foreigners). Collective consciousness thus defines national identity and hence a nation. Unless people (both in-group and out-group) interact with and learn from each other, different stocks of knowledge taken for granted will create conflict. This theory is applied to explain growing Sinophobia in Hong Kong. The confrontation between traditional Chinese consciousness and emerging Hong Kong consciousness undermines the peaceful coexistence among Hongkongers and Mainlanders, unless both parties redefine their stock of knowledge via dynamic learning. The paper concludes that in order to reduce the conflicts in the regions, understanding the origins of collective consciousness and national identity can help formulate an appropriate policy to resolve growing tensions between Hong Kong and mainland China.

Keywords: *social construction of reality, mainland China, Hong Kong, national identity, collective consciousness, secessionist movement, autonomy*

Catholic Church-State Relations in the Hong Kong Special Administrative Region: A Review of 20 Years (pp. 687-712)

Beatrice K.F. LEUNG

Wenzao Ursuline University of Languages, Taiwan

Abstract

The Catholic Church and the Hong Kong British Government formed warm relations when the Church became the contractor of the government to provide education and social and medical service. The British did not provide democracy to Hong Kong but allowed ample freedom including religious freedom which the Hong Kong Catholics would like to protect in the post-colonial period under the Communist Party rule. For religious freedom, right after Hong Kong became the Special Administrative Region (HKSAR), the Hong Kong Catholic Church under the prophetic and vocal leadership of Bishop Joseph Zen, became very active in political participation. Zen's leadership was short-lived (1996-2009) and the soft-spoken Bishop John Tong replaced him with a different approach of consolidating the church without antagonising the government with social issues.

Keywords: *Hong Kong Catholic Church, Church-state relations, political participation, Mainlandization, Vatican policy towards China*

Contextual Analysis of Hong Kong Education Policy in 20 Years: The Intention of Making Future Citizens in Political Conflicts (pp. 713-745)

Steven Chung Fun HUNG

The Education University of Hong Kong

Abstract

Originally, the capitalist society in Hong Kong under communism is exceptional, but the "one country, two systems" formula was a makeshift stratagem by the Communist Chinese government. The twenty years of history witnessed the tension of ruling and policy implementation. Education policy in political conflicts is, of course, the other arena in the Hong Kong context which reveals competitions, controversies and struggles among the cultural hegemonic engineering. This paper can contribute to enigmatic understanding and interpretation of generating educational reform and implementing education policy in this twenty-year history of the Hong Kong Special Administrative Region.

Keywords: *conflicts, policy, contextual, struggle and ideology*

“Expressing my attitude and doing something impossible to make it happen ...” – Listening to the Voices of Hong Kong’s Umbrella Movement Protesters (pp. 747-818)

Tim Nicholas RÜHLIG

Goethe University of Frankfurt, Germany

Abstract

In autumn 2014 around 1.3 million mostly young citizens of Hong Kong occupied three districts of the city for 79 days. This movement became famous as the Umbrella Movement. Initially, the Umbrella Movement was almost exclusively perceived as a pro-democracy occupation because the democratization of the city’s polity was its core demand. However, over time the perception shifted and the movement was increasingly portrayed as part of a growing demand for more autonomy from mainland China. This rising “localism” is often associated with anti-Chinese sentiments including racism. This article aims to demonstrate that the Umbrella Movement’s call for democracy is indeed part of a broader agenda for more self-determination. This agenda, however, is not necessarily racist. Instead, the Umbrella Movement was a very plural one. The Umbrella Movement’s agenda does, however, comprise not only questions of democratization but also three additional dimensions, namely socio-economic, identity-political and institutional issues. The article aims to present the plurality of the Umbrella Movement by referring to and quoting a multitude of interviews with protesters which are intended to give the occupiers a “voice” in all their diversity. Finally, the article aims to conclude on the achievements of the movement in all four dimensions and outlines possible future directions.

