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# The Umbrella Movement and the Political Apparatus: Understanding “One Country, Two Systems”

Justin K. H. Tse

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## Introduction: Priming Hong Kong

Prior to the Umbrella Movement, there was little reason for people who were not from Hong Kong to care much about its politics, unless, of course, one were a devoted reader of *The Economist*, which did cover Hong Kong as a former British colony. Alas, my experience in the academy corroborates the former sentiment: when I began studying Christian involvement in Hong Kong’s politics in the late 2000s, nobody was interested. “You have to study Christianity in China,” one advisor said, “because that’s where the jobs are.” The growth of the People’s Republic of China (PRC), especially the explosion of Christianity in China, was what people wanted to talk about. The fascination was tied to the economic spectacle of China’s spectacular urban landscapes, the political force of China’s increasing influence on international relations, the social impact of Chinese immigration to Anglo-American metropolises.<sup>1</sup> Indeed, with the recent spate of church buildings being demolished in Wenzhou and crosses being taken down in Zhejiang Province, China proper is still the only thing in the Greater China region that everyone wants to talk about. In this context, Christianity was fascinating because it told the story of China’s human rights record as well as missionary impulses still alive and well in the West.<sup>2</sup> Another faculty committee member told me: “I know people who go over to China and go through networks in Hong Kong. You should follow them on a missions trip and do an ethnography on them.” Hong Kong, it turns out, was only interesting as it was tied to doing research on China proper. The local politics of Hong Kong and the engagement of Christians with them were not on my Anglo-American advisors’ radar screens. When I finally did get myself over to Hong Kong in 2010, people there confirmed to me that, as an Asian American, I was ill equipped to study China and Hong Kong’s relations with the motherland. Indeed, theologians and social scientists in Hong Kong were already studying Christianity in China, and church leaders were getting heavily involved in various kinds of missionary projects.<sup>3</sup> They told me to go home.

Things certainly have changed. The 2014 protests for democracy in Hong Kong have catapulted the local identity politics of Hong Kong people to the attention of the international media—and by extension, to my academic colleagues.<sup>4</sup> Of course, the Hong Kong protests, known as the Umbrella Movement because the protesters brought umbrellas to defend themselves against police brutality, are still in many ways connected to Hong Kong-PRC relations; the protesters, after all, want “genuine universal suffrage” as opposed to puppet candidates vetted by Beijing. Occupying roads near key political and economic sites in Hong Kong from September 28 to December 15, 2014, the Hong Kong protesters argued that ordinary residents of Hong Kong, not an oligarchy, should determine the political future of the city. But the local identity politics of Hong Kong people have not been on the academic radar screen since the 1997 handover, and because of that, most English-language commentators on the Umbrella Movement seem only competent to discuss them within a PRC framework, while hinting that what Hong Kong people really want is political freedom and the expression of a vaguely local Hong Kong identity whose difference from other ethnic Chinese sensibilities eluded the white Western mind.

Fortunately, I only half-listened to my advisors. After being told to go home, my advisors and I concocted a new project to study how Cantonese-speaking Christians on the so-called Pacific Rim engaged their public spheres.<sup>5</sup> I included Hong Kong in this project as a counterweight to claims in Vancouver and San Francisco that Cantonese-speaking migrants were importing their socially conservative religious homeland politics to secular societies in North America. Not only did I find in 2012 that these charges were patently unfounded, but the project yielded data on the ongoing development of Christians' involvement in democratic activism in Hong Kong. While most people in North America still wanted only to talk about the growth of China, I followed the incremental build-up in Hong Kong from the contentious Fourth Chief Executive elections and the National and Moral Education controversy in 2012 to the Occupy Central with Love and Peace movement in 2013–2014 to the 2014 Umbrella Movement. As the Hong Kong protests exploded across the international press after the exercise of police brutality on September 28, 2014, journalists picked up on primers I wrote on my blog because my research, contrary to the focus that I had been advised to take on Christianity and China, is really about Christians in Hong Kong.<sup>6</sup>

This is all to say that a primer on Hong Kong is necessary before getting to the theological reflections. If our readers are not even aware of the basic political, economic, and social affairs of Hong Kong, the Umbrella Movement's calls for "genuine universal suffrage," "civil nomination," and even "Hong Kong autonomy" will sound like vague ideological slogans, hardly a convincing way to conduct a protest, let alone be worth sustained theological reflection. We must understand what exactly Hong Kong's democracy movement is demanding via this particular form of universal suffrage. Why are they demanding, of all things, "democracy," an aim that is simultaneously noble (if one were to look at it positively) and conceptually vacuous (if one were to wax negatively critical)? What would "genuine universal suffrage" actually accomplish in material terms in Hong Kong? What exactly is the problem with the Hong Kong government that motivated them to come out and protest in the first place? Why are they so upset about Hong Kong being controlled by the central government in Beijing? Is not Hong Kong part of China? Why can't people of ethnic Chinese origin all just get along? Are the protesters' demands reasonable, or do the protests revolve around vague ideological fantasies with no real political content? Why exactly is all of this theological, and what business do theologians actually have in reflecting on the Umbrella Movement?

In this primer, I hope to clarify many of these questions by surveying Hong Kong's political apparatus and the deep embeddedness of Christians in both reinforcing and critiquing the system. In so doing, I follow the model of sociologist Craig Calhoun's analysis of the 1989 Tiananmen protests, dividing his book between a lengthy blow-by-blow account of the demonstrations in the first part and then a theme-by-theme social scientific discussion in a second part.<sup>7</sup> Similarly, I have written this chapter as an attempt at a comprehensive survey of Hong Kong politics before calling on local theologians to reflect on the Umbrella Movement. Following the see-judge-act method, we cannot judge or act unless we know at what we are looking. This primer is thus an invitation to see Hong Kong with an aim to understand the politics that led to the Umbrella Movement and that motivates our theological reflections.

### **Placing the Umbrella Movement in Hong Kong Special Administrative Region**

Before we reflect on the Umbrella Movement itself, we need some legal and political definitions. This is because the demands of the 2014 protesters revolve around "universal suffrage," the right of every Hong Kong citizen to vote, which the UK, the post-handover Hong Kong government, and the PRC had promised would be gradually implemented after the handover.

Since the early 1990s, there have been insinuations that neither the local nor the central governments have intended to honor their on-the-record assurances about universal suffrage. As Democratic Party founder Martin Lee Chu-ming insinuated in 1991, the failure of then-UK Prime Minister John Major to discuss the implementation of democracy in Hong Kong during his 1991 visit indicated that even the UK was insincere about democratic governance in Hong Kong after 1997. Speaking to the *Los Angeles Times*, Lee quipped that the claim that democracy could be implemented gradually was a red herring: "I wonder how many times throughout history have unelected kings and despots repeated this pretext to deny democratic rights to their subjects!"<sup>8</sup> Claiming that Beijing has systematically eroded

Hong Kong's political autonomy, the 2014 protesters demand "genuine universal suffrage" within a system of "civil nomination," which means that the residents of Hong Kong should have the right to directly nominate and vote for government representatives of their own choosing. Over the 79-day occupation in Hong Kong, the government rebutted that the demonstrators had misinterpreted these legal promises and that their demands failed to sufficiently respect Chinese sovereignty over Hong Kong. Calling into question the political autonomy of Hong Kong, these rebuttals referred to the interpretations of Hong Kong's mini-constitution, Basic Law, by the PRC's National People's Congress's Standing Committee (NPCSC), the 150-person legislative committee that is convened between the annual plenary sessions of the full nearly 3000-person National People's Congress and that has the right to interpret the law.

Because the Umbrella Movement is at heart a debate over how different political factions understand the legal framework of democracy in Hong Kong, we must first understand the political apparatus in which the demonstrations took place before we can even talk about what happened during the 2014 protests, much less attempt theological reflection. We will begin by probing the origins of the "one country, two systems" framework in Hong Kong and its relation to universal suffrage. We will then trace the origins of democratic activism in this legal apparatus by examining the practices of elections and political agency for the Legislative Council, the Chief Executive, and the Court of Final Appeal. As we shall see, this primer will lay the groundwork for theological reflection on the Umbrella Movement because what the 2014 protests are ultimately about is a reform of the state's political structure.

### **"Gradual and Orderly Progress": Universal Suffrage and the Legal Apparatus of "One Country, Two Systems"**

Between 1842 and 1997, Hong Kong was a colony in the nineteenth-century British Empire; since 1997, Hong Kong has been a Special Administrative Region (SAR) of the PRC, a region that is under Chinese sovereignty but operates under a different political apparatus and economic system. While British companies had participated in regular trading activities in South China, Beijing's tightening controls on British trading practices, including the importation of the opium narcotic, resulted in the First Opium War from 1832 to 1842. Emerging victorious after a show of naval power in the South Chinese Pearl River Delta, one of the major concessions the British extracted from China in the ensuing Treaty of Nanking was the cession of Hong Kong Island to the British Empire.<sup>9</sup> In 1860, the Second Opium War resulted in the British annexing Kowloon Peninsula just north of the island.

Hong Kong came under PRC sovereignty in 1997 in a "one country, two systems" framework. In 1898, the British had successfully applied for a 99-year lease of sovereignty through Lantau Island and the New Territories north of Kowloon with a border at Shenzhen. The extension's expiry in 1997 triggered negotiations between the UK and the PRC about the status of Hong Kong. In 1979, Hong Kong's colonial governor, Murray MacLehose, visited Beijing, where he learned that the PRC's intentions were not only to go along with the historic Qing Dynasty's agreement to return the rural New Territories, but to take the entire territory across the urban areas of Hong Kong Island and Kowloon as well—and by force, if necessary. To stave off any unnecessary geopolitical tensions between the UK and the PRC, then-UK Prime Minister Margaret Thatcher and then-PRC Premier Zhao Ziyang met for two years between 1982 and 1984 in Beijing to negotiate the handover's conditions. The consensus that they reached was that the PRC would promise to maintain the current political and economic order in Hong Kong for 50 years after 1997 and that the UK would hold the PRC to that commitment.

These talks resulted in the 1984 Sino-British Joint Declaration on the Question of Hong Kong, a document that codified the transfer of sovereignty on July 1, 1997. Signed by both Thatcher and Zhao, the agreement was that Hong Kong would enjoy "a high degree of autonomy, except in foreign and defence affairs which are the responsibilities of the Central People's Government" (3.2), and that this situation would "remain unchanged for 50 years" (3.12). What this meant was that despite Hong Kong's handover to Chinese sovereignty after the 1997 handover, the laws would remain unchanged, the structure of the state would remain the same, the separate legislative, executive, and judicial branches would stay separate, the government would still be populated by "local inhabitants" (3.4),

and the city would continue to be an “international financial centre” (3.6–3.9). At the time, the PRC’s paramount leader, Deng Xiaoping, defined this policy as the practice of “one country, two systems”: Hong Kong would come under the territorial sovereignty of the one country (the PRC), but the PRC and the SAR would have two systems. In this way, Hong Kong would remain the city that it was under British colonial rule, even anticipating that the correction of “mistakes” from the Mao era in Chinese socialism would put the motherland “in line with the principle of proceeding from reality and seeking truth from facts.”<sup>10</sup>

Indeed, Deng had originally proposed this arrangement as the possible conditions for Taiwan’s reunification with the PRC in 1979; with Hong Kong, Deng’s framework could be put to the test. “One country, two systems” was altogether a novel idea, after all. It would have been anathema in the Mao era of detaching the PRC from the global economy to create a communist utopia in China. However, Deng had opened the PRC to participation in international commerce under the policy framework of “market socialism,” which is to say that the PRC is technically a “Communist” nation-state because it is a one-party state governed by the Chinese Communist Party (CCP), but since Deng’s rise to leadership in the late 1970s, its political and economic practices should more properly be understood as a market system that is under the command of Beijing’s Central Government.<sup>11</sup> The Joint Declaration reflected the optimistic aspirations of the market socialist political economy at the time, even going so far as to foster hopes that a liberalizing economy within the PRC might lead to widespread democratization—a fantasy that was crushed by the brutal crackdown on the Beijing Spring in Tiananmen Square on June 4, 1989.<sup>12</sup>

Following a contentious consultation process that began in the 1980s, the “one country, two systems” framework of the Joint Agreement became inscribed into a second document: Basic Law, Hong Kong SAR’s mini-constitution, which became law after July 1, 1997. Mirroring the Joint Declaration, the principles set out in Basic Law first acknowledge that Hong Kong is “an inalienable part of the People’s Republic of China” (Article 1). However, the “National People’s Congress authorizes the Hong Kong Special Administrative Region to exercise a high degree of autonomy and enjoy executive, legislative, and independent judicial power, including that of final adjudication” (Article 2), which means that the “socialist system and policies shall not be practiced in the Hong Kong Special Administrative Region, and the previous capitalist system and way of life shall remain unchanged for 50 years” (Article 5).

Basic Law also sets out a vague proposal for the “gradual and orderly progress” of the development of “universal suffrage.” In Article 45, the mini-constitution discusses a democratic system that would grant Hong Kong residents the right to elect their Chief Executive (CE), the head of the Hong Kong government. This constitutional framework is hazy, however, because there are numerous conditions that can be placed on the elections. For example, Article 43 makes the CE “accountable to the Central People’s Government,” which means (in the language of Article 45) that he or she is ultimately “appointed” by Beijing and can only be a candidate “upon nomination by a broadly representative nominating committee in accordance with democratic procedures.” At the same time, “The ultimate aim is the selection of the Chief Executive by universal suffrage,” subject to this nominating committee “in accordance with democratic procedures” (Article 45). These vague democratic aspirations are mirrored in Basic Law’s discussion of Hong Kong’s Legislative Council:

The Legislative Council of the Hong Kong Special Administrative Region shall be constituted by election. The method for forming the Legislative Council shall be specified in light of the actual situation in the Hong Kong Special Administrative Region and in accordance with the principle of gradual and orderly progress. The ultimate aim is the election of all the members of the Legislative Council by universal suffrage. (Article 68)

For both the CE and Legislative Council, the emphasis in Basic Law is on an aspirational “gradual and orderly progress” toward an “ultimate aim” of universal suffrage, though the haziness of qualifications like “actual situation,” accountability to Beijing, and the principle of gradualism suggests that this mini-constitution can be interpreted to prescribe what political scientists have called “democracy with Chinese characteristics,” elections that are ultimately orchestrated by a central government.<sup>13</sup> In this way, even the constitutional framework around democratic development in

Hong Kong straddles the tension of the sovereignty of the “one country” over the SAR while ensuring the political autonomy of the “two systems.” It is the political apparatus and its discontents engendered by this arrangement that is the object of our theological reflection.

