

Academic Freedom in Hong Kong since 2015: Between Two Systems

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EXECUTIVE SUMMARY

The state of academic freedom in Hong Kong is a microcosm of the state of “one country, two systems” as a whole. It is alive, and generally well, but only due to constant public vigilance against growing threats.

Hong Kong’s students and scholars played a central role in the 2014 Occupy protests for political reform. As a result, since early 2015, a growing top-down backlash has attempted to limit academic freedom and bring academia under the authorities’ control.

This post-Occupy retribution is manifested in the following trends:

- Controversial academic figures have been removed from their posts, seen promotions blocked, or faced extra-legal campaigns to pressure their removal. These were all driven by political motivations.
- State-appointed and politically connected figures have governed universities in a manner divorced from the will of students and faculty.
- There is a growing push to place limits on freedom of speech, without any legal basis.

Although academic work in Hong Kong remains considerably freer than in the rest of the People’s Republic of China, these trends suggest that elements of academic control in place elsewhere in China are gradually being incorporated into the Hong Kong system, threatening the city’s academic freedom and thus its universities’ reputations.

POLICY RECOMMENDATIONS

- Educators must directly and openly confront “taboo” topics in Hong Kong, or run the risk of enabling a censorship regime that will continually expand, swallowing up new topics as forbidden.
- Local academic freedom monitoring groups should cover all of the universities in the city, and should provide mechanisms for anonymously reporting infringements of academic freedom.
- The Chief Executive’s role as chancellor to all of the city’s universities should be abolished, returning control to the universities.
- International universities and scholars should collectively reaffirm their commitments to academic freedom, and make clear that continued infringements of these freedoms will have consequences for inter-university cooperation.

- The United Kingdom, as a party to the Sino-British Joint Declaration, should closely and actively monitor the situation, and state clear consequences, in cooperation with allies, for continued infringements of academic freedom and freedom of speech.
- Hong Kong was a longstanding shelter for Chinese citizens fleeing Party-state repression. As this repression gradually makes its way into Hong Kong in violation of “one country, two systems,” universities around the world should provide shelter for academics pressured out of their positions.

About the author



Dr Kevin Carrico is an expert on China and Hong Kong who lectures at Macquarie University in Australia. He has written extensively on Hong Kong and is the writer of Hong Kong Watch’s latest report, “Academic Freedom in Hong Kong since 2015: Between Two Systems.” Hong Kong Watch provides independent, comprehensive analysis and thought leadership on freedom and human rights in Hong Kong. Established in 2017, it seeks to investigate the status of rights, freedoms and rule of law in the city, raising concerns with the UK government and the wider international community should violations of the Basic Law and Sino-British Joint Declaration take place.

INTRODUCTION

In the People's Republic of China, academics can face removal from their positions and even imprisonment for airing views critical of the Chinese Communist Party, or for engaging in research on the rapidly proliferating list of topics deemed "sensitive."¹ The city of Hong Kong, by contrast, has long been a bastion of academic freedom: higher education in the city is globalized and freed from the rigid dogmas enforced to the north; critical scholars have been able to enjoy successful careers without retribution for their viewpoints; and there has been free and open discussion, debate, and research on a number of topics that are taboo elsewhere in China.

Since Hong Kong's integration into the People's Republic of China in 1997, these freedoms have been maintained under the framework of "one country, two systems," and legally protected by the Basic Law of the Hong Kong Special Administrative Region.

Article 27 of the Basic Law states that:

"Hong Kong residents shall have freedom of speech, of the press and of publication; freedom of association, of assembly, of procession and of demonstration."

Article 34 of the Basic Law states that:

"Hong Kong residents shall have freedom to engage in academic research, literary and artistic creation, and other cultural activities."

Article 137 of the Basic Law furthermore states that:

"educational institutions of all kinds may retain their autonomy and enjoy academic freedom."²

The law on these matters is thus clear and firm: Hong Kong shall maintain its own system of free speech, free publication, and free academic research distinct from the restrictive academic environment that is found elsewhere in China.

