How Hong Kong was lost

The State Security Law is the latest step in the repurposing of Hong Kong's system of governance and policing.

12.8.2020 Didi Kirsten Tatlow

The imposition of a Beijing-ordered, harsh and vague, state security law[1] on Hong Kong, one hour before midnight on June 30th, 2020, seemed to many people in the city and around the world the beginning of the end of Hong Kong's freedoms.

In reality it was the end of the beginning, the culmination of a deliberate, decades-long effort by the Communist Party of China (CPC) to build a parallel political order for Hong Kong despite the content of the Sino-British agreement over Hong Kong's future, the Joint Declaration, and Hong Kong's post-handover constitution, the Basic Law. The latter took effect on July 1, 1997, the date of the handover from Britain to China. Together these promised a "high degree of autonomy," a continuation of Hong Kong's "way of life," a "gradual and orderly progress" toward democracy and judicial and police independence.

This process of infiltrating, shadowing, then replacing – in essence, repurposing – can be likened to a long, silent coup, with the state security law the final flourish. Into the old bottle of Hong Kong's imperfect, developing political system, which dates from the late colonial years, the CPC has poured an even older wine – itself.

Three areas were key in this repurposing: political institutions, civil society and, perhaps most seriously, the Hong Kong Police Force (HKPF). Some main aspects of these are addressed here; others will be taken up in a second article.

Politically, the Chinese People's Political Consultative Conference (CPPCC) was a key vector and organiser in "repurposing" Hong Kong. The CPPCC is a key part of the party's United Front bureaucracy, which in turn is part of the united front system of the CPC. With the CPPCC at the core, all parts of this system engaged in a targeted effort to co-opt individuals, dilute civil society, and change institutions, via local proxies.

In civil society, an approximate 6-fold rise after 1997 of registered Civil Society Organizations (CSOs, non-governmental organisations), signalled a flourishing of genuine civil society but also its subversion by CPC-connected groups which established party-guided CSOs in order to realise CPC goals and values in Hong Kong. Figures and examples are below.

Within the police, more or less open pressure from Beijing to execute its wishes began almost immediately after the 1997 handover, though it was not publicly discussed at the time. A murky nexus of Hong Kong police and mainland China's Public Security Bureau, and "patriotic triads," CPC-friendly organised crime groups（黑幫）also known as secret societies, has sprung up. While the police still carry out day to day policing, since the passage of the state security law they are openly subordinate to Beijing's state security system.

What happened in Hong Kong is of profound importance not just for its 7 million people, but for the world, since key aspects of these events can be replicated elsewhere; the United Front operates globally. Thus this article offers the fate of Hong Kong as a template for other states to recognize challenges and threats to their own democracies from the CPC. While economics and personal gain are entwined in the three areas outlined above, we focus on institutional and societal organizations, as these have been overlooked. It is part of the CPC's modus operandi to portray its activities as mostly economic, thus diverting attention from its political goals and creating a false sense of security among its targets.

First, however, it is necessary to deal with an anticipated objection: that the CPC was able to do what it did in Hong Kong because it has sovereignty over it and cannot replicate this process in countries where it does not have sovereignty. True, it is harder for the CPC to build parallel political orders in places where it does not have sovereignty, yet fundamentally, this view is mistaken. After four decades of "going out" (走出去) the United Front is active in significant numbers in societies around the world, among both overseas Chinese and non-Chinese populations. The CPC adjusts its tactics and emphases according to differing conditions in, say, Taiwan, Australia, or Germany. It is also important to remember that the CPC does not need to assert full control in order to shape outcomes in its favor. Lastly, Article 38 of the Hong Kong security law states the law is extraterritorial in reach. The CPC is seeking to criminalize independent, critical discussion and activities around the world. This is an effort to "repurpose" politics everywhere.

Politics

In 1993, four years before the handover to China, the party for the first time appointed two Hong Kongers as deputy chairpersons of the national committee of the Chinese People's Political Consultative Conference (CPPCC), signaling a growing focus on the city and an uptick in efforts to manage it. This came a year after the establishment in Hong Kong of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB), a pro-CPC political party that would carry out much of the on-the-ground work including participating in elections to Hong Kong's Legislative Council.[2] 1993 is also the year that Tao Siju, a former minister of public security on the mainland of China, said that the CPC should unite with triads that were "patriotic."