### **Legislative Council and the Civil Human Rights Front: Functional Constituencies, Pan-democratic Legislators, and the Theological Problem of Representation**

The “gradual and orderly progress” toward universal suffrage has been accomplished through the use of *functional constituencies*. Invented by the British, functional constituencies refer to seats that represent the political interests of trade associations in Legislative Council (Hong Kong’s lawmaking body) as well as in the Election Committee for the Chief Executive (see next section). Political scientists call this kind of system *corporatism*, which means that the functional constituencies are comprised of representative organizations for a number of economic sectors in Hong Kong’s civil society, such as the labor, legal, social welfare, teaching, architecture, commercial, finance, and medical professions. By representing cross-sections of the working public, the SAR government justifies the existence of functional constituencies by arguing that they supposedly give voice to the interest of competing social and economic sectors while serving as a stepping-stone toward full democracy. In 1991, functional constituencies elected 14 seats in the Legislative Council; that number expanded to 23 in 1995 and 28 after the 1997 handover. They are also contentious because trade associations that have minimal levels of popular representation gain a disproportionate amount of political power for their special interests, especially in the business sector, and are described as contributing to “*small circles*” elections in which only an elite few are allowed to vote. Because such “small circles” private gains are seen to shortchange the public interest, democratic proposals for universal suffrage often call for the abolition of functional constituencies as a matter of social justice. However, this gradual step toward democracy in an undemocratic system has not dissuaded democratic activists from joining the Legislative Council as *pan-democratic legislators* (that is, lawmakers that span a set of pro-democratic parties), as opposed to their *pro-establishment* counterparts (that is, lawmakers who are part of political parties loyal to Beijing). Herein lays an irony: The first democratic legislators, Martin Lee and Szeto Wah, were elected by functional constituencies representing the legal and teaching trades, respectively, and others have been elected after the handover for the social welfare, medical, health services, and accountancy sectors as well.

However, these democratic lawmaker-activists began their activism from outside of the government, for prior to the 1980s, their participation in Legislative Council would simply not have been possible as the British had not discussed democracy in Hong Kong for fear of triggering geopolitical conflicts with the PRC. Indeed, democratic movements had a long and contentious history of challenging the colonial government. The initial political unrest in 1960s Hong Kong revolved around discontent with British colonial rule. In 1966, a lone protester launched a hunger strike at the Star Ferry Pier to protest a hike in ferry fares, causing a riot that led to the imposition of martial law. In 1967, agitators attempted to draw Hong Kong into Mao Zedong’s Chinese Cultural Revolution in the PRC, resulting again in riots, the firing of tear gas in the streets, the assassination of a prominent radio show host, and a second imposition of martial law.

Democracy movements then emerged in the 1970s as part of a wave of anti-corruption reforms directed at the British colonial government. Led by teacher Szeto Wah, the democratic campaigns began first as a teacher’s strike against a 1973 paycut with the support of the local Catholic bishop Francis Hsu as a mediator between the teachers and the colonial government. Szeto’s activities resulted in the establishment of the Hong Kong Professional Teachers’ Union in 1974, the same year that the Independent Commission Against Corruption (ICAC) was founded to curb police corruption. In 1977, Szeto’s career took off when he led a mass student movement from the Precious Blood Golden Jubilee Secondary School to occupy the Hong Kong Cathedral Compound, accusing the Roman Catholic Church under the new bishop, John-Baptist Wu, of colluding with the British colonial administration, as they had shut down free speech within the Catholic school. Szeto then established the Patriotic Chinese Democracy Movement, an organization dedicated to fostering democratic reforms in the PRC from Hong Kong. In turn, Protestant clergy inspired by the Golden

Jubilee Incident, such as Methodist pastor Rev. Lo Lung Kwong and Baptist pastor Rev. Chu Yiuming, ran grassroots campaigns in the 1980s to force British concessions for public policy favoring the working class.<sup>14</sup> Together with Martin Lee, these early seeds of activism formed the basis of what became the Democratic Party. Indeed, by the 1980s, Bishop Wu—by now the face of the Catholic Church in dialogue with the PRC—himself became a supporter of democratic reform in Hong Kong.

The introduction of functional constituencies began as a British strategy for democratic reform in 1980s Hong Kong, enabling some of these extra-governmental democratic activists to get involved in the operations of the state. As the sun began to set on British colonial rule in the mid-1980s, the UK government introduced a model for selecting its public officials that included some elements of democracy in an effort toward implementing gradual progress toward universal suffrage. The Joint Declaration initiated new conversations between Beijing and the UK over the implementation of a democratic system in Hong Kong leading up to the handover. Anticipating the 1982–1984 Beijing talks, the UK government released a Green Paper in 1980 that proposed constitutional reforms to make the Hong Kong government more democratically representative. In July 1984, a second Green Paper introduced a system of indirect elections as the first step toward democratic development.

After a two-month consultation period, the resulting White Paper outlined a system of *electoral colleges* (a limited set of electors comprising the District Boards representing Hong Kong’s 18 districts, the Urban Council representing the interests of urban development, and the Regional Council representing the New Territories) and functional constituencies. While Legislative Council elections were indirect in 1985 and 1988—an unpopular move on the part of the British that caused a protest at Hung Hom’s Ko Sham Theatre demanding the process to be sped up—democratic reforms enacted after the 1989 Tiananmen incident gave the 1991 elections *geographical constituencies*, representatives elected by popular vote in geographically demarcated regions. By 1995, the last colonial governor of Hong Kong, Chris Patten, introduced a sweeping change in which the District Boards were themselves elected, the geographical constituencies were expanded, and the functional constituencies came to consist of even blue-collar trades. While these reforms did not constitute universal suffrage, they did give a broad base of the Hong Kong population a taste of political agency, an act repeatedly condemned by Beijing as turning Hong Kong into a political city that would become ungovernable after the handover.<sup>15</sup>

The questions of popular representation and functional constituencies have remained contentious after the 1997 handover. In response to Patten’s reforms, the Preparatory Committee for the handover instituted a 400-member Selection Committee comprised of four broad functional sectors to elect a Provisional Legislative Council in 1996 that met in Shenzhen until the handover. Rolling back the late colonial-era attempts at democratization, the SAR government then significantly reduced the number of geographical-constituency seats in the 1998 legislative elections, giving more power to functional constituencies.

The post-handover democracy movement can be read as a reaction to the system of functional constituencies, insisting through groups such as the Civil Human Rights Front (CHRF) that civil society is not constituted so much by the trade associations, but by grassroots social justice groups. In 2003, Legislative Council attempted to pass a National Security Bill based on Basic Law’s Article 23, which stipulates that the SAR government “shall enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the Central People’s Government, or theft of state secrets.” The ensuing debate pit pro-establishment government personnel, most visibly Secretary for Security Regina Ip Lau Suk-ye, against pro-democratic legislators, the Catholic bishop Joseph Zen Ze-ken,<sup>16</sup> and the newly formed CHRF, which was initially convened by feminist theologian Rose Wu Lo-sai (a contributor to this volume) in 2002. Contrasting the tilt of functional constituencies toward the elites, CHRF gave voice to underrepresented civil society groups such as the *tongzhi* (LGBTIQ+) movement, women’s rights groups, grassroots non-governmental organizations (NGOs), democratic religious bodies, and labor unions. CHRF members have also since been elected as pan-democratic legislators. Objecting to the vague definitions of “sedition” in the hands of a potentially authoritarian government—especially the potential erosion of religious freedom by making legal room to label the Buddhist sect, the Falun Gong, a “proscribed society”—the CHRF organized a march on July 1, 2003,

that brought out a conservative estimate of 500,000 Hong Kong citizens; the July 1 Demonstration has reprised every year since then, demanding universal suffrage in opposition to a government that is seen as trying to repress the people.<sup>17</sup> Following on the heels of criticism of government transparency during the Severe Acute Respiratory Syndrome (SARS) outbreak from February to May, the events of 2003 resulted in a loss of trust in the government's ability to work in the public interest.

CHRF's actions made political reform a pressing issue in Hong Kong, spurring the pan-democratic legislators within Legislative Council to lead demonstrations in their own right during elections and legislative meetings to demand universal suffrage over against "small circles" elections. On April 26, 2004, Beijing's National People's Congress's Standing Committee (the elite group of party cadres who speak for the PRC's entire legislative body) indicated its preference for pushing the implementation universal suffrage in Hong Kong as far back as 2012, suggesting that it was starting to renege on its promises about democracy and SAR autonomy. At the same time, the contentious September 2004 legislative elections began to discredit the official Democratic Party that had been started by Martin Lee and Szeto Wah, as some of its candidates were dogged by the sexual and financial scandals. But in the wake of Article 23 and the rise of CHRF, new democratic political parties were also formed, relativizing the influence of the Democratic Party and introducing new post-2003 faces into office, such as Fernando Cheung Chiu-hung (the vice-convenor of the CHRF in 2002 who ran successfully for the social welfare functional constituency in 2004), Audrey Eu Yuet-mee (a barrister who campaigned against Article 23 and founded the Article 45 Concern Group to advocate for universal suffrage), and Leung "Long Hair" Kwok Hung (a radical activist who ran as an independent).

These new post-Article 23 pan-democratic politicians introduced a new dynamic of political intrigue around democratic reforms in Legislative Council. When Legislative Council convened in October, Fernando Cheung introduced a bill on behalf of the pan-democrats to stage a civil referendum gauging public opinion on implementing universal suffrage as early as 2007 and 2008. Cheung's bill failed to pass, mostly due to political intrigue: Three democratic lawmakers elected from other functional constituencies had joined with the establishment in rejecting the referendum proposal. This intrigue extended outside the halls of Legislative Council. When CE Donald Tsang proposed in 2005 to expand Legislative Council to 70 seats and to increase the size of the Election Committee to elect the Chief Executive, pan-democratic legislators, the CHRF, and Bishop Zen protested. That grassroots effort turned into a 250,000-strong demonstration on December 4 and a near-unanimous vote against Tsang's proposal on December 21, criticizing it for its omission of universal suffrage and its continuation of "small circles" elections. In other words, the politicking of the post-Article 23 pan-democratic legislators within Legislative Council resulted in the direct mobilization of grassroots demonstrations—often led by the same legislators and their CHRF allies—outside of Government House. Put in stark terms, the pan-democratic legislators are part of the government, but they also see themselves as protesting the government within the government, while leading protests against the same government outside the government as well.

This inside-outside government-non-government wrangling produced a division between "moderate" and "radical" wings within the pan-democratic legislator camp. As a moderate faction, the Civic Party was established in 2006 to promote a social consensus on universal suffrage through liberal civic education across civil society; this party included pan-democratic legislators such as Eu, Cheung, Ronny Tong Ka-wah, Alan Leong Kah-kit, Margaret Ng Ngoi-yee, Mandy Tam Heung-man, and Kuwan Hsin-chi.<sup>18</sup> But the Civic Party's efforts were decried as middle-class and disconnected from the grassroots by other pan-democratic legislators who considered themselves more "radical" in the sense that they would use starker tactics designed to force action on democratic issues instead of engaging in the slow "moderate" process of building social consensus. These "radical" lawmakers founded the League of Social Democrats (LSD), a political party that claimed to defend the interests of the grassroots poor through "radical" tactics, which often meant fulminating with no small degree of verbal Cantonese obscenities against the establishmentarian tendencies of both pro-Beijing *and* moderate democratic politicians associated with the Democratic and Civic parties. LSD's core leaders consisted of Andrew To Kwan-hang (a longtime democratic activist and the husband of the Catholic Diocese's Jackie Hung), Albert Chan Wai-yip (a longtime legislator and Christian), and Raymond



Wong Yuk-man (a former radio host and Christian convert). One often-cited example of LSD's "radical" tactics featured Wong Yuk-man hurling bananas at then-CE Donald Tsang during his 2008 policy address to protest the inadequacy of old-age allowances for the grassroots elderly whose interests he claimed to represent. The act of hurling bananas is not a respectable mode of "moderate" discussion; these forcible tactics are therefore considered "radical."

The government's proposal to reform the 2012 Legislative Council Elections put this new arrangement of pan-democratic legislators, parties, and activists to the test, a process that began as early as 2009. On the one hand, the pan-democratic legislators of both moderate and radical ilk planned and participated in more politically theatrical acts together. In 2009, the government proposed increasing the number of legislators from 60 to 70 in a putative effort to increase representation in Legislative Council. This proposal followed a framework set out by the NPCSC in 2007, which now indicated a preference for universal suffrage to be implemented in 2017 and for 2012 to only be a year to advance the "gradual and orderly progress" of democratic reform. Responding to what they saw as a political farce of the PRC simply delaying universal suffrage indefinitely, the five pan-democratic legislators who had previously been elected by geographical constituency resigned in order to trigger a by-election in January 2010. When they were re-elected and because both the Civic and LSD parties gained seats, they argued that the by-election had proven that universal suffrage already works in Hong Kong and that delays on the part of the central government and the SAR regime in the name of "gradual and orderly progress" are simply disingenuous lies meant to prevent the implementation of democracy in Hong Kong altogether.

However, the 2010 reforms and the ensuing 2012 legislative council elections also split the pan-democrats along a class continuum: Those who were inclined toward the middle class have been accused of being themselves pro-Beijing by others who claim to represent the interests of the local grassroots poor. In other words, the assumption in Hong Kong politics is that the wealthy are more "moderate" because they associate with the central government for political favors, while the grassroots are supposed to be more "radical" because they are defending Hong Kong's local identity. This dynamic seemed to be confirmed during the political drama around a political reform package in 2010. The LSD and the Civic Party opposed the reforms as a reprise against which they had demonstrated in 2005. However, Democratic Party leaders Albert Ho Chun-yan, Emily Lau Wai-hing, and Cheung Man Kwong held high level talks with Beijing's Liaison Office. To the chagrin of their pan-democratic colleagues, the result was that legislators in the Democratic Party voted for the passage of the reforms. The Democratic Party thus found itself accused of overly representing middle-class interests, moderate enough even to be in conversation with Beijing. To be "moderate" thus meant to walk too closely with the pro-establishment end of this continuum, resulting in the moderates being accused of representing Beijing's interests with the proof as the Democratic Party's dialogue with the central government resulting in its "betrayal" vote for the reforms.

