

THE MULTIPLE CHALLENGES TO HONG KONG'S ACADEMIC FREEDOM

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OBSERVATIONS

A short paper series presenting first observations on fascinating yet under-explored developments in science and society in China and beyond. The articles reflect ongoing studies by scholars and guests of the Lise Meitner Research Group "China in the Global System of Science" at the Max Planck Institute for the History of Science.

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While recent political developments in Hong Kong have attracted much media attention, their potential influence over academic freedom has been underexamined in research. Previous work on the general topic of academic freedom and autonomy in Hong Kong mostly dates back to the late 1990s, to the time around the handover of the former British colony to the People's Republic of China (PRC) ([Chai 1998](#); [Hughes and Stone 1999](#)). Some attempts have also been made to further analyze different mechanisms affecting Hong Kong's academic autonomy. For example, [Petersen and Currie \(2008\)](#) have suggested that the restructuring of Hong Kong's universities may threaten the future of academic freedom in Hong Kong, while [Lau \(2013\)](#) explored how a "Pro-Beijing"-oriented education has been institutionalized in Hong Kong through different approaches after 1997, leading to censorship and other repercussions. However, there is little systematic and qualitative research on the current state of academic freedom in Hong Kong.

Although there are enough indications that point to a worrying trend over the past years, it is not easy to gauge what exactly the central government's stronger political interference in the local affairs of Hong Kong means for institutions and researchers in a city that is known for being a global hub for science and scholarship.

Some hints may be provided by quantitative, macro-level indexes, such as [the Academic Freedom Index \(AFi\)](#), published by the Global Public Policy Institute (GPPi), which measures a set of indicators of academic freedom by countries and over time. According to the AFi report, Hong Kong's academic freedom has seen a clear and rapid deterioration in recent years (see Fig. 2). These statistics do not explain the development in detail, but do help us to quantify and compare. Taking three of the AFi indicators—"institutional autonomy," "freedom to research and teach," and "freedom of academic and cultural expression"—as a starting point, this short paper makes a first attempt to highlight several intensely debated structural challenges to Hong Kong's academic autonomy of the past years. By referring to media reports and survey material on top of its literature review, the paper thereby hopes to indicate potential directions for future in-depth studies on Hong Kong's academic freedom.

The Fading Autonomy of Academic Institutions in Hong Kong

The Sino-British Joint Declaration (1984), under which the United Kingdom handed over its former colony of Hong Kong to China in 1997, promised that Hong Kong would hold a high degree of autonomy under Chinese sovereignty for at least 50 years. It also enshrined detailed provisions of academic freedom, freedom of the press, and other human rights in the semi-autonomous city (Joint Declaration, para. 3.5). Similar rhetoric can be seen in Hong Kong's Basic Law, the de facto constitution of the Hong Kong Special Administrative Region (SAR) (Basic Law, Article 34 and Article 137). These protections used to distinguish Hong Kong from mainland China. However, several recent incidents demonstrate that Hong Kong's current political situation has become an obstacle to the implementation of its entitled autonomy.

The current developments now also lead to mistrust from professionals towards the Hong Kong government for interfering in the city's academic freedom. The Progressive Scholars Group (PSG), a network with more than 200 academic staff across universities and academic institutions from Hong Kong, carried out an online survey of more than 250 participants in 2019. The survey illustrated how Hong Kong scholars evaluate the state of academic freedom in Hong Kong, indicating that 67 percent of the respondents expressed academic freedom in Hong Kong to have either "significantly decreased" or "slightly decreased" over the previous year (Hong Kong Academic Freedom Report 2019, 12–13).