The CPPCC, a revolutionary-era structure, is very large, aiming at all of society outside of the CPC, and is led by the CPC.[3] Its task is to co-opt non-party members to serve the party's interests. CPPCC members are generally prominent persons who are expected to play a role in state affairs: "CPPCC members are personages who represent all areas and sectors of society in China, have social influence and are capable of participating in the deliberation and administration of state affairs. … CPPCC members are required to maintain close ties with the people, to get acquainted with and report the people's desires and demands."[4]

In addition to the CPPCC national committee in Beijing, during the 11th session of the CPPCC (2008-2013), there were a total of 3,118 local committees (地方委员会) across China with 632,000 members, according to a 2013 report on the website of the CPPCC committee of Xuancheng, a city in Anhui province.[5] There are local committees from the provincial level down including in cities, city districts, and at the county level, "wherever conditions permit." Numbers may vary slightly from (5-year) session to session, but are generally quite stable.[6]

These first Hong Kong CPPCC national committee leadership positions were filled by Henry Fok Ying Tung (霍英东),[7] and Ann Tse-kai (T.K. Ann, 安子介).[8] Both were long-time CPC loyalists; their appointment made them part of an elite leadership group, the "chairman group" (主席团). The eighth CPPCC (1993 -1998) straddled the handover, meaning these appointments established a senior CPPCC power base for pro-CPC Hong Kongers prior to, through, and after the political caesura of 1997. These positions have continued in an orderly fashion since, with at one person remaining in place if another switched out, ensuring a high degree of continuity. Individuals represent interest groups; for example, the Fok family was and remains powerful in Hong Kong's sports scene.

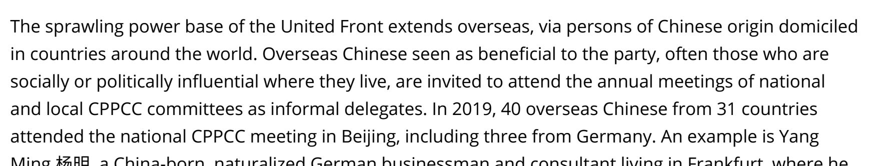
In 1993, too, the CPC appointed the person who would become the first post-handover Chief Executive (CE) of Hong Kong, Tung Chee-hwa (董建华)[9], as a regular CPPCC national committee delegate. Tung was later elevated to deputy chairperson in 2005, during the 10th CPPCC, after resigning as Hong Kong leader over large demonstrations in 2003 against a planned state security law. Clearly, the issue of state security has shaped Beijing's concerns and driven policy from the beginning, something that will be explored further in the Police section (below).

Another Chief Executive, Leung Chun-ying (梁振英), joined Tung as a deputy chairperson in 2018 after his own, 5-year, term as Hong Kong leader ended in 2017.[10] Both were Hong Kong affairs advisors for Beijing before the handover. Occupying dual institutional roles, they are examples of "double-hatting." This is the long-established CPC practice of giving an institution (person, even entire system of governance as in the case of Hong Kong), dual identities or functions, one party and one non-party. This is known as "one organization, two signs" (一个机构两块牌子, also 一套人马两个牌子).[11] To this day the CPC is an underground party in Hong Kong. Beijing does not publish membership information. Tung is the son of a shipping magnate; Leung is the son of a policeman.

Since the 1990s, scores of Hong Kong people joined the national and local CPPCC committees. By the 13th CPPCC (2018-2023) there were 200 Hong Kong members of the national committee. One was Margaret Chan, joining for the first time, after leaving her post as director-general of the World Health Organisation from 2006-2017.[12]

Of particular, practical significance for Hong Kong are local committees in southern provinces such as next-door Guangdong or Fujian, and committees in nearby cities such as Xiamen. However, some Hong Kongers are members of committees as far away as Shandong or Jilin provinces in northern China, generally those with personal or familial ties there.