However, since the Occupy protests of late 2014, this system has faced growing threats. These protests for democracy, which brought important areas of Hong Kong to a standstill for 79 days, were initially proposed by two academics: Benny Tai, who teaches law at the University of Hong Kong, and Chan Kin-man, who teaches sociology at the Chinese University of Hong Kong.³ Students and university student unions also played key roles throughout the protests. The escalating steps taken since early 2015 to restrict academic freedom detailed in this brief appear to be retribution for the prominent role of academics and students in the protests, aiming to exercise greater control over Hong Kong's academic and student culture. These measures, furthermore, are also only one part of a larger mobilization by the government of China and pro-establishment figures to exercise greater control over Hong Kong politics and society, in clear contravention of the Basic Law.

From 2015, a series of escalating measures have been taken by politicians, university councils, and pro-establishment academics in the city in violation of legally protected academic freedoms. These measures include:

- 1) removing, blocking the promotion of, or calling for the removal of controversial academics;
- 2) recruiting or promoting academics with pro-establishment views; and
- 3) placing arbitrary limits on freedom of speech by declaring certain types of speech “illegal.”

These trends present a considerable threat to the system of academic freedom that makes Hong Kong universities world-class, and demand a resolute response from the local and international academic communities.

REMOVALS AND RESTRICTIONS

University administrators, council members, and even politicians have threatened a series of Hong Kong academics since 2015 on account of political speech and associations protected under the Basic Law.

One of the first such cases was Dr. Chin Wan-kan, a former assistant professor of Chinese at Lingnan University. Dr. Chin is the author of *Hong Kong as a City-State* (2011), and is one of the founding and most outspoken figures of the localist movement that promotes genuine autonomy from the People’s Republic of China. In March 2015, just months after Occupy protest sites were cleared, Lingnan University president Leonard Cheng wrote to Chin advising him to “mind [his] words”.⁴ Cheng claimed that Chin’s activism “crossed the line of freedom of speech” and “severely hurt the reputation of Lingnan,” two lines of argument commonly used to legitimize speech restrictions in the territory in recent years. In April of 2016, the “consequences” of which Cheng had warned arrived: Chin was notified that his contract with Lingnan University would not be renewed.⁵



Dr. Chin Wan-kan. Photo: South China Morning Post’s Jonathan Wong

Retribution for speech and associations also comes in the form of blocked promotions. This was the case for Johannes Chan, professor of law at the University of Hong Kong. In late 2014, a search committee recommended Chan for the position of pro-vice-chancellor, overseeing human resources and funding matters. As former dean of the University’s Faculty of Law, Chan was well-qualified for the position, and in all previous human resource matters, the university council has abided by search committees’ decisions.⁶ However, some pro-establishment media in the city agitated against Chan’s appointment, citing his close ties to Benny Tai, one of the co-founders of the Occupy Movement.⁷ Over a span of just nine months, more than 350 articles in these media outlets directly attacked

Chan.⁸ Figures on the university council (an institution discussed in more detail in the next section) then unprecedentedly delayed and eventually blocked Chan's appointment in late 2015, explicitly on political grounds.⁹



Benny Tai. Photo: RTHK, via Facebook.

In some cases, the pressure applied on academics even takes the form of an orchestrated social movement. Lawmaker Junius Ho publicly called for Occupy co-founder Benny Tai's removal from his teaching position at University of Hong Kong in August of 2017, and formally wrote to the University multiple times, stating that Tai "is teaching students how to maintain the rule of law under the spirit of advocating civil disobedience."¹⁰ Ho then organized an online petition calling for Tai's removal, which gathered more than 80,000 signatures, as well as organizing a rally on September 17, 2017, attended by "hundreds."¹¹ The University's vice-chancellor, Peter Mathieson, acknowledged receipt of numerous letters calling for Tai's removal, but commented that any such cases would be handled in accordance with university procedure.¹² Significantly, a letter signed by over 250 scholars voiced support for Tai and criticized Ho's campaign against him.¹³

While this brief was undergoing final preparation in January of 2018, news broke that lecturer and lawmaker Cheng Chung-tai's contract with Hong Kong Polytechnic University would not be renewed following his conviction and fine for "desecrating the flag." In October of 2016, Cheng had turned miniature displays of the flags of the People's Republic of China and the Hong Kong Special Administrative Region on legislators' desks in the Legislative Council upside down: hardly reasonable grounds for prosecution, much less for ending a teaching career.¹⁵

In each of these cases, these retributive acts were presented as attempts to protect the affected universities' reputations. The real damage to the reputations of these universities, however, lies in the growing threats to freedom of thought and speech demonstrated in these cases.¹⁶