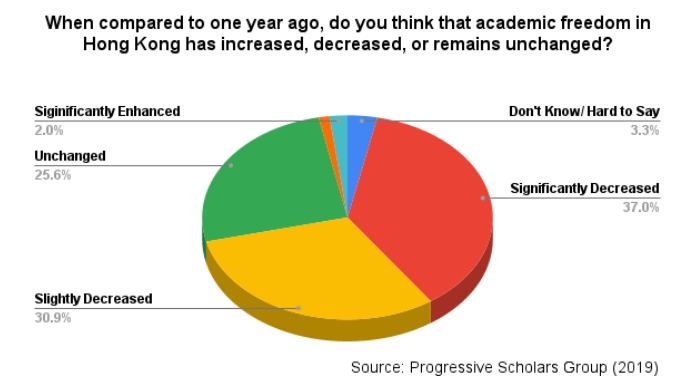


Figure 1: Question in an online survey on academic freedom in Hong Kong, conducted by [Progressive Scholars Group \(PSG\)](#) in 2019, illustration by the author.

Additionally, almost 70 percent of the scholars considered "university management" to be the major harmful cause of reduced academic freedom, while 60 percent held "Hong Kong government officials" responsible for the restrained academic environment. However, as [Petersen and Currie \(2008\)](#) have argued, in the political context of Hong Kong, these two mechanisms should not be taken as two separate factors. Many Hong Kong universities changed their management regulations significantly following a 2002 report made by the [University Grants Committee \(UGC\)](#), whose members are assigned by the Beijing-appointed Chief Executive of Hong Kong. Changes included abolishing the tradition of electing deans from within the faculties or non-university members dominating the constitution of universities' management bodies. Such regulatory shifts may be seen as a major restriction or constraint of the institutional autonomy of Hong Kong universities.

Indeed, the case of Dr. Benny Tai, which recently made [global headlines](#), illustrates the influence of Hong Kong government officials on Hong Kong University's governance body quite vividly.

On July 28, 2020, the University of Hong Kong (HKU) ousted Tai, a tenured professor who had served at the law faculty for nearly 30 years. Considered a leading figure in the Hong Kong pro-democracy social movements, Tai was [charged](#) by the police for public nuisance and conspiracy (串謀公眾妨擾、煽惑他人公眾妨擾) over the 2014 pro-democracy Umbrella Revolution. In May 2019, HKU organized a “Committee of Enquiry into Possible Good Cause”(探討充分解僱理由委員會) to start the investigation into Tai, despite his case still being under appeal. The case was later transferred to the Senate of Hong Kong University, another management body of HKU consisting mainly of its scholars and staff. Following comprehensive investigation, the Senate stated there to be “no good cause” to dismiss the tenured professor. However, by July 2020, the Hong Kong University Council—the governing body of the university that reserves the right to make final decisions on many matters of the school—had overturned the recommendation of HKU scholars and staff and voted eighteen to two in favor of dismissing Tai. This decision-making procedure epitomizes the limited institutional autonomy of HKU due to its university governance: more than two-thirds of the members of the Council are dominated by government-appointed members or actors from outside of the university. Following the definition by the AFi, HKU enjoys only limited institutional autonomy considering that non-academic actors interfere extensively with its decision-making process with the ambiguous official reason of sanctioning “[misconduct](#),” thus violating Tai's constitutionally-granted freedom to research and teach.

One could argue that the influence of politics or the government in university administration is not unique, and can also be observed in other countries and contexts. However, it stands to reason that, due to Beijing's influence on the Hong Kong SAR government, higher education governing bodies in Hong Kong have the motivation to enforce a political leverage over academics that constrains their freedom and can increasingly push them towards a more “Pro-Beijing” stance (Petersen and Currie 2008, 598).

Unique factors such as incentives for cooperation with China, or Hong Kong universities' heavy dependence upon the government for its funding, might cause the universities to exert this pressure on individual researchers. Noticeably, similar situations of self-censorship or pressure against academic autonomy due to incentives from cooperation with the PRC can also be observed in Taiwan ([Lai 2020](#)).