The moderate-radical split has had direct ramifications in a new configuration of pan-democratic political parties. Appealing to the development of social consensus on democracy, the Civic Party performed well in the 2012 elections, gaining a seat in every geographical constituency and one functional constituency and bringing to new prominence politicians like journalist Claudia Mo Man-ching, political scientist Kenneth Chan Ka-lok (a Roman Catholic), and medical doctor Kwok Kah-ki. The problem, though, is that the radicals consider the Civic Party overly "moderate," which means that they accuse it of being too pro-establishment in its own right. Indeed, that the Civic Party has rivaled the Democratic Party in influence since 2012 makes it the main target of the grassroots parties' critique of the linkage of bourgeois privilege and pro-establishment politics, especially since the Civic Party's co-founder Ronny Tong Ka-wah has stated on the record that dialogue with Beijing could be possible on democracy.

In turn, new radical democratic parties have also formed, divided, and been reconfigured. In 2011, democratic legislators led by longtime trade union leader and democracy activist Lee Cheuk-yan (also a Protestant Christian) formed the Labour Party in 2011, successfully placing Lee, former Civic Party member Fernando Cheung, gay rights advocate Cyd Ho, and Caritas social worker Cheung Kwok-che (that is, a Catholic working in social services) as geographical constituency representatives in Legislative Council in 2012. As for LSD, the aftermath of the 2010 reforms led to internal divisions

within the party: Wong Yuk-man and Albert Chan accused their colleague Andrew To for being too “moderate” because he did not join them in vehemently denouncing the Democratic Party. Wong and Chan then pulled together political groups disillusioned by the Democratic Party like the Frontier and Power Voters to found a new political party, People Power, to advance their grassroots agenda. This action gutted LSD, leaving Long Hair as its sole legislative member; To subsequently lost his seat. This radicalization also gave rise to Civic Passion in 2012, a self-proclaimed “localist” group run by radical activist Wong Yeung-tat, whose vehement opposition to Beijing intervention and unsuccessful candidacy in the 2012 elections has led to broad-brush criticisms of all the pan-democratic groups (including People Power) in his protest performances and through his publication, *Passion Times*. The point of “radical” democratic politics, in other words, is to escalate outrage against the establishment, accusing “moderates” in the pan-democratic camp of being pro-establishment in their own right while seeking a purer politics to challenge the government on behalf of the underrepresented grassroots. What needs to be remembered, of course, is that some of these “radicals” are also government legislators operating within Legislative Council, some are more “radical” than others, and some are activists outside of the government.

These divisions over functional constituencies suggest that the theological issue that arises from reflection on the CHRF and the pan-democratic legislators is *representation*. While the issue on the table has been universal suffrage since the British reforms of the 1980s, the “gradual and orderly progress” wrought by functional constituencies has engendered a social polity in which even the democratic activists and legislators claim to represent and are accused of representing specific segments of civil society. Reflecting on the theological significance of partisan divisions, theologians might ask why this inversion of the establishment’s undemocratic strategy has been so successfully grounded in strife among the pan-democratic legislators, especially because so many of them are Catholic and Protestant—and have been influenced by Joseph Cardinal Zen, to boot. Indeed, this infighting is significant because frustration with political parties can be traced as one of the causes of the student frustrations that led to the Umbrella Movement, a protest occupation in which all of these pan-democratic legislators and activists (including those in the vilified Democratic Party), as well as (moderate) CHRF members, actively participated.

Indeed, these divisions do not mean that there is no coalition building among the pan-democrats; in fact, the *pan* in *pan-democratic* simultaneously indicates that there is both serious infighting on the one hand, but also general agreement that democratic reform is their common cause. In a remarkable show of unity, the (somewhat radical) LSD’s Long Hair joined with (the quite radical) People Power’s Albert Chan and Wong Yuk-man to stage a filibuster in 2012 in an attempt to stop the government from passing a bill to prevent lawmakers who resigned in the future from participating in by-elections and trigger the political crisis of 2010 all over again. While pro-establishment forces in Legislative Council succeeded in passing the bill when its pro-Beijing president Jasper Tsang Yok-Tsing invoked a procedural rule to end the filibuster, the effort suggested that pan-democratic cooperation could still be possible despite the infighting over representational politics.

But building pan-democratic coalitions and fighting over functional constituencies is but a third of the story of how the apparatus plays out. If reforming the Legislative Council raises theological questions about representation, then we must now move to the Executive Branch to examine how the Chief Executive elections elicit problems over Christian groups actively participating in the “small circles” elections.

#### The Chief Executive Elections: Functional Constituencies, Private Property, and the Theological Question of Participation

While the participation of individual Catholics and Protestants may have only occurred at the personal (as opposed to institutional) level in the fractious coalitional pan-democratic partisan politics of Legislative Council, religion plays an even more controversial role in the CE elections because the functional constituencies that compose the Election Committee include religious sectors and institutions.

With elections occurring every five years, the centrality of functional constituencies in this committee raises an even stronger charge of “small circles” elections and amplifies the urgency of universal

suffrage. When a preparatory Selection Committee selected the first CE in 1996, democratic activists denounced its composition as primarily of professional elites whose business and political interests inclined them to watch for Beijing to signal their preference for a candidate. In the lead-up to the 2002 Second CE Elections, a controversial news clip in 2000 featured the Beijing leader Jiang Zemin fuming at the press for asking him to indicate whether he supported the re-election of the (unpopular) first CE, businessman Tung Chee-hwa: “Too simple, sometimes naïve,” he called the young journalists, indicating that he knew that there would be political turmoil if Beijing openly supported a candidate for Hong Kong.<sup>19</sup> If the discussion of the pan-democratic legislators demonstrated that Christians have had a strong record playing the pan-democratic opposition to the undemocratic SAR and Beijing governments, the drama around the CE elections suggest that there is an equal record of both Catholics and Protestants who seek to reinforce the power of the establishment to further their political interests, which are often linked to private property. Symptomatic of the “small circles” elections, these collusions with private interests raise the stakes for debating the appropriateness of Christians, both Catholics and Protestants, participating in the SAR political apparatus.

Fraught with controversy, participation in the Election Committee has become a theological question for both Catholics and Protestants. Mirroring the trade associations, just fewer than 10 % of the Election Committee seats are given to representative organizations for the six major religions in Hong Kong: the Catholic Diocese of Hong Kong, the Chinese Muslim Cultural and Fraternal Association, the Hong Kong Christian Council (HKCC), the Hong Kong Taoist Association, the Confucian Academy, and the Hong Kong Buddhist Association. While each religious association determines their own method for selecting electors, such participation has proven controversial because it involves religious associations in the reinforcement of the “small circles” elections. Understanding this dynamic, the Catholic Diocese practices an informal policy of “passive collaboration,” allowing individual Roman Catholics to apply directly to the Election Committee and only being willing to confirm their baptismal records; in this way, the Catholic Church cannot be accused of either actively endorsing or withdrawing from the elections.<sup>20</sup> Indeed, the distance that such passive collaboration has afforded Catholics from the government has enabled Joseph Cardinal Zen and the Catholic Diocese’s Justice and Peace Commission to be champions for universal suffrage and human rights in the SAR.

By contrast, Protestants found themselves embroiled in controversy by attempting to actively participate in these religious functional constituencies. The 1996 Selection Committee was itself a lightning rod. When the Preparatory Committee invited the ecumenical HKCC, the Anglican Church, the Christ Church in China, and the Federation of Christian Churches to participate, the HKCC’s lack of coordination with the Anglican Church led to contradictory voting on whether Protestants should participate in only the CE elections, the selection of the Provisional Legislative Council, or both—indicating that the ecumenical unity in the ecumenical Protestant body was not as ecumenically united as they made it out to be.<sup>21</sup> Made a laughing stock, the HKCC compounded its problems when it responded positively to Xinhua New China News Agency’s call for the six major religious associations to participate in the patriotic celebration of National Day, suggesting that if the denominations in the entire ecumenical organization could agree on anything, it was that it was pro-establishment.<sup>22</sup> Developing mistrust with the public, the HKCC’s subsequent attempt to institute free Protestant elections for their functional constituency seats in the Election Committee brought even more criticism that the HKCC was a pro-establishment front attempting to reinforce the “small circles” election and thus the power of Beijing over Hong Kong.<sup>23</sup> Until the mid-2000s, such ecumenical Protestant participation in the CE elections themselves was thus widely panned: The 1996 free elections was a logistical nightmare, only to be topped by the utter disaster of the 2002 election when the HKCC experimented with a lottery system. In this second election, fewer than seven candidates initially put themselves forward for lottery and then thirty more handed in their names at the very last minute, resulting in a last-minute organizational scramble. Predictably, the incumbent CE Tung Chee Hwa—by then already rather unpopular with the Hong Kong populace—was re-elected by an Election Committee that cared less about Tung’s popularity and more about the fact that he was pro-business and generally liked by Beijing, a point underscored by the fact that after Tung later stepped down as CE in 2005, Beijing appointed him as one of the vice-chairmen of the Chinese

People's Political Consultative Conference (CPPCC), the large political advisory body in the PRC that has no small influence over the country's legislative direction.

While the HKCC represented more "ecumenical" Protestants, their evangelical and Pentecostal counterparts faced increasing scrutiny in the mid-2000s, for their large congregations and sizable economic capital—which had previously existed solely within the ambit of the private sector—also became politicized. Prior to the mid-2000s, evangelical involvement with the government tended to take place on an individual basis, albeit usually with a pro-establishment bent. For example, Breakthrough Movement's Philemon Choi Yuen-wan was Commissioner of Youth in the Tung Administration in 1998, a dubious honor that earned Choi criticism for participating in the workings of an undemocratic government. So too, the charismatic renewal group Jireh Fund was founded in 1999 after the 1997 Asian financial crisis to call evangelicals to pray for economic and political stability in Hong Kong. However, this appeal to spirituality actually thinly veiled the Jireh Fund's support for the pro-Beijing establishment, for they also invited CEs Tung Chee Hwa and Donald Tsang to their events as guests of honor in the 2000s and openly supported the pro-Beijing Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) candidates in 2012.<sup>24</sup> The point, though, is that prior to the mid-2000s, these groups were not part of the electoral process because they were not part of the ecumenical mainline HKCC, even though they were already pro-establishment and had already established links with the CE's administration.

The events of 2003 resulted in evangelical megachurches and Pentecostals joining the electoral process. During the SARS crisis, Pentecostals received a boost in popularity because one of the prominent doctors who had succumbed to the disease while helping patients, Dr. Joanna Tse Yuen-man, was Pentecostal; her funeral was widely broadcast on television. Simultaneously, the disaster of Article 23 resulted in Tung's health-related resignation in 2005, although he was somehow healthy enough to immediately become a new vice-chairman of the CPPCC. A hastily concocted Election Committee then put a second CE, then-Chief Secretary Donald Tsang Yam-kuen, into power.<sup>25</sup> Tsang was widely known as a devout Roman Catholic, as was rising star political administrator Carrie Lam Cheng Yuet-ngor. Through the Tsang Administration's Chief Secretary, Rafael Hui Si-yan, the CE office was also friendly with a property tycoon who was openly evangelical, Thomas Kwok, the chair of the third-largest property company in Hong Kong, Sun Hung Kei Properties. The raised public profile of evangelical Protestantism led to the growth of several megachurch congregations that were also attended by media celebrities and government officials. Indeed, several Canto-pop actors and Hong Kong actors underwent rather public evangelical conversions during this time, including the highest-paid Canto-pop singer in Hong Kong, Sammi Cheng Sau-man. As evangelicals and Pentecostals accumulated social, political, and economic capital, they channeled their newfound civic enthusiasm and connections with the Tsang Administration into the erection of large-scale spectacles designed to impact the political culture of the city. One effort was a concerted celebrity-led initiative to find Noah's Ark on Mount Ararat in Turkey, which culminated in the building of a life-size Ark replica on Ma Wan Island. Another was a star-powered Global Day of Prayer that brought together establishment politicians, revivalists, and thousands of evangelicals for an annual prayer gathering at sports stadiums.<sup>26</sup>

Using their political capital, these new Pentecostal and evangelical megachurch players began to impact the political culture of the city. As the 2007 Third CE Elections drew near, the HKCC announced that it would once again hold free elections, but in this election, any Protestant Christian could run, even if they were not from the mainline denominations conventionally represented by the ecumenical body.<sup>27</sup> The Pentecostals and evangelical megachurches were ready. Encouraging megachurch congregation members to vote at ballot boxes strategically placed near their churches, these new participants in the CE elections advanced a privatized view of civic participation, leading to heated debate in the pages of the Hong Kong newspaper, the *Christian Times*, as their more progressive counterparts argued that the megachurches and Pentecostal movements had hijacked the democratic process. The elections themselves were contentious: While the incumbent Donald Tsang seemed favored by Beijing, the formation of the Civic Party and its (incidentally Roman Catholic) candidate Alan Leong's campaign brought such a serious challenge that televised debates and pan-democratic political stunts ruled the airwaves. Unsurprisingly, as campaigns for the popular vote

mean relatively little in a place without universal suffrage, the Election Committee once again chose Tsang.