MANAGING THE MANAGEMENT

Alongside the legacy of academic freedom, another considerably more curious legacy of the United Kingdom's rule in Hong Kong is the dominant role that the city's leader plays in university governance. Under British rule, colonial governors were named the chancellors of all of the city's universities, with heads of individual universities serving only as vice-chancellors. This arrangement was, however, mainly ceremonial, with governors taking a largely laissez-faire approach to university governance.¹⁷ Since 1997, however, the Special Administrative Region's Chief Executive, roughly equivalent to a colonial Governor, has inherited this post. The post-1997 arrangement can present challenges: Chief Executives are chosen by and thus primarily accountable to the Chinese government, far from a neutral party on matters of academic freedom. The two most recent Chief Executives, Leung Chun-ying and Carrie Lam, have made comments that demonstrate insufficient dedication and even hostility to the academic freedom and freedom of speech central to academic inquiry in Hong Kong.¹⁸

This issue of accountability extends further into university councils, some of which have become politicized and seemingly accountable primarily to the Chief Executive. In the case of the University of Hong Kong, six out of twenty-three members of the council are directly chosen and appointed by the unelected Chief Executive, and a minority of only nine members have current links to the university as students, faculty, or employees.¹⁹

In March 2015, Chief Executive Leung Chun-ying controversially appointed close ally Arthur Li Kwok-cheung to the council. Li is a flamboyant personality, whose leadership style has earned him the nickname "King Arthur."²⁰ He has been publicly dismissive of the ongoing political debates in the city and its universities, and has repeatedly parroted Chinese mainland narratives which compare students' political activism to the Red Guards of the Cultural Revolution, sowing "chaos."²¹



Arthur Li (left) and Leung Chun-ying (right) Photo: RTHK, South China Morning Post's Felix Wong

Li's statements indicate that his views on political matters run directly counter to the views of most University of Hong Kong students, faculty, and alumni: this was confirmed when Li played a central role in rejecting Johannes Chan's appointment in late 2015. Leung, however, proceeded to promote Li to the position of chairman of the HKU council soon thereafter, in a decision that was opposed by a total of 98% of respondents to a poll of university alumni.²²

Traces of Li's influence are also apparent in the recent selection of Zhang Xiang as the next vice-chancellor of the university. Zhang was a professor of mechanical engineering at the University of California, Berkeley, and is a member of the Chinese Academy of Sciences, the official scientific academy of the People's Republic. According to reports, interview questions probed interviewees' views on the acceptability of on-campus discussions of "Hong Kong independence," which is a current focus of speech suppression, in violation of the free speech guarantees in the city's Basic Law.²³ The committee also reportedly decided that "non-Chinese" candidates were "not suited" to

the University:²⁴ a topic that should not be a point of consideration for a major international university, and a decision that appears to be a violation of the city's Race Discrimination Ordinance.²⁵

Scholars and students at the University have already begun voicing their concerns about Zhang's ability to protect freedom of speech, particularly on account of his ties to the Beijing regime via CAS²⁶ and his legally unsubstantiated claims, made in a meeting with HKU students and faculty in December 2015, that free speech must be exercised within "boundaries."²⁷ Similar concerns are also being raised at the Chinese University of Hong Kong about incoming vice-chancellor Rocky Tuan Sung-chi, a biotechnology scientist formerly based at the University of Pittsburgh. Tuan's responses to students' questions during a consultation session in July 2017 added legally spurious conditions of "legality" onto legally protected freedom of speech and institutional autonomy, creating doubts about his commitment to these ideals.²⁸

The growing pressures on outspoken scholars and the promotion of senior figures with uncertain commitments to academic freedom create a challenging environment for Hong Kong academia to maintain its unique strengths as a bastion of open and free discussion. These trends are particularly apparent in recent attempts to arbitrarily limit discussion of the most contentious political topic in Hong Kong today: the city's relationship with China.

HONG KONG INDEPENDENCE AN "ILLEGAL" IDEA?

