

# Downfall of Hong Kong's Gang of Four

by **Jocelyn Chey**

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*When the Hong Kong government disqualified four members of the Legislative Council, prompting the resignation of all other pro-democracy legislators, the Council was effectively turned into a rubber stamp.*

If we understand how and why this happened, we will realise just how delicate China's domestic and international relations are at this juncture.

China's National People's Congress Standing Committee (NPCSC) ruled on 11 November that anyone standing for election to the Legislative Council would be ineligible if he or she supported independence for Hong Kong, refused to acknowledge China's sovereignty or sought intervention in Hong Kong by foreign forces. The Hong Kong government immediately issued [a statement](#) that four legislators, Alvin Leung, Dennis Kwok, Kwok Ka-ki and Kenneth Leung, were therefore ineligible to sit in the Legislative Council. The statement explained that this was because they had espoused such views in public while campaigning for re-election. Back in July, the four legislators, reacting to the new national security law that had been imposed, had indeed called on foreign governments to sanction the Hong Kong and Chinese governments for human rights violations. In this way, they had therefore violated the third criteria for disbarment listed this week by the NPSC, that is, they had sought intervention by foreign forces.

Shortly after the four had spoken, the Legislative Council election was postponed from September this year until 2021, the stated reason being the emergency due to Covid-19. It is significant that the ruling by the NPCSC was requested by the Hong Kong government and acted on by the government without any interpretation by the courts. Even though previous cases before the Supreme Court have failed to overturn decisions by the NPCSC, this ruling, and the decision to delay elections, tend to confirm suspicions that the Hong Kong government is extremely unpopular and is making use of the emergency to extend its powers and avoid scrutiny. As the Kofi Annan Foundation stated in May in an [open letter](#), "Hard-won rights are being swept aside by emergency measures, elections postponed indefinitely, or held under problematic conditions, and essential freedoms eroded."

Although carefully framing its response as due to "the fundamental change of circumstances" in Hong Kong, so as not to greatly offend Beijing, the Australian government has made it clear that its sympathies lie with the pro-democracy

movement. Prime Minister Scott Morrison and Alan Tudge, Minister for Immigration, issued a [joint statement](#) in July announcing new visa arrangements for Hong Kong refugees, offering them a pathway to permanent residency, and took the opportunity of encouraging Hong Kong-based companies to relocate. Australia's existing extradition treaty with Hong Kong was also suspended.

On 12 November, after the expulsion of the four legislators, Foreign Minister Maryse Payne issued [a statement](#) stressing that Australia and others will "continue to monitor developments closely and maintain a consistent focus on human rights and the principles of freedom, transparency, autonomy and the rule of law." Curiously, her statement traces the origin of the current arrests back to "an incident in the Legislative Council in May this year." On that occasion, the pro-government faction installed one of their own, Starry Lee, as Chair of the House Committee, despite the opposition holding the majority of elected seats in the house, causing angry scenes, protests and heckling. The House Committee scrutinises bills and decides when they will be voted on, so can exercise a crucial role in legislature, but Starry Lee was not responsible for the ousting of the four.

There are much more significant and cogent reasons for current developments. On 8 November, the [United States imposed sanctions](#) on four officials in Beijing and Hong Kong, accusing them of threatening Hong Kong's peace and security. Those four included the Deputy Director of China's Hong Kong and Macau Affairs Office and the Deputy Commissioner of Hong Kong Police. The US move followed earlier sanctions on Hong Kong Chief Executive Carrie Lam and on current and former police chiefs and last month the US State Department warned international financial institutions that they also would face sanctions if they did business with those regarded as responsible for China's crackdown in Hong Kong.

Secretary of State Mike Pompeo, while travelling in East Asia, was trumpeting a strong anti-China line. On 10 November, [addressing the Ronald Reagan Institute](#), he called the Chinese Communist Party a "Marxist-Leninist monster" whose rule was "authoritarian, brutish and antithetical to human freedom." His announcement of the new round of sanctions on Hong Kong indicates that he will not let up on this line in the two months remaining before the handover to a new administration. It is also possible that he believes Donald Trump could remain in office.

Hong Kong has become embroiled in tit-for-tat exchanges between China and the United States and in a poisonous relationship where the temperature has been dropping steadily towards a new Cold War. It remains to be seen whether a Biden administration will engage more positively with the People's Republic of China. Given these unknowns, Beijing is carefully calibrating its responses. The eviction of the pro-democracy four is exactly proportionate to Washington's sanctions on the pro-China four. This is enough to warn the West that it will hold the line and that it will, in the

case of Hong Kong as also for other parts of its far-flung nation, insist on sovereignty and territorial integrity.

It is also noteworthy that Xi Jinping waited nearly a week before joining other world leaders congratulating Biden on his election results. Clearly, Beijing has been holding its horses and keeping all options open, and we would be wise to do the same.

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