However, the lack of political agency did not mean an absence of political identity. By the mid- to late-2000s, a generation of young activists, including Christian ones, enacted a politics of local Hong Kong identity and began using tactics of occupying heritage sites to build a vision of Hong Kong culture mostly directed against the Tsang administration's agenda for making Hong Kong an international financial center. In 2006, the Tsang administration's announcement that it would demolish the historic Star Ferry Pier radicalized activists who called themselves part of a "post-1980s generation," forming a group called Local Action that argued that Hong Kong identity was tied to historic places. It is here that the occupation movements actually begin: Local Action physically occupied the Star Ferry site until its demolition. In 2007, the Tsang administration's relocation of another port, Queen's Pier, to build a road between Sheung Wan and Wan Chai met with opposition from Local Action, whose occupation of the site drove then-Secretary of Development Carrie Lam to negotiate with them and made her the unofficial apologist for the government, a role that she reprised in 2014 during the Umbrella Movement.<sup>28</sup>

These redevelopment projects, as well as struggles to preserve historic roads like King Yin Lei and Wing Lee Street in 2009 and 2010, contributed to insinuations that the Tsang administration was in cahoots with private interests over against public opinion. The 2010 Chinese translation of tycoon-secretary-turned-columnist Alice Poon's English-language *Land and the Ruling Class in Hong Kong* offered a protest slogan for the times: "地產霸權" ["Property hegemony," or in Cantonese, *deichan bahkuen*].<sup>29</sup> Though Poon's text offered a century-long historical reading of property speculation manipulating government policy, the moniker of "property hegemony" initiated even more post-1980s outrage over housing unaffordability, gentrification, and the conditions of those living in "cage houses" (small units subdivided only by iron bars) and "subdivided rooms" (rental units in which bedrooms were divided further).

In turn, the slogan of "property hegemony" created the link in the popular imagination that the pro-establishment Christians' support for the established regime was in fact them acting in cahoots with the Tsang administration's redevelopment policies. Indeed, the author of *Land and the Ruling Class in Hong Kong* was actually a secretary at Sun Hung Kei Properties who had quit her job, moved to Vancouver, and gone rogue; the owner of Sun Hung Kei Properties, it should be remembered, was the evangelical tycoon Thomas Kwok, who also put up money for the Noah's Ark project. In addition, Chinese American rapper MC Jin had been baptized in a Hong Kong megachurch shortly after his arrival in Hong Kong in 2008; in 2010, he became the official spokesperson for Tsang's developmentalist program in a Christmas video rap with the CE called "Act Now."<sup>30</sup>

With these allegations of hegemonic property collusions between megachurch celebrity evangelicals and the Tsang administration in the air, the politics of the post-1980s generation took a theological turn. Divinity students and activists, mostly with educational roots from the Chung Chi Divinity School at the Chinese University of Hong Kong, formed the Alliance for the Return to the Christian Spirit. Their initial activities revolved around the star-studded Global Day of Prayer in 2009 and 2010, where they showed up to protest that the collusion between Christians and the propertied establishment had sullied the "Christian spirit" of walking the narrow way of the poor and the marginalized; each time, they were escorted out of the premises.<sup>31</sup> They also protested the Tsang administration's plan for greater regional economic integration through a Hong Kong Express Rail Link to Guangzhou in 2010. This plan was especially controversial because it involved demolishing a New Territories village, Choi Yuen Tsuen. The Alliance for the Return to the Christian Spirit also held prayer meetings at Choi Yuen Tsuen, joining in solidarity with protesters who were using Buddhist rituals for protest.<sup>32</sup> So too, a theological campaign in 2011 spearheaded by New Testament exegete Sam Tsang (a contributor to this volume, with no relation to the second CE) exposed the financial improprieties and scholarly inadequacies of Noah's Ark Ministries, tarnishing the reputations of the evangelical megachurches that had built their political capital on links with property tycoons and the state establishment.<sup>33</sup> The emergence of these democratic identity politics in turn drew the wrath of evangelical megachurches: Kong Fok Evangelical Free Church's Rev. Daniel Ng Chung-man denounced them as a form of "mob politics."<sup>34</sup>

As Donald Tsang's second CE term drew to a close, the CE property scandals that began to unravel during the 2012 Fourth CE Elections demonstrated that there was active collusion between the CEs, the private sectors of property acquisition and corporate business, and the Catholic and Protestant religious establishments. Toward the end of Tsang's term, investigative journalists discovered that Tsang had been afforded certain luxury privileges by wealthy magnates and even the Triad criminal underworld: a junket and private plane, an apartment in Shenzhen for a very discounted price from a developer friend, dinner in a Macau casino with tycoons and suspected members of the Triad societies in the criminal underworld. When Cardinal Zen's successor, John Hon Cardinal Tong, defended Tsang as a devout daily mass attendee, his comments that "he who is without sin should cast the first stone" sparked public outrage.

But the new CE candidates in 2012 were no better. The initially favored candidate, Henry Tang Ying-yen, fell prey to the tabloids when they discovered that he had erected an "illegal structure"—a basement and swimming pool—at his house. When Tang subsequently blamed it on his wife, the news then broke that he had had an affair with his former assistant, Shirley Yuen. Tang's political fortunes in Beijing—and thus also in Hong Kong—then began to reverse. The final nail in the Tang campaign's coffin was when he revealed at the all-candidates' debate that his opponent, Leung Chun-ying (popularly known as CY Leung), had proposed as Executive Council convener to use violent police methods to disperse the July 1 Demonstration over Article 23 in 2003. The allegations were meant to spark outrage at Leung's authoritarian streak, and it most certainly did, as demonstrators hit the streets wearing cardboard tanks to link Leung's attitude with the PRC's military crackdown during Tiananmen Square's Beijing Spring in 1989. However, Tang had also violated the confidentiality of Executive Council discussions where Leung had supposedly made these comments, which meant that Tang had politically disqualified himself. In the ensuing political circus, Protestant pastors and theologians of both ecumenical and evangelical ilk attempted to intervene by calling for a more rational atmosphere for civic participation. However, their newspaper statements also elicited controversy for their allegedly vague support for the establishment, which discredited these Protestants in the eyes of the democracy movement.

With Tang's reputation in tatters, the Election Committee elected his opponent, CY Leung, in the 2012 election, only to have the newspapers discover after his victory that he too had erected an illegal structure at his home. Indeed, for all of the indiscretions that had cost Tang the top job in Hong Kong, the Leung administration itself has been dogged by property scandals. At the height of the 2014 Umbrella Movement, the *Sydney Morning Herald* revealed that Leung had not disclosed when he became CE that he had significant holdings in the private corporation UGL, an Australian company that has some interests in Hong Kong's property market. So too, Leung's Secretary for Development Paul Chan Mo-po—himself openly evangelical—came under fire in 2013 for having a conflict of interest because he owned a plot of New Territories land that the government intended to develop. Finally, in late 2014, a crackdown by the Independent Commission Against Corruption (ICAC) sent to prison *both* the previous Tsang administration's former Chief Secretary, Rafael Hui Si-yan, *and* Sun Hung Kei Properties' Thomas Kwok (the evangelical who had put up the money for Noah's Ark) for participating in a bribery scheme, confirming the rumors that pro-establishment evangelicals were key to the corrupt link between the CE administrations and the property tycoons.

The publicization of these scandals tying conservative Christians of both Protestant and Catholic ilk, the CE administrations, and private property interests together reveals one of the key stakes in the demand for genuine universal suffrage: Hong Kong people's rights to probe government corruption, develop affordable housing, and preserve local urban culture in the built environment. These demands are theological because the Christian role in functional constituencies coincided with the realignment of evangelical interests around private property and the established economic security of Hong Kong.<sup>35</sup> The question of public participation is not simple, then, for Protestant and Catholic participation in the SAR apparatus has ironically led to the privatization of politics, revealed most clearly in the corruption scandals that have dogged the government since 2012. In turn, the politics of property has further radicalized a post-1980s generation of activists, some of whom have rearticulated theology for their protest movements. As we shall finally see in an examination of Hong Kong's

judiciary, these theological articulations are ultimately about the materiality of human rights in Hong Kong.

### **Is the Court of Final Appeal Final? Judicial Autonomy and Theological Reflections on Minority Rights**

The questions of Hong Kong's political autonomy and democratic development might seem unrelated from the question of minority rights, but as I shall show, there is a deep correlation between the two. While the 2011 census found that 93.6 % of Hong Kong's seven million people remain Chinese and 89.5 % of the population use Cantonese as their usual language, the second and third highest ethnic groups in the SAR are Indonesian (0.8 % in 2001, 1.3 % in 2006, and 1.9 % in 2011) and Filipino (2.1 % in 2001, 1.6 % in 2006, and 1.9 % in 2011). Of the total population, 60.5 % were born in Hong Kong, 32.1 % in the PRC, Macao, and Taiwan, and 7.4 % elsewhere.<sup>36</sup> The story that these numbers tell is that of a society dominated by Cantonese-speaking Chinese residents, but is also populated by some racial, ethnic, and linguistic minorities from both Filipino and Indonesian migrant workers as well as regular migration from the PRC. While the SAR legislative and executive branches have passed policies to deal with minority rights, much of the drama around migration and minorities has taken place in the judiciary. The Sino-British Joint Declaration vests the SAR government with "independent judicial power, including that of final adjudication" (3.3), which is apportioned by Basic Law in the Court of Final Appeal (Article 82). However, as we shall see, the courts have also been a site where the "one country, two systems" framework has also been eroded and the independence of the judiciary questioned by democratic activists in the name of human rights for Hong Kong's minority populations. These questions lead to theological reflection on the place of minorities in Hong Kong's polity.

The question of immigration in Hong Kong is ultimately about the judicial autonomy of the SAR. The key term in these debates is "the right of abode," a residency right promised in Basic Law's Article 24 to anyone who has lived in Hong Kong for "not less than seven years." The political drama around the right of abode can be traced to the 1999 Court of Final Appeal case, *Ng Ka Ling v. Director of Immigration*. Amalgamating four test cases of persons born in the PRC whose parents had lived in Hong Kong "not less than seven years," the legal question was whether these persons had the right of abode in Hong Kong. Appealing to the legal autonomy of Hong Kong SAR as well as the International Covenant on Civil and Political Rights, the court ruled that the right of abode was a human right that was guaranteed by both Basic Law and international standards. This ruling so troubled the SAR government that it then released a report alleging that an estimated 1.67 million people could be eligible for the right of abode under the *Ng Ka Ling* decision, which they argued would incur an additional HKD\$33 billion and require 60 hectares of land ("almost five times the size of Chek Lap Kok airport") to accommodate PRC migrants who would move to Hong Kong.<sup>37</sup> In this way, the SAR government molded public discourse along the lines of a local Hong Kong identity politics with its requisite anti-mainland inflections with an economic argument. Upon a recommendation from Regina Ip—the same Security for Security who later oversaw the Article 23 debacle in 2003—CE Tung Chee Hwa forwarded the case to Beijing's NPCSC, which promptly reinterpreted Basic Law to deny the test cases the right of abode and effectively vacated the court's decision. In other words, the highest Hong Kong court had decided in favor of the migrants, but because the SAR government did not like the decision, it asked the Beijing central government to vacate the decision—and it did. So much for judicial autonomy!

The PRC central government's reinterpretation brought liberation theology in line with the politics of Hong Kong's judicial autonomy. The Catholic Diocese's Bishop Zen, the Justice and Peace Commission, and Italian Catholic liberation theology practitioner Fr. Franco Mella issued statements condemning the move as violating the human rights of migrants attempting to enter Hong Kong. At the same time, the appeal to the NPCSC sparked demonstrations against the violation of the "final adjudication" clause of both the Joint Declaration and Basic Law. In this way, the political agency of migrants—a cipher for universal suffrage—and the local autonomy of Hong Kong have been ironically fused, although popular opinion also maintains that the SAR government has an economic responsibility to care for Hong Kong residents before migrants. Since *Ng Ka Ling*, two additional issues on the right of abode have surfaced. In 2011, controversy erupted when expectant mothers from

the PRC came to Hong Kong to give birth, allegedly overcrowding public hospitals so that reports were published suggesting that Hong Kong women could not get beds while the PRC migrants acquired for their born-in-Hong-Kong children the right of abode. At the same time, migrant workers, mostly domestic helpers from the Philippines and Indonesia, fought for the right of abode because the SAR government had passed laws denying imported workers and domestic helpers the category of “ordinarily resident” that was required to obtain right of abode. Again, Fr. Mella and the Catholic Diocese’s Justice and Peace Commission were the most visible in their fight on behalf of the migrant workers, with Mella even founding a Right of Abode University to educate migrant workers on basic language and social science skills in order to equip them with tools for political agency. However, the Court of Final Appeal denied their 2012 appeal case *Vallejos and Domingo v. Commissioner of Registration*, arguing that domestic helpers were part of a temporary population and that the Legislative Council had the right to define its own terms in immigration law. In turn, the centrality of the PRC mothers during the 2012 CE elections elicited promises from the candidates to ban them all from public hospitals; when CY Leung was elected, he did just that. Just as *Ng Ka Ling* showed that the Hong Kong judiciary is not independent from political machinations in Beijing, *Vallejos* raised the question of the judiciary’s independence from the other branches of government, entangling the courts in the private property and representational disputes plaguing the Legislative Council and the CE.

Migrants are not the only minorities that concern Hong Kong’s judiciary; the courts have also adjudicated on sexual minorities. The Court of First Instance case, *Cho Man Kit v. Broadcasting Authority*, raises a number of issues related to public opinion on sexual orientation. Filed in 2007, the case revolved around the Hong Kong Broadcasting Authority’s formal admonition against Radio and Television Hong Kong (RTHK) when it aired the documentary *Gay Lovers*, a film depicting gay and lesbian aspirations for a future of inclusion in Hong Kong, including with same-sex marriage. In the wake of Article 23, conservative evangelicals associated with organizations like the Society of Truth and Light, Hong Kong Sex-Culture Society, and the Alliance for Family Values had successfully lobbied against the Sexual Orientation Discrimination Ordinance (SODO) in 2005, alleging that giving employment and residency rights to sexual minorities would lead to reverse discrimination toward traditional families and the silencing of their rights to free speech in reinforcing their heteronormativity. Evangelicals associated with these groups also filed complaints against *Gay Lovers*, alleging that RTHK had failed to air an objective documentary that presented both sides of the issues for sexual minorities. Gay activist Joseph Cho Man-kit then sued the Broadcasting Authority, forwarding its admonition to the high court. The court ruled that the Broadcasting Authority had indeed overstepped its bounds in proscribing freedom of speech. Like the *Ng Ka Ling* and *Vallejos* cases, *Cho Man Kit* also highlights that there exists two understandings of freedom of speech and democratic rights in Hong Kong, one that advocates for minority voices and the other that mobilizes free speech to reinforce the majority status quo.