Keywords: *Umbrella Movement, democracy, self-determination, localism*

Chinese-style Democracy as a Political Project for Meaning-Construction: Old Wine in a New Bottle? (pp. 819-847)

Benson Wai-Kwok WONG

Hong Kong Baptist University

Abstract

Drawn from the textual data in the online and printed media from mainland China and Hong Kong, this article aims to identify and feature how Chinese-style democracy is constructed by engaging in discourse analysis, arguing that China-style democracy is not a political experiment aiming to critically reflect upon the weaknesses of democracy in conceptual and procedural aspects, and not a creative project focusing on how the

Chinese experiences can refresh and reframe the conventional wisdom. Instead, it is a meaning-construction project surrounding the following themes explored: (1) negative Western democracy versus positive Chinese-style democracy in terms of efficiency, (2) Western democracy as the symbol of political failure, such as street politics, domestic struggles, chaos, (3) positivity of Chinese-style democracy with China's rise brought by reform and opening-up since 1978, and (4) perverting the language of Western democracy to construct Chinese-style democracy, such as rule of law, human rights. Specialty, uniqueness and adaption, in the main, are the common ground during the process of meaning reconstruction, with the intention to conduct the political performance for an undemocratic, illiberal and autocratic regime.

Keywords: Chinese-style democracy, Western democracy, stability, efficiency, street politics, discourse analysis

Enforcing the Right to Family Life in Hong Kong Courts: The Case of Dependant Policy (pp. 849-887)

Matthew Chuen Ngai TANG

The Chinese University of Hong Kong

Abstract

Despite the Hong Kong courts' seemingly robust protection of fundamental rights and civil liberties, enforcing family rights remains extremely difficult. While the right to family life is safeguarded by both domestic and international human right instruments, applicants in judicial review cases are usually not able to rely on it to challenge the decisions made by the immigration authority. This paper examines the challenges in enforcing the right to family life in Hong Kong's Dependant Policy with a particular focus on the Hong Kong Court of Appeal's recent decision in *BI v Director of Immigration*. The immigration reservation, entered into by the United Kingdom when ratifying the International Covenant on Civil and Political Rights, has become a justification for a restrictive immigration regime even after the transfer of sovereignty. The Hong Kong courts also repeatedly accord wide discretion to immigration authority. The courts' reluctance to scrutinize socio-economic policies reveals one of the key weaknesses in enforcing fundamental rights in Hong Kong by the way of judicial review.

Keywords: human rights, Hong Kong legal system, right to family life, international covenant on civil and political rights, administrative law, dependant policy

Hopes against Hobbes: On Authoritarianism, Regime Legitimation and Soft Power with a Review of Richard C. Bush's *Hong Kong in the Shadow of China: Living with the Leviathan* (2016) (pp. 889-987)

Emile Kok-Kheng YEOH

University of Malaya

Abstract

Richard C. Bush's *Hong Kong in the shadow of China: Living with the Leviathan* (2016) represents an important study on post-“Handover” Hong Kong focusing on the making of the 2014 Occupy Campaign and Umbrella Movement and the impact on the coming development in politics, governance and economy of Hong Kong, taking into consideration China's Hong Kong policy and the response of the Hong Kong people as well as the perspectives of Taiwan and the United States. This article, while reviewing the book, also provides a detailed analysis of the wider implications of the issues the author of the book has raised as regards Hong Kong – as China's policy approach towards Hong Kong and by extension Taiwan and the struggle of the Hong Kong people, as well as the Taiwan people, to protect the political freedom and democratic rights they aspire to maintain (in the case of Hong Kong) and that they have fought hard to secure (in Taiwan) have impacts that reach far beyond Hong Kong and Taiwan in the light of the PRC's current relentless global projection, riding on the wave of her economic miracle, of her hard and so-called “soft” power in a through an intricate nexus of her domestic and foreign policies that not only serves to strengthen domestic governance and enhance international influence but also involves extraterritorial actions to maintain CCP's one-party authoritarianism.

Keywords: *Hong Kong, China, Chinese Communist Party dictatorship, soft power, Innenpolitik-Aussenpolitik nexus, Leviathan, dissent, dissidents, Liu Xiaobo, Taiwan, Confucius Institutes*

***Research Note – Human Rights Are Human Rights: Asian Values, Chinese Characteristics and Universal Values* (pp. 989-999)**

Chien-yuan TSENG

Chung Hua University, Taiwan

(research note, no abstract)