Reflecting this situation, in 2006, nine years after the handover, a company limited by guarantee, one of two ways of setting up a civil society organization in Hong Kong, was set up to represent the Hong Kong members of 45 CPPCC committees around China, a move backed by the Liaison Office of the Central People's Government in Hong Kong (中央人民政府駐香港特別行政區聯絡辦公室).[13] From its website: "The HKCPPCC is a society supported by the Central Liaison Office that is made up of Hong Kong members of 45 provincial, autonomous region, municipality and sub-provincial level city consultative conferences, set up by individuals who love China and love Hong Kong" ("港區省級政協委員聯誼會是在中聯辦支持下，由全國四十五個省、自治區、直轄市和副省級城市的港區政協委員，以個人身份發起成立的愛國愛港社團").



The sprawling power base of the United Front extends overseas, via persons of Chinese origin domiciled in countries around the world. Overseas Chinese seen as beneficial to the party, often those who are socially or politically influential where they live, are invited to attend the annual meetings of national and local CPPCC committees as informal delegates. In 2019, 40 overseas Chinese from 31 countries attended the national CPPCC meeting in Beijing, including three from Germany. An example is Yang Ming 杨明, a China-born, naturalized German businessman and consultant living in Frankfurt, where he has a position in local government.[14] There were 6 delegates from the United States. Most countries provided one. Overseas delegates do not have the same voting and proposal-making powers as domestic delegates but "offer suggestions and advice." Despite this more limited role, their presence should not be underestimated, as it connects prominent overseas Chinese to Beijing's goals and serves the party's aims of networking and influence-building, in a formalised setting.

Civil society

A dramatic surge in civil society organizations (CSOs) from 1997 to 2017 reflects the penetration of Hong Kong by the United Front. In 1997 there were 8,300 registered CSOs recorded by the Societies Ordinance kept by the Hong Kong Police Force (HKPF)[15], the most common way of registering a society. By 2017 that number had soared to about 52,300. Of those, 39,146 were registered with the police, according to the Secretary for Security, Mr Lai Tung-kwok, in a written reply to the city's Legislative Council. The rest (approximately 13,000) were registered as companies limited by guarantee (CLGs). The CLG figure for 2020 was not available, but the number of CSOs in 2020 showed only a modest fall compared 2017, to 37,348, indicating the numbers overall are likely holding fairly steady, according to the Societies Ordinance list dated July 2020 kept by the HKPF. CLG numbers have hovered around 13,000 for several years.

Non-CPC affiliated civil society groups also fed this rise. Working to build the democratic society promised by the Joint Declaration and the Basic Law, Hong Kongers engaged in much increased rights advocacy after the handover. Groups such as "Gender Empowerment" (性別空間) demonstrate this trend. Other groups seem non-political, such as three focused on artisanal or natural skin care, the Hong Kong Handmade Soap & Skincare Association (香港手工皂及手作護膚品協會), Hong Kong Handcrafted Soap Development Association (香港手工皂藝術發展協會) and Hong Kong Handmade Soap Association (香港手工皂協會).

Yet overall the trend is clear. New CSOs included local CPPCC committees (in addition to the 45 represented by the HKCPPCC), such as the Guiping Hong Kong and Macau Political Consultative Conference Small Group (桂平市港澳政協小組), the Friends of Hong Kong District Hangzhou Political Consultative Conference Friendship Association (香港杭州政協之友聯誼會), and the Shanghai Political Consultative Hong Kong and Macau Committee (上海市政協港澳區委員會). The United Front's All-China Federation of Returned Overseas Chinese, the "Qiaolian" (中華全國歸國華僑聯合)[16] has many offshoots in Hong Kong, one example being the Shandong in Hong Kong Returned Overseas Chinese Friendship Federation (山東旅港歸僑聯誼會).

Other pro-CPC groups include the Anti-Hong Kong Independence Alliance (反港獨大聯盟), and the China 21 Bureau (中國21世紀友好協進會), set up in 1998, one year after the 1997 handover. "Communist children, repay the country" (赤子報國), the group appeals on its website. The Hong Kong Jiaqiao Anti-Cult Alliance (香港加僑反邪教協會) stands out for its use of language associated with the CPC's anti-FLG position and rhetoric, in which the FLG is considered an (evil) cult (邪教).[17] The association says it originated in Canada, advocates science and promotes Confucianism.