Because these court decisions are inseparable from the other parts of the SAR government, they reveal another dimension of the call for universal suffrage: because racialized, gendered, and sexualized minorities in Hong Kong do not have anyone to speak for them in the apparatus, they need to be given the power to vote in order to express their political agency and shape a city of inclusion. While the majority of Hongkongers are Cantonese Chinese, these cases raise the question of whether racial and sexual minorities are included within its polity. Moreover, the involvement of Catholics and Protestants on both the establishment and democratic sides of these minority rights debates suggest that the question of majority rule versus minority voice is theological at heart.

#### The SAR Apparatus and Theologies of Protest: Toward the Umbrella Movement

This survey of the Hong Kong SAR political and legal apparatus has been necessary because it brings us finally to the Umbrella Movement’s demands for universal suffrage. As we have seen, this demand is not new. With democratic aspirations coming from the late colonial British era in the 1980s and 1990s, the promise of universal suffrage is inscribed both in the Sino-British Joint Declaration and the SAR’s Basic Law. While the issues on paper appear to be strictly secular, putting the apparatus to work in the actual events following 1997 have raised the question of whether the “gradual and orderly progress” toward universal suffrage is in fact causing more division and social injustice in the realms of political representation, government participation, and minority rights. With Catholics and



Protestants at the forefront of both democratic activism and pro-establishment legitimation, these issues are theological questions with a range of possible opinions and justifications.

Focusing on the actual practice of the SAR's political apparatus in this "one country, two systems" arrangement brings a sense of materiality into what might seem to be a hazy ideology of democracy and universal suffrage. While the operations of the Legislative Council, the CE, and the judiciary may seem standard on paper and despite the pretensions of functional constituencies to be a stepping stone toward full democracy, the way that the apparatus has actually been put to work has skewed Hong Kong toward an elite government in economic collusion with corporate business and property tycoons. To wax theoretical, the call for democracy is akin to geographer David Harvey's argument that the capital of such a society must be returned from its extra-legal proprietors to the commons.<sup>38</sup> Because of such an emphasis on the common good, the pan-democratic legislators, post-1980s local heritage activists, radical democrats, human rights workers, and even religious leaders have formed uneasy and often contentious alliances to restore political agency to Hong Kong people. It is with this understanding of all that democracy means—and does not mean—in specific relation to Hong Kong's political apparatus that we can finally turn to the Umbrella Movement, its demand for universal suffrage, and its theological implications.

### **The Umbrella Movement and Occupy Central: An Orientation**

We move now to consider how the dissatisfaction with the political and legal apparatus of Hong Kong SAR since 1997 led to the mass act of civil disobedience of the Umbrella Movement in 2014. To understand this transition, we will first need an even closer look at the events of 2013–2014, especially the emergence of a pro-democracy civil society movement, Occupy Central with Love and Peace (OCLP), and the concurrent erosions of free speech in Hong Kong during the same two years. As we shall see, these events led directly into the theological moment of the Umbrella Movement, a leaderless movement that unexpectedly followed OCLP that is the main point of reflection in this volume.

### **Occupy Central with Love and Peace: Democratic Deliberation and the Idea of Civil Disobedience in 2013–2014**

While OCLP is not certainly not equivalent to the Umbrella Movement, the key ideas about democracy in the Umbrella Movement can be traced back to OCLP's slow deliberative process. Indeed, the notion of civil disobedience originated at the beginning of the OCLP movement in a 2013 opinion-editorial penned by constitutional lawyer Benny Tai Yiu-ting for the *Hong Kong Economic Journal*. Intending to be provocative, he argued that non-violent civil disobedience was a "weapon of mass destruction" deployed by decolonizing activists like Mahatma Gandhi and Martin Luther King Jr. to force governments toward concessions—in this case, to grant Hong Kong people universal suffrage first through legal means of civil deliberation, and then through illegal means of shutting down the financial core of Hong Kong Central, through a nonviolent sit-in occupation.<sup>39</sup> Harkening back to the origins of the democracy movement, Tai joined with the Rev. Chu Yiuming (the Baptist pastor who had organized grassroots democracy movements in the 1980s and was a friend of the late Szeto Wah) and Chan Kin-man (a sociologist at the Chinese University of Hong Kong specializing in civil society) to found OCLP, an organization that sought to educate the Hong Kong public about democracy and civil disobedience by organizing Deliberation Days, meetings of citizens at schools and churches to discuss proposals for electoral reform.<sup>40</sup>

These colloquially named "D-Days" gave rise to three proposals from three groups that emerged as consolidated voices in the democracy movement. One was the Alliance for True Democracy, a coalition of pan-democratic legislators and their political parties. A second was People Power, the radical democratic political party that had gutted LSD over the 2010 political reform package. The third was Scholarism, an organization of secondary-school students led by Joshua Wong. Scholarism was a particularly important player because it consisted of secondary school students who had been politicized in 2011 due to the government's attempt to implement a National and Moral Education Curriculum in elementary and secondary schools. Alleging that the new curriculum would

"brainwash" Hong Kong students to uncritically devote themselves to the mainland, Scholarism had spearheaded a movement to call critical attention to schools in Hong Kong, putting the students at the forefront of the democracy movement as they demanded to have their voices taken seriously in the political system. Scholarism's actions boiled over into a social and political crisis in 2012, when 120,000 Hongkongers hit the streets to denounce the introduction of the pro-PRC patriotic "brainwashing" curriculum, successfully resulting in having the materials shelved and underscoring the need for universal suffrage in a system not controlled by the mainland. OCLP's inclusion of these secondary students demonstrated that while they had not reached the age of majority to vote in any future hypothetical election, they were still a key part of Hong Kong's civic conversation.

OCLP gave rise to over a year of social conversation about civil disobedience, coinciding with a series of incidents that threatened to undermine free speech in Hong Kong. On the one hand, OCLP generated its share of criticism for proposing that citizens should perform "illegal" actions of civil disobedience; denounced by pro-establishment legislators, OCLP received its other major source of criticism from evangelical megachurch pastor Rev. Daniel Ng, the Anglican Archbishop Paul Kwong, and the Anglican Provincial Secretary Rev. Peter Koon, all of whom decried the movement for attempting to undermine the city's economic security. However, OCLP also coincided with a series of events from 2013 to 2014 that demonstrated in popular opinion that the freedoms of speech and the press were being eroded. On July 14, 2013, a frustrated Catholic elementary school teacher, Alpais Lam Wai-sze, shouted, "What the f—!" at police who had surrounded a Falun Gong booth; the ensuing social discussion about whether she should have used profanity highlighted the establishment's rollbacks of freedom of speech, both for democratic protesters like Lam and for the Falun Gong. On October 20, 2013, 120,000 Hongkongers again took to the streets to protest the government refusing the relicense of the Hong Kong Television Network Ltd (HKTV), effectively closing off streams of the media that were deemed to conflict too much with the government's agenda. On February 26, 2014, suspected Triad members knifed the former editor of the newspaper *Ming Pao*, Kevin Lau Chun-to, who was known for his democratic views (and who is, incidentally, a Protestant Christian), sparking protests alleging that the government had resorted to the use of thugs to silence dissent and giving rise to the slogan, "They can't kill us all!" In short, the events of OCLP coincided with no fewer than three major protests from 2012 to 2014: the National and Moral Curriculum crisis in 2012, the HKTV protest in 2013, and the demonstrations for a free press system in 2014.

By the spring of 2014, the D-Days had generated three proposals for electoral reform, all of which introduced the controversial new concept that came to define not only OCLP, but the later Umbrella Movement: *civil nomination*, that is, the right for Hong Kong residents to directly nominate their own candidates without them being vetted by Beijing. While the terms of Basic Law's Article 45 were hazily democratic and provided for a "broadly representative nominating committee" to vet candidates, the Alliance for True Democracy, Scholarism, and People Power all proposed scrapping the nomination committee for an electoral system featuring the direct nomination of candidates by citizens. As OCLP prepared these proposals for an informal, non-binding civil referendum vote among the Hong Kong citizenry, the NPCSC fired a warning shot in a White Paper on "The Practice of the 'One Country, Two Systems'" on June 10, 2014, arguing that while Hong Kong might have some semblance of local governing autonomy, its political apparatus was ultimately under the sovereignty of the PRC.<sup>41</sup> In short, this White Paper insinuated that the referendum that OCLP was preparing to undertake was technically "illegal," a point that Tai challenged as there was nothing in the Basic Law that said that one could *not* take a civil referendum. From June 22–29, 792,808 valid votes were cast; while the winning proposal was from the Alliance for True Democracy, consensus had already developed around civil nomination, and a sense of the necessity of civil disobedience was growing because of the White Paper.

The only trouble was that, by this point, OCLP's potential for actually committing acts of civil disobedience began to be called into question. Young people who had committed to OCLP were determined to have some radical activity to place: for example, Scholarism staged a practice round of Occupy Central at Chater Road after the annual July 1 Demonstration in 2014, resulting in the arrests of 511 students and their supporters. These actions met with an unusual response, as pro-

establishment forces began holding their own agitated protests against the democratic protesters. From July 19 to August 17, 2014, the main anti-Occupy organization, named the Alliance for Peace and Democracy as a parody of the pan-democratic Alliance for True Democracy in OCLP, organized a signature campaign that collected one million signatures of citizens who said that they opposed OCLP's proposal to commit civil disobedience, though some questioned the validity of the autographs because video evidence suggested that the anti-Occupy group had actually paid its protesters to sign its forms and to participate in their August 17 Anti-Occupy parade.

OCLP's response to this increasing polarization was tepid at best. On August 31, OCLP received its final answer from the NPCSC by deciding that civil nomination was out of the question.<sup>42</sup> At this point, however, OCLP admitted that it did not have the support it thought it would have to carry out a massive shut-down of the Central district and would instead stage a symbolic "banquet" on October 1 during the National Day ceremonies.<sup>43</sup> Stoking frustration among young people wanting to accomplish real civil disobedience, OCLP's moderation in turn triggered a series of student strikes on September 22. These strikes, as we shall now see, turned into a series of protests that spiraled out of OCLP's wildest imagination and ability to control.

### **The Umbrella Movement: Practicing Civil Disobedience in a Leaderless Movement**

September 28, 2014, is usually designated as the starting point of the Umbrella Movement because it is the day that the street occupations began in order to protect secondary school and university students who had launched class boycotts for "genuine universal suffrage." However, the real start date of the movement can be put back one week before September 28. Frustrated by OCLP, the Hong Kong Federation of Students (HKFS) and secondary school protest organization Scholarism launched a series of student strikes on September 22, 2014, citing the need for Hong Kong youth to exert their political agency over a city that they deemed increasingly governed by a political and economic oligarchy. Beginning with faculty teach-ins and on-campus demonstrations for democracy, the students moved toward urban demonstrations as the week moved on.

By September 26, the students had agreed to occupy one symbolic target, Civic Square in Admiralty. Located near government buildings, Civic Square had been securitized with heavy metal gates in an effort to privatize what was a public space, making it an apt focal point for civic protest as a space that had once belonged to the people but had now been secured by political and economic elites. As a group of about 100 students began to occupy Civic Square, a concentric circle of police surrounded them, intending to remove them from the space. By September 27, supportive fellow students and Hong Kong citizens (including Joseph Cardinal Zen) encircled the police and occupied the nearby Tamar Park to ensure the safety of the occupiers within Civic Square; in turn, the police refused to allow people into Civic Square, which prompted Scholarism's Joshua Wong Chi-fung and HKFS's Lester Shum to encourage citizens to jump the gates. As tensions escalated, Wong himself climbed the gates and was promptly arrested and detained for over 40 hours. Police pepper-sprayed other students who entered Civic Square, causing consternation among the surrounding crowds. As the crowd pressed in on the police on September 28, the police fired 87 volleys of tear gas and pepper-sprayed more people. Some 100,000 Hongkongers then rushed down to the street, chanting, "Protect the students," resulting in the physical occupation of not only roads near the government building in Admiralty, but further down Hong Kong Island in the commercial space of Causeway Bay. Student protesters also mounted a separate occupation of Mong Kok in Kowloon, a working-class area that had symbolic value because of its status as a site that belonged to the people.

These autonomous, leaderless protests marked the end of OCLP's influence on the civic conversation on civil disobedience. As the events of September 28 unfolded, OCLP also rushed in to capitalize on the occupations already happening outside of its control, controversially moving its start date back from October 1 to September 28 to conveniently coincide with the already-existing protests. In some ways, it was legitimate for OCLP to think that it should have had a say in the occupations; after all, the fact that some of the protesters came prepared with goggles, plastic wrap, and umbrellas suggested that they had read OCLP's *Manual for Disobedience*, a text that OCLP had released on its website during the student strikes to instruct the protesters on the practicalities of civil disobedience, including what to wear to protect against police brutality and what their legal rights were if they were arrested.

However, OCLP's suggestion that the new protests were equivalent to the civil disobedience acts for which the movement had planned caused a row with the students. After all, the students had enacted their strikes precisely because OCLP had been running out of steam; with OCLP coming back into the picture, some of the students accused OCLP of stealing their thunder. Adding to the confusion was the media coverage, which called all of the protests "Occupy Central" even though the occupations were not happening in the Central district. Although OCLP then clarified that it had only moved its start date to support the students, the students' dissatisfaction with OCLP's actions suggested that OCLP actually had little control over the new movement. Of course, this is also not to say that OCLP's plans were all left unfulfilled: At the National Day celebration on October 1—the day that OCLP had planned to have its symbolic "banquet"—Scholarism students followed through with OCLP's original plan, attending the National Day ceremony and then silently turning their backs on the flag-raising ceremony while making an "X" sign with their arms in an act of rejection against PRC sovereignty over Hong Kong.