The risks facing Hong Kong academia after Occupy were first made apparent in January 2015 when Chief Executive Leung Chun-ying took time in his annual policy address to single out for criticism the journal *Undergrad*, edited and published by the University of Hong Kong Undergraduate Student Union. In the preceding year, the journal had published a number of articles discussing Hong Kong identity and the possibility of Hong Kong national self-determination. A series of these articles were subsequently published in book form as *Hong Kong Nationalism*.²⁹ Leung directly criticized these articles as "putting forward fallacies" and causing "anarchy."³⁰ Leung's criticisms, however, had the unintended yet fairly predictable effect of stoking interest in the Hong Kong Nationalism collection, which promptly doubled its print run following his criticism.³¹

A pattern has since emerged in the debate on Hong Kong independence. A series of measures, such as Leung's comments, have been taken to threaten and marginalize advocates of Hong Kong independence: political parties have been prevented from registering and blocked from participating in elections;³² directly elected legislators who held signs declaring that "Hong Kong is not China" during their oaths of office have been removed from the Legislative Council;³³ and unprecedented steps were taken to block a Hong Kong National Party rally during Chinese Communist Party Chairman Xi Jinping's visit to the city on the twentieth anniversary of Hong Kong's handover to China.³⁴ Yet with each of these attempts to block discussion of Hong Kong independence, the idea's popularity has only grown, with one in six people in the city in 2016 supporting the idea of Hong Kong independence.³⁵ In the same survey, nearly 40% of young people (18-29) voiced support for the idea.³⁶

This emerging cycle of advocacy and suppression came to a head in autumn when banners calling for Hong Kong independence were hung at universities across the city as classes commenced. First appearing at the Chinese University of Hong Kong, Vice-Chancellor Joseph Sung initially responded reasonably, affirming the university as a site of free expression without endorsing the idea. Yet despite Sung's comments, the banners were removed before the end of the day.³⁷ The next day, in a clear demonstration of the mutually inflammatory cycle of advocacy and suppression of this topic, the banners were back in place, and had

spread to five universities across the city.³⁸ The conflict grew, posters were torn, protests were held, and passionate confrontations emerged.³⁹



Independency banner on the campus of Chinese University. Photo: RTHK

As tensions grew, Chief Executive Carrie Lam called on universities “to take appropriate actions as soon as possible” against “such abuse of the freedom of speech.”⁴⁰ The state media’s English language paper *China Daily* followed up with an editorial entitled “No room for HK separatism,” asserting that discussion of Hong Kong independence was “unacceptable and an abuse of freedom of speech,” as “advocacy of separatism in the SAR is both illegal and unconstitutional.”⁴¹

Such comments are perhaps unsurprising. A more disconcerting development, however, is that the heads of ten of the city’s universities concurred. A joint statement was released in mid-September 2017 denouncing “recent abuses” of speech and asserting that “all universities undersigned agree that we do not support Hong Kong independence, which contravenes the Basic Law.” The university heads declared that “Freedom of expression is not absolute, and like all freedoms it comes with responsibilities.”⁴² The limitations on freedom of speech affirmed in this statement were exercised later in the year, when two Taiwanese academics intending to attend a conference on colonization in Hong Kong in December 2017 were denied visas to the city without explanation.⁴³

Despite labelling discussion of Hong Kong independence “illegal,” none of the statements from state media, the city’s leader, or universities’ vice-chancellors logically articulated the legal basis for such a claim. The most often-cited basis is that Article 1 of the Basic Law declares that Hong Kong is part of China, meaning that discussion of independence thereby breaks the law.⁴⁴ The legal logic here is, however, lacking: freedom of speech allows one to hold discussions that envision situations beyond the current legal framework. If speech was limited to existing solely within the confines of current laws, laws and thus society would never change: racial discrimination laws would remain in effect, marriage equality would be forever illegal, and one might note that economic reforms in China would never have been initiated.

By placing arbitrary and clearly political limits on the exercise of speech rights, Hong Kong’s government and universities are undermining Hong Kong’s longstanding rule of law and opening the door for ever greater restrictions on speech. In the process of “abiding by the law” and “protecting universities’ reputations,” these universities are in fact compromising their distinctiveness from universities elsewhere in China and thereby actively abandoning their own competitive advantages as world-class research centers.

RESPONSES

These threats to academic freedom in Hong Kong merit a response from all who are concerned about academic freedom and Hong Kong's future.