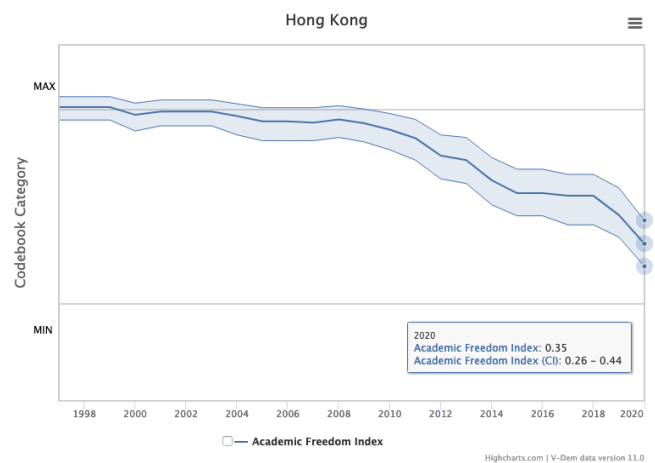


Figure 2: Author's illustration, based on the Academic Freedom Index of Hong Kong from 1997 to 2020.

Interlacing Political Constraints on Secondary and Tertiary Education

The PRC's recently-strengthened grip on Hong Kong's academic freedom has also raised concerns about the SAR's educational policy. Analyzing the close relationship between Hong Kong's educational policy and nation-building, [Hughes and Stone \(1999\)](#), showed how the Hong Kong Education Bureau's 1997 curricula guidelines, issued upon the handover, were drafted with a goal of cultivating both a “Chinese identity” and a “Hongkonger identity” in future generations. On the one hand, students had to learn “national pride, nationalism, and patriotism” under the rubric of “Chinese citizenship.” On the other, concepts such as “democracy,” “human rights,” “justice,” and “equality” were also considered to be Hong Kong civic values and were thus included in the guidelines. In contrast to this earlier observation, more recent studies indicate that the region's educational policy has shifted in a more exclusively Beijing-oriented direction as a consequence of the central government's tightening control over Hong Kong ([Tse 2007](#); [Lau 2013](#)).

Following this transition, Lau (2013) concluded, Hong Kong's educational policy increasingly failed to include indigenous and democratic elements valued by the Hong Kong public, such as liberalism, freedom of speech, and a more global, international orientation.

One example would be the 2019 revised teaching guidelines for history textbooks used in secondary schools (初中中國歷史科課程指引), issued by the Hong Kong Education Bureau, which marked a climax in the use of regulations to roll back the “identity balance” within Hong Kong’s education system. Examining the guidelines in more detail, one sees that the latest version, issued in May 2019, displays an increased emphasis on the inherently historical connection between Hong Kong and Mainland China, together with considerable emphasis also on the concepts of “state” (國家) and “nation” (中華民族). In contrast, the version from 1997, the year that Hong Kong was handed over from the United Kingdom to China, included not only the rises and falls of different Chinese dynasties but also introduced historical reasons for such changes, such as civil revolutions. The 1998 teaching guideline of civic value education also still included concepts such as “citizenship” (公民) and “democracy” (民主) in its recommended teaching goals.

The Hong Kong government's initiative of overhauling its education system can be seen as a response to the Anti-Extradition Bill Movement that began in mid-2019, which was mainly carried by Hong Kong’s youngest generation. Numerous secondary, high school, and university students organized demonstrations by boycotting classes and displaying political slogans on campus, which, according to the government, proved that “anti-central government forces have penetrated campuses through different channels.” In a statement by the Hong Kong Education Bureau, the government affirmed, “schools must review their library catalogs to remove books that provoke any acts or activities which endanger national security.” This may testify to the government's motivation to push a more Beijing-oriented interpretation of history among the next generation of Hongkongers.