This new, leaderless protest was then termed the "Umbrella Movement." Because the protesters had come somewhat prepared for police brutality with goggles, plastic wrap, and umbrellas, an international observer from France dubbed these protests the "#umbrellarevolution" on Twitter as early as the evening of September 26, a hashtag then picked up by the international media.<sup>44</sup> HKFS leaders promptly corrected the record, calling the protests the "Umbrella Movement" because they did not intend to overthrow the government. But they adopted the terminology, naming the center of their Admiralty occupation site "Umbrella Square," complete with a sculpture of "Umbrella Man" wielding a yellow umbrella next to a Lennon Wall with colorful post-it notes of encouragement for Hong Kong citizens to "add oil" and "fight to the bottom" for democracy.<sup>45</sup>

In line with the forces that gave rise to democracy during the colonial era and that radicalized the post-1980s generation against the SAR government in the late 2000s, the Umbrella Movement's occupations have revealed the collusions of the government with various private sectors, including the criminal underworld. On October 3, attacks on protesters in Mong Kok generated the accusation that the government was paying Triad societies to do their dirty work, launching a larger occupation. So too, a march in Admiralty on October 4 by anti-Occupy protesters wearing blue ribbons elicited reports that those opposing the protests were paid agitators. As tensions swirled, rumors that the government would use military force, a cipher for the People's Liberation Army, led to increasing invocations of the 1989 Tiananmen incident, especially when the government suddenly cancelled the scheduled talks with the students for October 10. As the occupations swelled, frequent clashes among the occupiers, locals wearing surgical masks attacking the camps, and police using crowd-control tactics raised the specter of government collusion with the Triads. In one dramatic incident, the beating of Civic Party member Ken Tsang by police was filmed on TVB, which then censored the incident after broadcasting it, leading to complaints that the media was in collusion with the government and the criminal underworld.

In response, religious shrines appeared in the occupation sites, enacting a supernatural dimension to the protests. Not only were Christian leaders visibly holding worship services, celebrating the Eucharist, and setting up street sanctuaries like St. Francis' Chapel on the Street in Mong Kok, but a Guan Gong shrine appeared, invoking a Chinese deity worshipped by both the police and the Triads with an inscription to hex them for attacking the protesters. As these tensions grew, the government finally met with the students on October 21 with a team led by none other than now-Chief Secretary Carrie Lam, the same official who had made her mark negotiating with students at Queens' Pier in 2006. In a two-hour dialogue for which students came prepared with legal coaching, popular opinion turned toward the protesters, citing their valid legal objections to the undemocratic way that the political apparatus was operating. Indeed, there were plenty of accusations to be made about the government. After accusing the protesters of colluding with "foreign forces," C.Y. Leung made a gaffe to the *New York Times* that universal suffrage would lead to low-income people voting for policies skewed toward them. As if it could not get worse, Leung was at this point also dogged by the Australian media's accusations that he had a conflict of interest by owning shares in UGL, a company that sometimes participated in Hong Kong's property market.

However, the Umbrella Movement also revealed internal strife among democracy activists, arguably leading to the collapse of the movement. With frustration that the protests were not yielding the achievable goal of universal suffrage, debates between radical protesters and the pan-democratic moderates began to surface. On November 19, a protest at the Legislative Council Complex turned into a disaster, with radical activists using violence to vandalize the building. This incident led to a sharp decline in popular support for the movement, scattering the democratic forces that had been united by acts of violence perpetrated against them. On November 25 and 26, bailiffs using a court order acquired by bus companies in Hong Kong cleared out the Mong Kok protests, arresting 116 people, including Joshua Wong and Lester Shum. On December 1, Scholarism turned in its own radical direction, starting a hunger strike for democracy, while OCLP embarked on its own course of turning themselves into the police on December 3 in an effort to safeguard the rule of law. On December 11, police using a court order removed the Admiralty occupation, arresting 209 protesters, including HKFS members, Scholarism leaders, and a motley crew of pan-democratic legislators. The final occupation at Causeway Bay was evicted on December 15.

However, the clearance of the occupations has not led to the demise of the Umbrella Movement. As early as November, People Power developed a concept called the “floating revolution,” a strategy to let the police clear the streets while protesters stood on the sidewalk, only to re-occupy the roads after the police leave. After the Mong Kok occupations were cleared in late November, the Mong Kok protesters remained, arguing to the police that they were merely shopping. This course of action has developed into what is known as the “Gau wu revolution,” Putonghua for “shopping,” as the protesters pretend to be PRC tourists participating in the consumption of the city. On Hong Kong Island, carolers—mostly Protestant Christian members of People Power associated with the socially engaged Narrow Church—appeared during the holiday festivities, revising Christmas song lyrics to reflect their desires for universal suffrage. When the Admiralty occupation was cleared, protesters made signs to generate the Twitter hashtag, #WeWillBeBack. Finally, on December 23, a 14-year-old girl was arrested at Admiralty’s Lennon Wall for drawing flowers next to umbrellas with chalk; when she was threatened with removal from her family into a child home, the social uproar led to her being freed on bail.

The aftermath of the Umbrella Movement has been a tense stalemate. Since January 2015, radical democratic groups such as Civic Passion, Hong Kong Indigenous, and Frontline have turned their attention towards more provocative forms of protest, inciting weekly Sunday demonstrations against tourists from the PRC in the New Territories by arguing that they are part of a program of economic colonization from the PRC that is driving up the prices of food, property, and pharmaceutical products in Hong Kong. At the same time, the government has been actively seeking to suppress any further forms of protest; one seemingly benign outlet has been the Hong Kong Ideas Centre, a pro-establishment third-party policy think tank that summarized its research in a report released on April 13, 2015, arguing that the causes of social discontent among youth that led to civil disobedience was the lack of motivation among youth to pursue economic possibilities for themselves, including taking jobs in the PRC mainland.<sup>46</sup> Meanwhile, the security apparatus of the Hong Kong police force has also been ramped up, with frequent social and mainstream media reports of random detainments on the streets of Hong Kong. On Chinese New Year in 2016, these tensions erupted into a violent clash when police fired live bullets into a crowd of street vendors and radical activists selling fishballs; the ensuing violence became dubbed the ‘Fishball Revolution,’ although this has not seemed to gather the momentum to launch a redux of the Umbrella Movement, at least not yet. Such post-Umbrella Movement civic tension demonstrations that if there is anything that has not been accomplished since the final occupations were cleared, it is a resolution. Indeed, the actions undertaken during the Umbrella Movement attempted to directly address the systemic issues we have seen in Hong Kong’s political apparatus, but because no concrete changes have been made, the problems remain, awaiting another moment of action in an uncertain future.

### **Conclusion: Toward Theological Reflection on the Umbrella Movement**

What I hope to have shown in this primer is that the demands of the democratic movement in Hong Kong were not vague ideological missives. Instead, they were proposals to change the material conditions of Hong Kong that culminated in the 2014 Umbrella Movement. The central problem that

the Umbrella Movement tried to address was not so much the lack of political agency among Hong Kong's populace, but rather that the British invention of "functional constituencies"—itself already problematic in the pre-1997 era—had been further co-opted by the post-handover government to tilt public policy in the favorable direction of the political and economic elites: property tycoons, the Beijing central government, and even the criminal underworld of the Triad societies. Seeking to take back political ownership of Hong Kong, the democratic movement has had a history of using mass protests and strategies to get themselves into the political apparatus in order to advocate for ordinary citizens as well as racial and sexual minorities. However, the ultimate goal has always been the abolition of functional constituencies in electing Legislative Council members and the Chief Executive, allowing the citizens of Hong Kong—including and especially the minority populations—to advocate for their own interests instead of having to abide by the economic whims of the ruling class. The demand for democracy is thus a material demand for capital to be returned to the commons instead of being concentrated in the secretive coffers of the wealthy.

Complicating this dynamic of liberative democracy is the "one country, two systems" framework in which Hong Kong SAR finds itself in relation to the PRC. Since the 1984 Joint Agreement and the post-1997 Basic Law, the SAR has been promised a "high degree of autonomy" despite its status as a territory under the sovereignty of Beijing's central government. It must be stressed again that the problems here are concretely material. While Hongkongers in the democracy movement often protest against what they see as the Chinese colonization of Hong Kong culture, the material problem is that the market socialist framework of the PRC aligns the central government with the economic ruling class in Hong Kong, compounding the political, economic, and social inequalities that have already been fostered by the functional constituencies in the political apparatus. While the democratic movement in both its moderate and radical factions seeks a return of capital to the commons, the irony is that the actions of the central government—which purports to be socialist in its convictions about wealth distribution—in fact exacerbate the inequality of wealth, property, and political agency in Hong Kong.<sup>47</sup> The tensions that have simmered since the British colonial period and have been heightened since the 1997 handover have now boiled over into the protest occupations of the 2014 Umbrella Movement.

Theological reflection on this pro-democratic climax in Hong Kong is necessary because Catholics and Protestants have historically been embedded in both the ruling class and its discontents, generating frequent social and political commentary

about the place of churches in Hong Kong's civil society. Put another way, theological reflection has always been part and parcel of public deliberation in Hong Kong; the public sphere is anything but secular because the actions of Christians both for and against the government are of vital public interest. Accounting for this phenomenon is the historical place of churches in the previous colonial establishment: The Roman Catholic Church and mainline Protestant denominations were instrumental as the arm of the British regime as they ran schools, hospitals, and social services, facilitating the entry of Christians into the political class and the frequently tacit support of churches for the existing establishment with regards to politics. However, I have also shown in this primer that Christians were also the ones who initiated democratic activities since the 1970s, resulting in significant theological reflection and contestation in Hong Kong since that time about religious engagements with the political apparatus. Christians have thus been divided about the Umbrella Movement, and as our contributors continuously reiterate, the participation of individual Christians of both Protestant and Catholic persuasions does not mean that institutional churches are engaged. This dialectic between individuals and institutions has also fomented discontent among those in the democracy movement, leading to the discussions of how the churches are in fact part of the establishment—which has to some extent been proven by the financial corruption scandals that have plagued evangelical megachurches and their celebrity members in recent years.

The Umbrella Movement is thus a theological moment, a time of reckoning for the contradictions of religion as both embedded in and seeking to reform the political apparatus. In this primer, we have thus examined Hong Kong's political apparatus closely, sorting out where exactly its dysfunctions lie in terms of channeling capital and political agency to the few rather than to the many. We have also seen that religious actors populate this political terrain significantly enough for their participation to

warrant theological reflection on the Umbrella Movement. In short, we have seen deeply into the subterranean labyrinths of the Umbrella Movement, peeling back the sensationalistic celebration of the fact that there were protest occupations in Hong Kong in order to come to an understanding of the systemic causes that necessitated them. With the clearing of the protest occupations in December 2014, the question that now circulates in Hong Kong is what fresh actions the democracy movement and its various theological actors should take to demand the return of capital and political agency to the commons. After all, the exacerbated tensions that we now see in 2015 and 2016 suggest that the movement will be all but over until the apparatus has been altered in the directions of egalitarian wealth distribution and political agency for all. However, there is a step between seeing and acting: the political apparatus and the pro-democracy movement that we have seen must be theologically judged. Having now seen the apparatus and its discontents, the four theologians in this volume—Mary Yuen, Rose Wu, Lap Yan Kung, and Sam Tsang—will perform precisely that task of judgment in their theological reflections. To quote from a tradition that has yet to be more fully represented in Hong Kong’s democracy movement—the Byzantine Rite—we announce with the Divine Liturgy as the readings begin: “Wisdom! Let us be attentive!”<sup>48</sup>

## Notes

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46. Hong Kong Ideas Centre, *Situation and Aspirations of Youth in Hong Kong* (Hong Kong Ideas Centre, 2015).
47. See Calhoun, *Neither Gods Nor Emperors*. Calhoun suggests that the market socialist reforms of 1978 led to greater economic inequality in the PRC, generating a democracy movement in the 1980s that culminated in the ill-fated Beijing Spring at Tiananmen Square in 1989.
48. To quote from the Divine Liturgy of St. John Chrysostom in a book on the Umbrella Movement is no random act. While the Orthodox Metropolitanate of Hong Kong and Southeast Asia (formerly part of the Metropolitanate of New Zealand) was only recently founded in 1996, the Catholic Diocese of Hong Kong has been deeply interested in using the Byzantine Rite as a mode of inculturation into Hong Kong Catholicism, and this interest is not disconnected from the Umbrella Movement. In October 2011, the Diocese's Liturgy Commission invited the vicar general of the Ukrainian Eparchy of Melbourne, Australia, the Bishop. Olexander Kenez, to speak on how the Byzantine Rite could be a vehicle of missionary inculturation in Asian spiritual traditions and to preside over the first Cantonese translations of Eastern Catholic liturgy in Hong Kong in March 2012, the Catholic Diocese of Hong Kong hosted Fr. Richard Soo, SJ, a Jesuit priest in the Ukrainian Greek Catholic Church working at the time at a retreat center near Toronto, Ontario, to lecture on prayer, fasting, and liturgy in the Byzantine Rite. During the Umbrella Movement, Soo was active as a spiritual leader in Vancouver, British Columbia, leading a prayer rally for solidarity with the Hong Kong democracy movement in front of the Chinese Consulate on

October 4, joining in a clergy prayer meeting also at the Chinese Consulate on October 17, and hosting a retreat on the Umbrella Movement on November 15 at his new home parish, Richmond Eastern Catholic Church in the Ukrainian Catholic Eparchy of New Westminster. He was also very active on social media in disseminating material on the protests, including pictures of himself with students he trained to conduct the Divine Liturgy, who in turn became active in the Umbrella Movement.