- 1) Within Hong Kong, against the growing tendency to arbitrarily limit discussions and engage in self-censorship, educators **should encourage robust discussions of and debates about sensitive topics**. There are no limits on Hong Kong's legally protected freedom of speech, and the only real "abuse" of freedom of speech is the failure to use it. Accepting limits on discussion does not solve the issue of academic freedom, but only undermines academic freedom and rule of law, and opens the door to further abuses.
- 2) It is necessary to emphasize that the incidents examined in this brief are only public incidents: undoubtedly countless more incidents have occurred behind closed doors and constitute the majority of infringements of academic freedom. The University of Hong Kong, for example, has regularly been in the spotlight in debates about academic freedom. Yet the question that emerges from HKU's prominence is whether restrictions on academic freedom are being implemented more aggressively there than in other institutions, or whether students and faculty at HKU are considerably more vigilant toward these developments that are happening at universities across the city.⁴⁵ Therefore, while **continuing working on watch groups like HKU Vigilance and Scholars' Alliance for Academic Freedom, educators should also develop a reporting mechanism for infringements of academic freedom** at all of the university campuses across the city to ensure that no case goes unreported, and engage proactively with local and international media to raise the profile of any such cases.
- 3) Considering that the Chief Executive of Hong Kong is primarily accountable to the government of China, with an unclear commitment to legally guaranteed academic freedom, the Chief Executive's role as chancellor to the city's universities should be abolished. During the era of British rule, the governor's status as chancellor was largely ceremonial: universities selected their own council members, who were then formally appointed by the governor.⁴⁶ This laissez-faire approach has been abandoned in Hong Kong since 1997, and particularly since 2015, as seen in the various controversies at the University of Hong Kong Council in recent years. These controversies, emerging from the politicization of the council under Arthur Li, could have been avoided if the university had been granted the powers of self-governance. Although many of the steps to restrict academic freedom detailed in this report have been ostensibly taken in the name of protecting universities' reputations, **a far more effective means of protecting university reputations would be to remove universities from the increasingly politicized influence of unelected figures**.
- 4) **Internationally, universities should openly voice their concerns about trends to restrict academic freedom in Hong Kong. Universities must reaffirm their commitment to freedom of speech and academic inquiry and monitor developments at universities with which they are affiliated in Hong Kong and China.** Rather than doing so on a one-on-one basis, it would be most useful for major universities to collectively voice their commitments to academic freedom and disagreement with any attempts to limit said freedoms. Such a collective affirmation would avoid retributive repercussions from China for any one university, and must also include clear consequences for inter-university cooperation in case academic freedoms are not respected.

- 5) Internationally, **the United Kingdom as a party to the Sino-British Joint Declaration should closely monitor developments in academic freedom in Hong Kong, speak out, and provide support in situations in which students' and scholars' academic freedoms are being infringed.** An increasingly pressing question for governments, non-governmental organizations, and concerned academics and individuals around the world is what can be done to effectively combat the escalating violations of rights and freedoms in Hong Kong and indeed in China as a whole. Speaking out is important, and already all too rare, but something more is needed. The thirty recent recommendations by the European Parliament on the government of China's interference in Hong Kong, for example, are laudatory, yet are unlikely to have any effect on the government of China's behavior unless there are clearly stated consequences.⁴⁷
- 6) Violations of the Basic Law such as those highlighted in this brief are ongoing because Beijing and its supporters are confident that they can engage in these behaviours without substantial repercussions. **Parallel to the consequences for inter-university cooperation highlighted above, the governments of the world committed to academic and other freedoms should collectively make clear that there will be consequences should violations of the freedoms guaranteed in the legally binding documents and international agreements that govern contemporary Hong Kong continue.** Now that the threats to academic freedom are clear, the next step should be discussion of what those consequences will be, and how they can best be leveraged to protect the legal rights of the people of Hong Kong.
- 7) Finally, should the situation continue to worsen to the point that ever more scholars are removed from their positions under the pretexts faced by Chin Wan or the pressures currently faced by Benny Tai, **leading universities around the world committed to the cause of academic freedom should be proactive in providing shelter to these scholars at institutions beyond the reach of the Chinese Party-state.** Hong Kong was a longstanding shelter for Chinese citizens fleeing Party-state repression. As this repression gradually makes its way into Hong Kong in violation of "one country, two systems," the world needs to stand up and find ways to resist these trends, while also opening its arms to provide a new shelter as needed.