The National Security Law and National Security Education

The role of Hong Kong's National Security Law (officially: “The Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region”) in educational policy is another way in which the SAR's academic environment may be directly influenced by political developments. On June 30, 2020, Chinese central authorities in Beijing declared the National Security Law in effect for Hong Kong, announcing the regulation's immediate enforcement. The part of this law that is especially relevant to academic freedom and educational policies can be found in Article 10 of Chapter II, which states that “The Hong Kong Special Administrative Region shall promote national security education in schools and universities and through social organizations, the media, the internet and other means to raise the awareness of Hong Kong residents of national security and of the obligation to abide by the law” (Hong Kong National Security Law). It therewith became the Hong Kong government's obligation to develop and promote policies for its academic institutions in the name of “safeguarding national security.”

In the months following the enactment of the law, critics worldwide raised grave concerns over its potential to impact and erode academic freedom in Hong Kong. For example, the international non-governmental organization Freedom House warned that the law “has exerted a creeping influence over the territory’s vaunted education sector” and also “harmed Hong Kong’s position as an attractive hub for international academic exchange in Asia.” Under Article 10 of the National Security Law, the Hong Kong government is required to promote “national security education” in various mediums of education. One recently-published National Security Education Teaching Framework composed by the Hong Kong Education Bureau shows exactly how the concept of “national security education” is supposed to be implemented. According to the framework, students from primary school to high school must learn about four offenses under the National Security Law: Secession (分裂國家罪), Subversion (顛覆國家政權罪), Terrorist Activities (恐怖活動罪), and Collusion with a Foreign Country or with External Elements to Endanger National Security (勾結外國或者境外勢力危害國家安全罪)

in order to “realize the functions and importance of these regulations for national security.” Another [official circular](#) published by the Hong Kong Education Bureau also reiterates that national security education should make sure that youth “develop a sense of belonging to the country and an affection for the Chinese people,” as well as “enable students to become good citizens who have a sense of national identity and abide by the law.”

The National Security Law casts a shadow not only over the educational field in Hong Kong but also in the realm of academic freedom, where related changes became immediately apparent upon its implementation. After the passage of the National Security Law, the Hong Kong Secretary for Education, Kevin Yeung, [warned](#) teachers that “any discussion on Hong Kong independence is strictly off limits in all levels of schools and universities.” During the Hong Kong pro-democracy “Anti-Extradition Bill Movement” in 2019, Kevin Yeung also exerted top-down pressure by [stating](#) “if a school decides to support those teachers who are reported,” due to their opinions in support of the protest, “then the authority can confirm the school has a problematic standard,” and would be able to apply punishments such as revoking the school’s license. Such kinds of official punishment and intimidation are a further indicator of the delicate link between increasing limits to freedom of teaching and learning, academic and cultural expression, and constraints on institutional autonomy in Hong Kong today.

Whither Hong Kong’s Academic Freedom

Despite the promises of relative local autonomy in the Sino-British Joint Declaration (1984) that was drafted years before the handover, recent developments signal that the Hong Kong SAR government has already upended this agreement, which includes mounting attacks on the guarantee of academic freedom. Being [a world-renowned science hub](#) with several globally respected universities, it is no doubt that new and heavy constraints on academic freedom will challenge the appeal and vibrancy of Hong Kong’s research and education environment, which had, for many decades, also distinguished the region from mainland China.

This short paper has presented some preliminary observations that connect the often general and anecdotal impressions we have with more concrete institutional developments. This way, it may become clearer how, for instance, university governance structures, political pressure from Beijing, and increasing ideological interference in Hong Kong’s multi-tier education and scholarship system are also intertwined and enfold a potential for weakening academic freedom in the city. Since most incidents included in this overview occurred in the last few years, further in-depth research on this topic is needed. How exactly does the political context affect university management? In what ways will future policies and regulations affect the state of academic freedom in Hong Kong? And what can be said about the agency of Hong Kong academics in this delicate environment? Questions like these may provide further direction towards a deeper analysis of the state of academic freedom in Hong Kong and will be urgent topics for future studies.

Further Readings

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