September 28, 2014, is usually considered the day that the theological landscape in Hong Kong changed. For 79 days, hundreds of thousands of Hong Kong citizens occupied key political and economic sites in the Hong Kong districts of Admiralty, Causeway Bay, and Mong Kok, resisting the government's attempts to clear them out until court injunctions were handed down in early December.<sup>1</sup> Captured on social media and live television, the images of police in Hong Kong throwing 87 volleys of tear gas and pepper-spraying students writhing in agony have been imprinted onto the popular imagination around the world. Using the image of a student standing up all wrapped up in plastic wrap to protect against police brutality, the cover story of *The Economist* on October 4, 2014, was titled "The Party v. the People," attempting to analyze the Hong Kong protests' impact on relations with Beijing. Not to be outdone, the *Time* magazine cover dated October 13, 2014, featured the image of a goggled young man with a face mask triumphantly holding up two umbrellas surrounded almost like incense with the smoke of the tear gas. On the front of the magazine is plastered three words, "The Umbrella Revolution," declaring that Hong Kong's youth were fed up with the lack of democracy in this Special Administrative Region (SAR) of the People's Republic of China (PRC). Gathering shortly thereafter in their newly formed Umbrella Square, the Hong Kong Federation of Students and Scholarship (a secondary school student movement led by the charismatic Joshua Wong Chi-fung, himself gracing the cover of *Time* the very next week on October 20) declared that this was not a revolution because they were not overthrowing the government.<sup>2</sup> They asserted that the occupations were a *movement*—the Umbrella Movement—to demand that the government institute "genuine universal suffrage," the right of citizens in Hong Kong to vote for candidates that they could directly nominate and who would not have to be vetted by the central government in Beijing. A series of debates circulated in the Umbrella Movement's wake, wondering whether the protests constituted Hong Kong's Tiananmen moment, hearkening back to the student democracy movement that had resulted in close to one million people occupying Beijing's central public square in 1989, only to be violently suppressed with tanks, bayonets, and live bullets throughout the streets of the PRC's capital on June 4.<sup>3</sup>

Democracy, protest, solidarity, youth At face value, one might suppose that the Umbrella Movement is the birth of a kind of liberation theology in Hong Kong; certainly, that you are reading a volume attempting a theological reflection on the protests might evoke a sentiment of this sort. Indeed, one fascinating focal point of the constant media coverage of the Umbrella Movement was that Christians were not only involved, but heavily engaged in leading the spectrum of groups that composed the democracy movement.<sup>4</sup> The official estimates of the actual number of Christians in Hong Kong, both Catholic and Protestant, has been at around a consistent 10 % of its population of seven million since the 1980s, suggesting that the significant influence of Christians on the Umbrella Movement—indeed, in a historical sense, on Hong Kong society—is not captured by sheer statistics.<sup>5</sup> For example, Joshua Wong is an evangelical whose family has roots in the charismatic renewal movement. The leaders of the group that arguably brought about the civic awareness that catalyzed the movement in 2013, Occupy Central with Love and Peace (OCLP), boast a law professor of evangelical persuasion, Benny Tai Yiu-ting, and a Baptist minister, the Rev. Chu Yiuming. While the current cardinal-bishop of Hong Kong, John Cardinal Tong Hon, has been less than enthusiastic about the protests, his predecessor, Joseph Cardinal Zen Ze-ken actively led the students out to the protest that resulted in the occupations. In the Mong Kok occupation, an ecumenical band of Christians—Roman Catholics, Anglicans, non-denominational evangelicals—built a makeshift sanctuary called St. Francis' Chapel on the Street. Even those who criticize these leaders as overly bourgeois count among their number those who identify as Christian. The core of radical democratic political party People Power is a group known as Narrow Church, which is led by seminary students from Chung Chi Divinity School of the Chinese University of Hong Kong (CUHK). As a mentor to the radical democracy group Civic Passion, politician Raymond Wong Yuk-man is a baptized Christian who attends a socially engaged, liturgically innovative, non-denominational church in the working-class Shaukeiwan district. Certainly, there is something to be said here about how the arc of theology bends toward justice and liberation, engaged in solidarity with the demands of democracy as a way of solving social ills and political corruption.

That the call for grassroots political agency has been key to many articulations of theologies of liberation in both Latin America and in Asia prompts the question of whether the Umbrella Movement

can be considered a moment of liberation theology in Hong Kong. Certainly, there are resonances with what theologians Joerg Rieger and Kwok Puilan call the “theology of the multitude,” the “rising up” of the *ochlos* (“a crowd or mass of people”) and the *laos* (“the common people”) against their rulers by invoking the in-breaking of the kingdom of God.<sup>6</sup> Typical of academic theological reflection, though, the essays that have been included in this collection do not tell a simple story that is easily continuous with such theological trends, even though one of our authors, Lap Yan Kung, has certainly drawn inspiration in his work from the Peruvian theologian known as the founder of liberation theology, Gustavo Gutiérrez.<sup>7</sup> Indeed, the aftermath of the Second Vatican Council and the meeting of the Latin American bishops at Medellín, Colombia, in 1968 produced what we have come to call liberation theology and brought about the adoption of concepts such as “basic ecclesial communities,” the Second Vatican Council’s moniker of “the people of God,” the “see-judge-act” method, and the critique of unjust structures of domination through groups such as the Federation of Asian Bishops’ Conferences (FABC), *minjung* (“of the people”) theologians during the Park Chung Hee dictatorship of Korea in the 1970s, Dalit (“untouchable caste”) theology in the Church of North India in the 1980s, the People Power Movement in the Philippines, and the emergence of theologies from migrants and indigenous peoples within Asia.<sup>8</sup> Yet the simple fact that there is a tradition of Asian liberation theology should not obscure the fact that the Umbrella Movement has its own theological genealogy, one that is not generically “Asian” or beholden to “theologies of liberation,” but that is rooted in the odd history of Hong Kong’s pre-1997 colonial relationship with the United Kingdom and its post-1997 arrangement with the PRC, in which it enjoys both legal autonomy and suffers a national identity crisis through the principle of “one country, two systems.”

Indeed, the Chinese case is what makes the Umbrella Movement difficult to neatly conceptualize within the otherwise straightforward rubrics of liberation theology. After all, liberation theology has its origins in the critique of capitalist dictatorships that had allied themselves during the Cold War with the so-called “free world” of North American Treaty Organization (NATO) countries. This is not to say that liberation theology, contrary to popular opinion (as well as that of Joseph Cardinal Ratzinger’s Congregation of the Doctrine of the Faith from the 1980s to the 2000s), is necessarily beholden to Marxist ideologies of class struggle and the agency of capital processes. Indeed, Paulo Freire’s influence on the “conscientization” of Latin American liberation theology is—as philosopher of education Sam Rocha and his students argue<sup>9</sup>—perhaps better seen as a proto-evangelium for Medellín’s call for “‘conscientización’ ordered to changing the structures and observance of justice.”<sup>10</sup> So too, theologies of solidarity with the *minjung* in Korea, the *dalit* in India, the people in the Philippines, and the migrant workers and indigenous peoples of Asia usually have more to do with the inculturation of Christian concepts than the ideological indoctrination of secular materialism.<sup>11</sup> However, the objection still stands: Most of these cases have to do with “liberation” from the un-free conditions of the free world. With the emergence of Chinese democracy movements such as the one in Tiananmen Square in 1989 and the various protests that have riddled the Republic of China in Taiwan and Hong Kong SAR when a closer relationship with the PRC central government has been suggested, this is—strangely enough—liberation theology done in relation to a nation-state that for all intents and purposes still identifies with the now-defunct Soviet bloc of yesteryear.<sup>12</sup>

The question of whether such geopolitical conditions qualify the protest movements as “liberation theology” is thus complex. Add to the mess the complexity following the Open Door Policy reforms of 1978 that opened the PRC to a platform of “market socialism,”<sup>13</sup> and one hears political psychoanalyst Slavoj Žižek joking that the PRC is really “totalitarian capitalism” more similar to the style of Lee Kwan Yew in Singapore than Mao Zedong in revolutionary China,<sup>14</sup> what Marxist geographer David Harvey calls “neoliberalism with Chinese characteristics” in a deliberate jab at then-paramount leader Deng Xiaoping’s description of the post-reform era as a time of “socialism with Chinese characteristics.”<sup>15</sup> On the one hand, the conditions of market reform do place the Chinese case, complete with its pretensions to “market socialism,” in square continuity with the Latin American and Asian cases. However, an intact communist government will still have the ideology that the expansion of its central government’s powers is a mode of liberation itself. In a stunning analysis by geographer Kean Fan Lim, “market socialism” may be nothing more than the Chinese Communist Party (CCP) slowing down its strategy to initiate the class struggle to bring in a communist utopia.<sup>16</sup> Asserting sovereignty claims in Tibet, Xinjiang, Hong Kong SAR, and Taiwan

can thus be understood from the CCP's perspective as liberating these territories from the ideological work of capitalism, placing a damper on the glib usage of "liberation" to describe theologies that might be emerging from the participation of Christians in the Umbrella Movement.

A better approach—one that we take in this book—is to perform thick descriptions of the concrete situation in Hong Kong as a distinct approach of doing theology, rooting our discussion not in the generic language of "Asian" liberation theology or evangelistic inculturation, but in the history, politics, and public spheres of Hong Kong itself.<sup>17</sup> To be sure, such an approach is a direct application of Joseph Cardinal Cardijn's see-judge-act method from the early twentieth-century Young Christian Workers movement in Belgium: one sees a sociological situation of injustice, judges it theologically, and takes action. Enshrined as the ecclesially sanctioned approach to social justice in Pope John XXIII's 1961 encyclical *Mater et Magistra*, see-judge-act has become a staple of theologies of liberation that have both been central to the implementation of Catholic social teaching and transcended their Roman origins.<sup>18</sup> Yet keeping in mind the caveats for calling protest theologies "theologies of liberation" in Hong Kong, we ask for patience and understanding from our readers as we nuance the continuities and discontinuities of the Umbrella Movement from other movements that have gone before it. While a Hong Kong-specific "liberation" is certainly a theme that emerges from the essays, a more accurate description of the task we have set for ourselves is that we are trying to tell the story of Hong Kong through the Umbrella Movement from several different theological perspectives—Catholic solidarity, feminist theology, the theology of *kairos*, and biblical exegesis.<sup>19</sup>

In terms of the steps of see-judge-act, we are reflecting retrospectively on an action that has already been taken, which means we are seeing and judging again afresh. We contend that this mode of place-specific theologizing is valuable even for readers without a dedicated interest in Hong Kong, because our thick description advances an approach to theology that is emerging directly out of the Umbrella Movement. In this new method, the thick details of the political apparatus, the economic system, the sociological conditions, and the local culture matter a great deal for the task of doing theology in any place. To put it another way, we are mapping the "grounded theologies"—the "performative practices of placemaking informed by understandings of the transcendent"—emerging out of Hong Kong, describing the geographies of the Umbrella Movement through a variety of theological registers.<sup>20</sup> One could advance our approach in other new protest cultures in the world, be it the global Occupy Movement, the Arab Spring with its unintentional geopolitical production of the Islamic State and the tragic refugee crisis in Syria and Iraq, the Boycott, Divestment, and Sanctions (BDS) movement against Israeli occupations of Palestinian territory, the Euromaidan protests in Ukraine and the subsequent tensions on the Russia-Ukraine border, the African American #BlackLivesMatter movement in the USA, the Idle No More indigenous protests against settler colonialism in Canada, the Taiwanese Sunflower Movement against regional integration with the PRC, the Bersih movement in Malaysia calling for clean government, the protests in Caracas against Venezuelan economic policies and state-sponsored gendered violence, and the Mexican protest against state collusion with narcotics gangs recently given a new symbolic register by the brutal events in Ayotzinapa.<sup>21</sup> The task of the theologian is thus to *describe* instead of prescribe, or, to put it in a less binary way, to let the thick description drive the suggestive prescriptions from the ground up. Who are the specific theological actors in each of these cases? In what geographical conditions are they operating? How do the lenses of different theologies shift the thick description of the same place, the same protest, the same political apparatus? How can these differing theological actors work together, what are they working toward in their own terms, and how are their objectives theological?

In other words, we are using the Hong Kong case to highlight the specific theologies that the Umbrella Movement has engendered in the hope of spurring comparative scholarship to take on the thick description of protest, politics, and places as a mode of theological analysis. At this point, we need to be clear about our politics. We reject the idea that we should be neutral observers seeking a liberal overlapping consensus of every theological position on the Hong Kong protests. Indeed, critical scholars of secularization have repeatedly reminded us that the quest for political neutrality, especially in matters of faith is often its own position—and one usually allied with the modern state establishment's political agenda to subjectify its citizens!<sup>22</sup> During the Umbrella Movement, residents of Hong Kong wore three ribbon colors to distinguish their positions on the 2014 events: a yellow



ribbon denoted support for the student strikes that eventually led to the occupations, a blue ribbon symbolized opposition, and a green ribbon signaled an attempt at neutrality. In this schematic, all of our contributors would be classified as yellow-ribboners.

We are quite untroubled and unapologetic about our politics for three key reasons. First, while we understand that theological actors in Hong Kong were rather divided on the Umbrella Movement, we also observe that the arguments against the occupations mostly rested on the need for the church to maintain the political and economic stability of Hong Kong as a global city. As several of our contributors suggest, this is not only a secular contention, but it fails the litmus test of commitment to the virtues of peace with justice and charity that are much more strongly identified with the protesters than with a government whose interests are tied to the private whims of property tycoons, PRC officials, and even the criminal underworld. Moreover, to speak in the key of liberation theology, we show that the skewed economic system in Hong Kong that funnels much of the capital and political agency to a colonizing ruling class necessitates what theologians of liberation have called a “preferential option for the poor,” a commitment to do theology from the perspective of those who have not as opposed to those who have.

Second, we note that the hard-and-fast definitions of yellow versus blue versus green ribbons describe an ideological form that did not translate neatly onto the ground during the Umbrella Movement. It is true, on the one hand, that blue-ribboners led by figures such as Leticia Lee and Robert Chow often violently attacked the yellow-ribbon protesters; what is more, some of these attackers were discovered later to have been paid agitators. However, even those who wore blue and green were forced to participate in the movement because the protests consumed the city in an all-encompassing discussion about Hong Kong’s political future. On the ground, some of those who wore blue and green sometimes gently approached the camps to understand the motivations of the yellow-ribboners; in turn, some of those who wore yellow had to face families, friends, and churches that did not approve of their acts of civil disobedience.

Third, and finally, there were various factions from moderate to radical that divided the yellow-ribboners themselves. In fact, our book may be further criticized by participants in the Umbrella Movement for including perspectives that they may find too moderate or too radical, depending on their understanding of the splits within the movement. Again, we are unperturbed. The ideological lines do not account for the messiness of the protests, and we write these theological reflections not as a final word, but as the beginning of a new process of seeing, judging, and acting that will require further conversation and debate. As careful readers will observe, the four perspectives in this volume do not speak with one voice. While Rose Wu celebrates the individual Christians who participated in the movement, Mary Yuen and Lap Yan Kung call on the institutional churches to play their part. While Wu and Kung come from distinctive backgrounds in modes of liberation theology, Sam Tsang is critical of the word ‘liberation.’ Even as Yuen and Wu celebrate the movement, Kung and Tsang are reserved because they see the potential for a dark side as well. This is not a united front; it is a cacophony of voices in tension with each other, an attempt to be similar to the polyvocality of the leaderless Umbrella Movement itself. Because rebuttals and refinements were part of the deliberative process that so characterized the movement, we go beyond welcoming them—we are excited to be criticized, although we reserve the right to defend our various positions in subsequent publications as well.