ENDNOTES

¹ See, for example, the recent cases of Xia Yeliang, Shi Jiepeng, who were both removed from their teaching positions, and Ilham Tohti, who was given a life sentence for his research on ethnic relations. See Redden, Elizabeth. “Has China Failed Key Test?” *Inside Higher Ed*. October 21, 2013. <https://www.insidehighered.com/news/2013/10/21/peking-u-professor-fired-whats-seen-test-case-academic-freedom> ; Kuhn, Anthony. “In China, Scholars Are Being Punished Amid Growing Squeeze on Public Expression.” *NPR*. October 10, 2017. <https://www.npr.org/sections/parallels/2017/10/10/553484924/in-china-scholars-are-being-punished-amid-growing-squeeze-on-public-expression> ; Committee to Protect Journalists. “Uighur Blogger Ilham Tohti Sentenced to Life in Prison Separatism Charges.” Committee to Protect Journalists. September 23, 2014. <https://cpj.org/2014/09/uighur-blogger-ilham-tohti-sentenced-to-life-in-pr.php>

² The full text of the Basic Law can be read at the following address: <http://www.basiclaw.gov.hk/en/basiclawtext/>

³ The third initiator of the Occupy movement was Reverend Chu Yiu-ming. Chris Lau and Jasmine Siu. “Occupy leaders make first Hong Kong court appearance flanked by 100 supporters with yellow umbrellas.” *South China Morning Post*, March 30, 2017. <http://www.scmp.com/news/hong-kong/law-crime/article/2083384/occupy-leaders-make-first-hong-kong-court-appearance>

⁴ Cheng, Kris. “LingnanU president warns localist prof to ‘mind your words or suffer the consequences’” *Hong Kong Free Press*. November 12, 2015. <https://www.hongkongfp.com/2015/11/12/lingnanu-president-warns-localist-prof-to-mind-your-words-or-suffer-the-consequences/>

⁵ Cheng, Kris. “‘First academic casualty after Occupy’: Lingnan Uni refuses to renew contract of radical professor,” *Hong Kong Free Press*. April 14, 2016. <https://www.hongkongfp.com/2016/04/14/first-casualty-after-occupy-lingnan-refuses-contract-extension-of-radical-professor/>

⁶ Ng, Joyce. “Johannes Chan’s appointment vote at Hong Kong University: why it’s a big deal,” *South China Morning Post*. September 29, 2015. <http://www.scmp.com/news/hong-kong/education-community/article/1862412/five-points-note-johannes-chans-appointment-vote>

⁷ Note the commonalities in pro-Beijing papers’ accusations against Johannes Chan. Xian Guoqiang. “Da gao zhengzhi, hushi yanjiu, Chen Wenmin lei Gangda faxueyuan chenlun [Big on politics, ignoring his research, Johannes Chan exhausts HKU as the Faculty of Law’s reputation sinks].” *Ta Kung Pao*. January 29, 2015. <http://news.takungpao.com.hk/hkol/politics/2015-01/2905298.html> and Gao Yu. “Benbao dujia baodao: Chen Wenmin yihai, Gangda faxueyuan canshu Zhongda [Exclusive: Thanks to the harm done by Johannes Chan, HKU’s Faculty of Law is being beaten out by CUHK].” *Wen Wei Po*. January 26, 2015. <http://paper.wenweipo.com/2015/01/26/HK1501260001.htm>

⁸ Chan, Johannes M. M. and Douglas Kerr. “Academic Freedom, Political Interference, and Public Accountability.” *Journal of Academic Freedom*. Vol. 7 (2016): 1-21.