The Hong Kong Federation of Trade Unions (FTU, 香港工會聯合會), also a CSO, has long played a key role on the ground, carrying out community functions including offering low-cost health care, in a parallel system to the Hong Kong government's own (similarly low-cost) healthcare system, both before and after 1997. It has many affiliated local groups also registered as CSOs, such as the Society of Friends of Huafu (華富之友社), and the Tin Shui Wai Community Association (天水圍社區協進會). Hometown associations, or native place networks (同鄉會), are another main locus of pro-CPC activity and there are many in Hong Kong, quite a few set up since 1997.[18]

The CPC's global network of peaceful reunification associations is richly represented. Some examples include the China Association for the Promotion of Peaceful Reunification and Development (中華和平發展促進會總會) set up in 2016,[19] the Hong Kong Association for the Promotion of Peaceful Reunification of China (中國和平統一促進會香港總會), and the China One Country Two Systems Council for Promoting Peaceful Reunification (中華一國兩制和平統一促進會). Even more grand is the Global Chinese Alliance for the Unification of China Asia-Pacific Area Department (全球華人反獨促統聯盟亞太地區總會).

At times of political tension such as the mass democracy demonstrations that began in Hong Kong in June 2019, or the passage of the state security law, these organisations band together and advertise in CPC-backed Hong Kong media in a show of support for Beijing.[20] One such appeal by the Association of Chinese Culture of Hong Kong (香港中華文化總會) in Wen Wei Po newspaper drew the support of 570 "cultural societies." Demonstrating how varied these groups are and how they can be hard to spot, one is called the Hong Kong Cheongsam Association (香港旗袍會). The cheongsam (長衫) is the Cantonese term for the traditional dress known as qipao (旗袍) in Mandarin. Science and technology covered by these organizations via, for example, the "China New Materials Association" (中國新材料技術協會), which is connected to S&T organisations in mainland China. There is even an Institute of Chinese Secret Societies (世界華人幫會研究學會) with a Facebook page.[21] In 2015, its initiator co-presided over a meeting attended by Peaceful Reunification Council (促進會) members, and mainland officials from the Liaison Office with responsibility for social groups (社团联络部) and a district of Hong Kong known for its secret society activity. This district is Yuen Long, which features below.

Police

The third major repurposing effort centered around the Hong Kong Police Force (HKPF). This helps to situate police behaviors during the massive democracy demonstrations that broke out in 2014 (Occupy Central) and, even more clearly, the anti-extradition protests of 2019-2020.

According to handover agreements, the police retained their autonomy and control within Hong Kong; mainland Chinese police and the security services were not allowed to operate without their knowledge and support. This arrangement broke down almost from the beginning, but quietly. While the CPC's unofficial security reach into Hong Kong would hit headlines only in 2015 over the abduction of booksellers to the mainland,[22], and again in 2017 over the abduction of the China-born businessman Xiao Jianhua from the Four Seasons Hotel,[23] the problem by that point was already nearly two decades old.

By 1998, at the latest, police officers were being ordered to carry out secret surveillance on people in Hong Kong on behalf of mainland Chinese police and security authorities.[24] Files on these cases were specially marked as "confidential" and officially did not exist. Many requests involved monitoring telecommunications, with the cooperation of Hong Kong's telephone and internet companies, in order to identify a person's whereabouts. These cases were often given priority over Hong Kong's own policing needs. Both commercial and political targets were involved. While the officers were not told who they were monitoring or why, they began to notice a pattern – shortly after a subject was located Hong Kong media would report a break-in, kidnapping, or another apparently random crime connected to the person or location.

