

The Hong Kong poster dispute: Democracy walls at universities and the growing erosion of political and academic freedom

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In a city where freedom is declining, a few posters can have a big impact—the Hong Kong poster dispute.

The recent outpouring of anger over posters put up and removed from democracy walls at universities in Hong Kong once again highlights the growing erosion of political and academic freedom in the city.

Only a few days into the new academic year and already conflict has blown up after posters were put up at the Chinese University of Hong Kong (CUHK) advocating Hong Kong independence. The posters were soon removed by the university, with the school claiming that the discussion of independence violated Hong Kong law. The move was condemned by CUHK Student Union and since then new pro-independence posters and banners have appeared at CUHK and been put up by student unions and individuals at other universities across Hong Kong. This has led to increasing tensions and conflict between students and student unions supporting the posters (or supporting the right for students to express their views) and university managements and some mainland students, who have found the posters offensive and attempted to take down or paste over the posters with posters of their own.

Amongst the posters that have appeared on the walls and clashes that have ensued, ugly and offensive slogans have been posted and expressed by both pro and anti-independence 'sides'. During one such clash, former CUHK Student Union president Ernie Chow told one student who was opposing the independence posters to "Go back to Chee-na!" The use of the term "Chee-na" is highly offensive to many Chinese people due to its use by Japan during its occupation of China during World War II and should be condemned in the strongest of terms. It is also perhaps symptomatic of the xenophobia that has grown along with the growth in right wing localism following the Umbrella Movement, something which has also led to divisions between Hong Kong' student and democracy movements. The term "Chee-na" was also used by localist Youngspiration duo Sixtus Leung and Yau Wai-ching in October 2016 during their oath-taking at the Legislative Council prior to their disqualification.

In another related incident a poster appeared on the democracy wall at the Education University of Hong Kong (EdUHK) taunting the Education Undersecretary, Christine Choi Yuk-lin, over the very recent suicide of her son. Similar posters were also subsequently posted up at City University. Two days later another poster, this time most likely posted by supporters of Beijing, appeared on the wall at EdUHK congratulating the late Chinese dissident Liu Xiaobo on his death and the house-imprisonment of his wife Liu Xia by the Communist Party.

Again this represents highly insensitive and immature behaviour by a small number of individuals,

and the taunting of the Education Undersecretary has been labelled as “inappropriate” by thirteen student unions in a joint statement that they issued over the weekend “on the controversy surrounding democracy wall”. Although their statement also stated that the slogans were nevertheless “excusable”, considering the Education Bureau’s “malicious policies against students” including the TSA exam and national education as well as the lack of effective channels for students to be able to express their discontent. The poster has also received strong condemnation from the university authorities at EdUHK (with their releasing of security camera footage of two young people putting up the posters perhaps further disproportionately escalating the issue), Hong Kong Chief Executive Carrie Lam, and several voices in wider society.

Nevertheless, while these later incidents have amplified outrage and perhaps acted as distraction from the initial issue, as far as the original issue of posters in support of Hong Kong independence is concerned, this diversion does not mean there are grounds for limiting freedom of expression as was first attempted when the posters were torn down at CUHK or as has been implied when the Chief Executive characterized the posters as “a violation of our country’s sovereignty”, stated that “academic freedom and autonomy of tertiary institutions are not excuses for the advocacy of fallacies,” and urged the university administrations to take appropriate actions.

In Hong Kong law freedom of speech and freedom of expression are supposed to be protected by Article 27 of the Basic Law and the Hong Kong Bill of Rights Ordinance. In a situation which allows for and is tolerant of freedom of expression, when a view is expressed it is normal that not everyone will agree with that view and some may choose to express a counter opinion. That the subject of the posters of pro-independence advocates is criticised by others who disagree might be expected. In such a situation, similarly expressed opposition views should also be equally open to criticism. This is not absolute as there may be ground where power imbalances and institutional discrimination sometimes mean that limits (for instance against hate speech) may be needed to protect marginalized groups.

The student poster controversy in Hong Kong however, has not been a situation where students with opposing opinions have simply been allowed to express their views. The difference is that the removal of the original pro-independence posters has the backing of the institutions, which removed the posters declaring them illegal without basis. A subsequent letter sent to the student union stated that the posters “violated Hong Kong’s laws and also violated the school’s constant stance of absolutely opposing Hong Kong independence.” It is therefore an issue beyond a war of words or expressions of differing opinions between different parties at the universities. In the first instance, the university already used its authority to intervene and attempt to repress freedom of expression

This might also beg the question of whose interests do Hong Kong’s universities really serve? In their statement the student unions condemn the erosion of freedom and university autonomy:

“Universities are where thoughts and opinions are exchanged, and democracy walls are platforms for students to speak our mind. The regime is now making an explicit effort to limit our freedom of expression through exerting pressure on university authorities to punish those whose speech may have intimidated the people in power”.

Indeed Hong Kong has been facing a situation where concerns over academic freedom and political interference in academic appointments and funding has been growing and increasing pressure to adopt positions more favourable to China has been reported by academics and the media. Recently pro-Beijing lawmaker Junius Ho Kwan-yiu has launched a campaign to put pressure on the University of Hong Kong to sack Benny Tai, the law professor who co-founded the Occupy Central movement.

Moreover, while the CUHK assertion that the posters violate Hong Kong law alone lacks grounding, appealing to the law alone in defence of free speech and other rights is perhaps a little bit naïve considering how Beijing has already made clear that it is happy to intervene and to impose its own “interpretation” to further its interests. Following Beijing’s interpretation of the Basic Law concerning the oath taking of law makers, not only were the two democratically elected Youngspiration lawmakers disqualified, but also four more progressive pro-democracy lawmakers were subsequently disqualified in the same way.

Although Chief Executive Carrie Lam has said that the poster issue is not an issue of free speech in her criticisms which seem aimed at undermining basis for such posters to be legitimately posted, on the contrary it is actually more correct to say that the issue is more than simply one of free speech alone. The ideas expressed in the posters stem from a deep dissatisfaction with the current system which has been exacerbated by increasing intervention by Beijing and led to a decline in Hong Kong autonomy. In this context, support for greater self-determination and even the growing popularity of the idea of Hong Kong independence might not be unsurprising. At the same time, it is also important to note that there is a significant power imbalance between state backed infringements on freedom of speech and expression and civil liberties and a few statements posted up expressing the idea of Hong Kong independence.

Nevertheless, if Beijing, with the help of the SAR government, continues to erode Hong Kong autonomy and further undermine existing freedoms and limited democratic rights it may face stronger expressions of opposition. Increasing repression and silencing of dissenting views is likely to enrage more and more people and will potentially act to push an increasing number of people into adopting more radical positions. Words displayed on posters are comparatively harmless, unless Beijing chooses to make them otherwise.

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