- ⁹ Cheng, Kris. "Johannes Chan appointment to HKU key position rejected, 12 votes to 8," *Hong Kong Free Press*. September 29, 2015. <https://www.hongkongfp.com/2015/09/29/johannes-chan-appointment-to-hku-key-position-rejected/>
- ¹⁰ Ng, Kang-chung. "Petition to oust Occupy co-founder Benny Tai from university post attracts 80,000 signatures," *South China Morning Post*. September 6, 2017. <http://www.scmp.com/news/hong-kong/politics/article/2110047/petition-oust-occupy-co-founder-benny-tai-university-post>
- ¹¹ Cheung, Karen. "Hundreds attend protest against independence, urge sacking of pro-democracy HKU scholar Benny Tai," *Hong Kong Free Press*. September 18, 2017. <https://www.hongkongfp.com/2017/09/18/hundreds-attend-protest-hong-kong-independence-urge-sacking-pro-democracy-hku-scholar-benny-tai/>
- ¹² Ng, Kang-chung. "Outgoing HKU vice-chancellor rejects calls to sack Occupy leader and legal scholar Benny Tai," *South China Morning Post*. August 30, 2017. <http://www.scmp.com/news/hong-kong/politics/article/2109021/outgoing-hku-vice-chancellor-urged-sack-occupy-leader-and>
- ¹³ Cheung, Karen. "Scholars condemn pro-Beijing lawmaker's calls to remove Occupy leader Benny Tai from HKU," *Hong Kong Free Press*. September 11, 2017. <https://www.hongkongfp.com/2017/09/11/scholars-condemn-pro-beijing-lawmakers-calls-remove-occupy-leader-benny-tai-hku/>
- ¹⁴ Ng, Naomi. "Hong Kong lecturer decries 'political persecution' after Polytechnic University lets him go over Chinese flag desecration." *South China Morning Post*. January 12, 2018. <http://www.scmp.com/news/hong-kong/politics/article/2128047/hong-kong-lecturer-decries-political-persecution-after>
- ¹⁵ RTHK. "Lawmaker Cheng Chung-tai fined over flag stunt." *RTHK*. September 29, 2017. <http://news.rthk.hk/rthk/en/component/k2/1356571-20170929.htm>
- ¹⁶ Johannes Chan's links with Occupy co-founder Benny Tai were alleged to threaten the University of Hong Kong's links with Mainland China, despite the fact that the position for which Chan was nominated was completely unrelated to such links. And while Junius Ho has repeatedly portrayed Benny Tai as speaking "irresponsibly" as a law professor, in his speech at his anti-Tai rally Ho incited violence by calling for independence activists in the city to be "killed without mercy."
- ¹⁷ Petersen, Carole J. and Alvin Y.H. Cheung. "Academic Freedom and Critical Speech in Hong Kong: China's Response to Occupy Central and the Future of 'One Country, Two Systems.'" *North Carolina Journal of International Law*. 42 (2017): 665-727. Pg. 684
- ¹⁸ The challenges of Chief Executive as chancellor in fact became apparent soon after the handover in what is known as "the Robert Chung affair." Chung was a PhD candidate at the University of Hong Kong who ran a public opinion polling program. Resentful against polls showing his low approval ratings, first Chief Executive Tung Chee-wah repeatedly applied pressure on the university to discontinue such polling in 2000. An overview of the affair can be found in *Petersen and Cheung 2017*, pgs. 683-690. Thankfully Tung's move created a backlash, raising awareness of threats to academic freedom. Chung's polling program remains in place and very influential nearly two decades later.

¹⁹ University of Hong Kong. “The Council (Membership).” https://www.hku.hk/about/governance/governance_structure/the-court/council_membership.html

²⁰ Zhao, Shirley; Tony Cheung; and Gary Cheung. “Five things to know about Arthur Li’s appointment as HKU council chairman,” *South China Morning Post*. December 31, 2015. <http://www.scmp.com/news/hong-kong/politics/article/1896777/five-things-know-about-arthur-lis-appointment-hku-council> Other outrageous comments from Arthur Li can be read at “‘Losers’ Advocating Hong Kong Independence.” *RTHK*. September 18, 2017. <http://news.rthk.hk/rthk/en/component/k2/1354742-20170918.htm>

²¹ *ibid.*

²² Mok, Danny and Ernest Kao. “‘No’ to Arthur Li as chairman: Hong Kong University alumni vote against CY Leung’s top aide to lead council,” *South China Morning Post*. November 30, 2015. <http://www.scmp.com/news/hong-kong/education-community/article/1885177/hong-kong-university-alumni-vote-against-arthur>

²³ Tsang, Emily, Naomi Ng, and Peace Chiu. “Mainland-born scholar Zhang Xiang preferred candidate for top job at the University of Hong Kong.” *South China Morning Post*. December 1, 2017. <http://www.scmp.com/news/hong-kong/education/article/2122415/mainland-scholar-zhang-xiang-sole-candidate-top-job>

²⁴ *Ibid.*

²⁵ Mayer Brown, JSM. “Guide to Discrimination Law in Hong Kong.” 2009. https://www.mayerbrown.com/files/Publication/9a5ef3b0-35f2-40fd-88ea-0a8acbbd94ea/Presentation/PublicationAttachment/f78fc110-495c-4963-9e1b-245be3980c6c/JSM_HongKong_Discrimination_may2008.PDF

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