Links between Hong Kong police and patriotic triads have grown, helping crumble the system. Even earlier than the 1993 comment by Tao Siju, the former minister of public security, in 1984, the Chinese former leader Deng Xiaoping remarked that "there are many good guys" among the triads, according to a news report.[25] The issue came to a head during mass democracy demonstrations in 2019. In an incident in the Yuen Long district on July 21, 2019, unidentified men in identical white t-shirts, believed to be triad members, attacked democracy protesters, causing substantial bloodshed and injury, as police were filmed looking on then walking away. Connections between organized crime and the CPC have been ascertained in Taiwan, too.[26]

Yuen Long, on the border with CPC-ruled China, is known as Hong Kong's "badlands." The British authorities long acknowledged the triad problem in Yuen Long was especially severe, though it was not the only location. Their solution, in a multi-ethnic force, was always to appoint an ethnic Caucasian and full British national as district police commissioner, since an ethnic Chinese person with familial and community ties was believed to be more vulnerable to pressure from gangs. That rule was dropped after 1997.

This article makes no allegations but notes the following circumstances: Chris Tang Ping-keung (鄧炳強) who today is Hong Kong's top policeman, the Commissioner of Police, as well a member of the Hong Kong government's new Committee for Safeguarding National Security,[27] served as district commissioner of Yuen Long for at least one year, from 2012-2013. This information is missing from his official biography.[28]

Previously, Tang had worked at Interpol headquarters in Lyon from 2006-200, as a "specialized officer," before being promoted to its Head of Criminal Organisation and Violent Crime Unit, according to his biography.[29] Yet there is little public information about Tang's career after 2008 until 2015, when he was appointed Assistant Commissioner of Police, taking the top job in 2019. A photograph of Tang and well-known Yuen Long residents dining together in 2013, including persons of local influence in politics and society thought to have links to organized crime, have been published in Hong Kong media and presented as evidence of a close, even friendly, relationship.[30]

Like other senior civil servants in Hong Kong, over the last decades, Tang trained at several CPC-run academies on the mainland of China including the China Executive Leadership Academy Pudong (中国浦东干部学院).[31] CELAP is a cadre training institution that teaches "leadership development in line with the demand of Party's construction," according to its website. "Contents of training programs include theory and practice of CPC's party building, China's reform and opening-up history, government reform, latest social management practice, business surroundings, and leadership education." Tang also studied at the Chinese People's Public Security University (中国人民公安大学),[32] and the Chinese Academy of Governance (国家行政学院).[33]

Adding another data point to a complex constellation, media reports from Australia have indicated links there between key United Front figures and organized crime.[34] This is a nexus that is sensitive, unpredictable, and complex.

Twenty-three years after the handover, the security law outright legalises direct intervention by the mainland's security organs such as the Ministry of State Security and the Public Security Bureau (police) into Hong Kong affairs. Article 48 says, "The Central People's Government shall establish in the Hong Kong Special Administrative Region an office for safeguarding national security. … The staff of the Office shall be jointly dispatched by relevant national security authorities under the Central People's Government."

The law also establishes two Hong Kong national security committees, one within the Hong Kong government with a "national security advisor" appointed by Beijing, the other in the HKPF. Article 16 says, "The department for safeguarding national security of the Hong Kong Police Force may recruit qualified professionals and technical personnel from outside the Hong Kong Special Administrative Region to provide assistance in the performance of duties for safeguarding national security." Chapter V of the law (Articles 48-61) makes clear that Hong Kong has lost control over both its domestic security and legal autonomy.

In retrospect, it is sobering that few people outside Hong Kong – and only a relatively small band of dedicated researchers inside Hong Kong – paid attention to this process of political change, choosing instead to believe in public promises by the CPC state and official agreements, such as the Joint Declaration, an international treaty lodged with the United Nations. Here too, Hong Kong offers an important lesson for the world.

These events took place entirely in Chinese, a language that few outsiders command. They took place within secretive structures to which few have access. Confident of its influence, the international community focused on business, and taking the CPC at its word. This points to something essential: people in open societies must move fast to equip themselves with language-proficient analytical skills and closely record and publicly discuss CPC activities around the world, in order to deal with the rise of China under a CPC-centric system. Independent critical thought unclouded by financial interests, an ability to prioritise reality over wishful thinking, and robust pushback are essential if the world does not want to see many more Hong Kongs.

Sinopsis colleagues contributed research.

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6. Ibid.↩

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