To facilitate that process, we begin with a primer on Hong Kong, which occupies the entirety of Part I of our book. In this chapter, I offer a detailed account of the specific political apparatus at work in Hong Kong. I argue that the devil is in the details when it comes to the politics of Hong Kong, with the subtext as the localist position in Hong Kong, that is, one can only understand the Umbrella Movement by understanding clearly the system that necessitated the occupations in the first place. The chapter is lengthy because I explain the concepts of “one country, two systems,” the corporatist system of elections with “functional constituencies” that preclude democracy while purporting to advance it, the ties between the establishment and the property elites, and the erosion of judicial autonomy in Hong Kong. I demonstrate that each of these supposedly secular political concepts has theological importance because Christians are actors in both the establishment and in the democracy movement. Before we embark on the theological reflection on a place, we must know the local

geography. Indeed, the remaining chapters in the book, which undertake direct theological reflection, presume knowledge of this first chapter as a baseline for understanding Hong Kong's local politics.

In Part II, four theologians from Hong Kong offer theological reflections on the Umbrella Movement. Staying true to the origins of liberation theology in Catholic social teaching, we begin with Mary Yuen's account of the Umbrella Movement—or as she calls it, the “occupy movement,” as local Hong Kong people term the protests—through a mode of Catholic solidarity that has been embedded in the local Hong Kong culture. As a former staff member of the Catholic Diocese of Hong Kong's Justice and Peace Commission and a scholar of Catholicism in Hong Kong in her own right, Yuen's account highlights how the aspect of solidarity in Catholic social teaching is embedded in the protest occupations. What is notable about Yuen's analysis is that she does not explicitly draw on the traditions of liberation theology within Catholicism. Instead—and perhaps unintentionally—she demonstrates that there is something that official Catholic teaching from the Second Vatican Council, the Catechism, papal statements, and episcopal conferences has to contribute to understanding the participation in the protests, including but not exclusive to Catholic youth participants. Indeed, she points out that the central contribution of Catholic social teaching is a focus on dialogue, a term that has often been used by Asian bishops to denote interreligious dialogue and thus positioning Catholic participation in the Umbrella Movement as encouraging interaction with an unjust government as if it were another religious system altogether. What emerges from Yuen's grounded analysis is the sense that the work of liberation and solidarity is done in ways that confound the existing conventional binaries so often encountered in studies of lived religion and liberation theology between conservative adherence to official church teaching and a progressive rebellion against the ecclesial powers. It turns out that the official teachings of the church on social and political solidarity were used in powerful ways by actors in the occupy movement.

While engaging with queer and feminist theory, Rose Wu's chapter on the rebirth of Hong Kong through the Umbrella Movement maintains this consistent focus on ecclesial spirituality, although it is ultimately critical of the institutional church and seeks to revamp the power structures of Hong Kong in light of a new spirituality of solidarity from the protests. Wu's contribution is valuable because she has been a tireless worker for women's and sexual minorities' rights both within the church and in civil society since the 1980s, notably convening the Civil Human Rights Front (CHRF) in 2002 to put underrepresented minorities on Hong Kong's social map. Dubbing the Umbrella Movement a Pentecostal experience for Hong Kong, Wu performs a close reading of the empowerment that came about for racialized, gendered, and sexual minorities through the Umbrella Movement, suggesting that one of the emerging themes from the ground has to do with a changing sense of Hong Kong identity with deep resonances with the feminist theological concept of “interstitial integrity,” the intersectional stitching together of diversity to produce a radical sense of inclusive identity. In this way, though the movement's major players consider themselves Christians of the most orthodox and even conservative varieties, they are knitted together with minority communities in Hong Kong that force them to always expand their sense of what Hong Kong identity includes. Wu thus contends that what has happened in Hong Kong should be understood as a new Pentecost, the literal birth of a new Hong Kong wrought by the eschatological coming of the Holy Spirit.

Pulling back from overly celebratory interpretations of the Umbrella Movement, Lap Yan Kung, a liberation theologian at CUHK's Chung Chi Divinity School who has long participated in the democratic movement in Hong Kong, uses his chapter to call churches in Hong Kong to evaluate the theological meaning of the protests, including the possibility that they might have ushered in a dialectical temporality that is as much about opportunity as it is about misfortune. Sharing Wu's understanding that individual Christians played prominent roles in both OCLP and the Umbrella Movement, Kung's approach differs from Wu's muted disdain for churches that have not engaged with the movement by pointedly criticizing their theological rationales. He insists that Christian churches that seem reluctant to lend their institutional power to political engagement have no choice but to engage in reconciliation and dialogue in a Hong Kong divided precisely by what he sees as the emergence of disruptive form of time that would be called *kairos* in Greek. Indeed, *kairos* has been the subject of much heated debate in the wake of the Umbrella Movement, with some overly celebrating the revolutionary potential of the times while others insist that God has been silent about

Hong Kong politics. Kung's intervention is that both readings of *kairos* are uncritical: one is overly celebratory, the other too passive. Instead, he acts as a critical theologian, performing a thick description of how the Umbrella Movement came to be and its complex relationship with its predecessor, OCLP. It is the political commentary and local description that drives Kung's theological critique of *kairos* as both a time of opportunity and misfortune, which in turn is an explicit call for churches to participate with him in the work of critical theological reflection on the Umbrella Movement.

Finally, Sam Tsang offers an exegesis of liberation in Hong Kong, further critiquing ecclesial practices of non-engagement by examining the sources of political action and apathy. Tsang is also a public figure in Hong Kong, known not only for his preaching and teaching as a seminary professor but also for his call to Protestant churches for integrity, most notably challenging evangelical megachurches on their ill-advised financial support for a hyped, celebrity-focused effort to find the historic Noah's Ark in Turkey without paying attention to the requisite exegetical issues and the need for churches to reflect on the Hong Kong situation. Trained as a biblical exegete, Tsang reframes the analysis of the texts to pay attention to the "world before the text," the situation in which theologians and exegetes use Scripture. For Tsang, "occupy Hong Kong" refers not so much to the Umbrella Movement, but to the colonial occupation of Hong Kong that he understands to be continuing under PRC rule. In this sense, the Umbrella Movement is about liberating Hong Kong from occupation through the co-optation of the word "occupation." Understanding the meaning of "occupation" then becomes the standard by which Tsang measures the theologies that Kung as well as evangelicals associated with the Alliance Bible Seminary and the pro-establishment Anglican Archbishop Paul Kwong attempt to use to address the occupation of Hong Kong. The result is an examination of how figures like Kung and Kwong read the Bible with and against the democracy movement in Hong Kong, resulting in varying interpretations of the word "liberation" that have less continuity with trends in Asia and Latin America than with the definitions that are arising out of the ground in the Umbrella Movement. Demonstrating that an exegesis of the exegetes is critical because all reading is contextual, Tsang provides a survey of how theologians and exegetes have understood "occupation" and "liberation" in Hong Kong with concrete consequences for their position regarding the 2014 protests.

We end with an epilogue that ties the emerging themes of the Umbrella Movement together, with its redefinitions of liberation, exegesis, and solidarity. Reflecting on the doctrinal orthodoxy that was used to mobilize participants in the Umbrella Movement, we conclude that a faith that emerges as depoliticized in Hong Kong is in fact the resistance to the historic politicization of theology by the Hong Kong establishment in both the colonial and post-handover eras. The Umbrella Movement, we suggest, is thus, as Freire would say, a moment of "conscientization," in which Hong Kong citizens became awakened to their political situation and were forced to reckon with it theologically. Following the see-judge-act matrix, what we hope that readers will take away is that it is important that we get the social science descriptions right even as we embark on theological reflection. Doing theology depends on a deep knowledge of political apparatuses, economic justice, theological traditions, and solidarity movements. Such theologies position the theologian as squarely on the side of the people, telling their stories and allowing grounded narratives to be juxtaposed in relation to various theological lenses. The result may well be something akin to the Umbrella Movement, a constellation of groups with no need for a clear leader fighting for democracy and justice strictly as a people telling the experts to either get with the program or to get out of the way.<sup>23</sup>

## Notes

1. The court case is *Kwoon Chung Motors Company Limited and All China Express Limited v. Persons Who Erected or Placed or Maintained Obstructions or Otherwise Do Any Act to Cause Obstructions, or to Prevent or Hinder the Clearance and Removal of the Obstructions or Occupying on the Portion of Connaught Road Central Eastbound between Edinburgh Place (Western Portion) and Edinburgh Place (Eastern Portion) ("Section 1") and/or the Portion of Harcourt Road Eastbound between Edinburgh Place (Eastern Portion) and Cotton Tree Drive*

(“Section 2”) and/or the Portion of Cotton Tree Drive Towards Mid Levels (“Section 4”) (Together “The Area”) to Prevent or Obstruct Normal Vehicular Traffic from Passing the Area, Kwok Cheuk Kin, and Wong Ho Min, HCA 2223 of 2014. The case was decided on December 1, 2014, against the protesters, giving bailiffs the legal mandate to clear the occupations in December 2014.

2. The genealogy of the term “Umbrella Revolution” on social media is recounted in Amaelle Guiton, “Hong Kong: #umbrellarevolution, anatomie d’un hashtag,” *Slate France*, September 30, 2014 (accessed December 16, 2014, from <http://www.slate.fr/story/92747/hong-kong-umbrellarevolution-hashtag>).
3. Michael Forsythe, “Hong Kong and Tiananmen Protests Have Major Differences,” *New York Times*, October 2, 2014 (accessed October 25, 2014, from [http://www.nytimes.com/2014/10/03/world/asia/hong-kong-and-tiananmen-protests-have-major-differences.html?\\_r=0](http://www.nytimes.com/2014/10/03/world/asia/hong-kong-and-tiananmen-protests-have-major-differences.html?_r=0)); Jeffrey Wasserstrom, “No Tiananmen Redux: Picking the Right Analogy for the Protests in Hong Kong,” *Foreign Affairs* (accessed October 25, 2014, from <http://www.foreignaffairs.com/articles/142143/jeffrey-wasserstrom/no-tiananmen-redux>).
4. Justin K. H. Tse, “Under the Umbrella: Grounded Christian Theologies and Democratic Working Alliances in Hong Kong,” *Review of Religion in Chinese Society* 2, no. 1 (2015): 109–142. Sample media reports include: June Cheng, “Decisive Moment: As Protesters Demand Democracy in Hong Kong, Churches There Are Divided Over Whether to Support the Marchers,” *WORLD Magazine*, October 2014 (accessed October 25, 2014, from [http://www.worldmag.com/2014/10/decisive\\_moment](http://www.worldmag.com/2014/10/decisive_moment)); Matthew Bell, “Christians Take a Prominent Role in Hong Kong Protests,” *PRI’s The World*, October 6, 2014 (accessed October 25, 2014, from <http://www.pri.org/stories/2014-10-06/christians-take-prominent-role-hong-kong-protests>); Ned Levin, “Hong Kong Democracy Protests Carry a Christian Mission for Some: Churches Are Deeply Embedded in Hong Kong Society,” *Wall Street Journal*, October 3, 2014 (accessed October 25, 2014, from <http://online.wsj.com.libproxy.smu.edu.sg/articles/hong-kong-democracy-protests-carry-a-christian-mission-for-some-1412255663>); Frank Langfitt, “A Surprising Tie That Binds Hong Kong’s Protest Leaders: Faith,” *NPR All Things Considered*, October 9, 2014 (accessed October 25, 2014, from <http://www.npr.org/blogs/parallels/2014/10/09/354859430/a-surprising-tie-that-binds-hong-kongs-protesters-faith>); Dorcas Cheung-Tozen, “Why the Hong Kong Protests Should Matter to Christians: This Is How All Social Change Begins,” *Relevant Magazine*, October 10, 2014 (accessed October 25, 2014, from <http://www.relevantmagazine.com/current/global/why-hong-kong-protests-should-matter-christians>); Sarah Eekhoff Zylstra, “Hong Kong Christians Lead Protests for Democracy: As the Island City Braces for Another Week of Gridlock, Faith Is in the Foreground,” *Christianity Today*, October 13, 2014 (accessed October 25, 2014, from <http://www.christianitytoday.com/ct/2014/October-web-only/hong-kong-christians-lead-protests-for-democracy-china.html>); Jennifer Ngo, “Religion on the Front Line Puts Faith into Place: Christians, in Pursuing Equality and Justice, Have Long Been Part of the City’s Fight for Freedom,” *South China Morning Post*, October 27, 2014, News Focus 2, p. 5; Andrew West, “The Role of Religion in Hong Kong’s Umbrella Revolution,” *ABC Religion and Ethics Report*, November 5, 2014 (accessed June 25, 2015, from <http://www.abc.net.au/radionational/programs/religionandethicsreport/the-role-of-religion-in-hong-kong-28099s-umbrella-revolution/5868790>).
5. The classic introductory text to this phenomenon of Christians making an overwhelming influence in Hong Kong’s society and politics despite their ostensibly small numbers is Beatrice Leung and Shun-hing Chan, *Changing Church-State Relations in Hong Kong* (Hong Kong University Press, 2003).

6. Joerg Rieger and Kwok Pui-lan, *Occupy Religion: Theology of the Multitude* (Lanham, MD: Rowman and Littlefield, 2014), 6. See also Kwok Pui-lan, “2011 Presidential Address: Empire and the Study of Religion,” *Journal of the American Academy of Religion* 80, no. 2 (2012): esp. 285–286. Their theology of the ‘multitude’ is also indebted to the crypto-Augustinian work of critical theorists Michael Hardt and Antonio Negri, “The Multitude Against Empire,” ch. 4.3, in *Empire* (Cambridge, MA and London: Harvard University Press, 2000), 393–413.
  
7. See the pieces in this volume by Lap Yan Kung and Sam Tsang.
  
8. While the constitutions and decrees of the Second Vatican Council pertain strictly to Roman Catholics, a compelling case that the ethos of the council also launched movements in public religion and liberation theology beyond Catholicism is made in José Casanova, *Public Religions in the Modern World* (Chicago and London: University of Chicago Press, 1994). For more on Asian liberation theology, see Gaudencio Rosales and C. G. Arévalo, eds., *For All the Peoples of Asia: Federation of Asian Bishops’ Conferences Documents from 1970 to 1991* (Maryknoll, NY: Orbis, 1992); Peter C. Phan, *In Our Own Tongues: Perspectives from Asia on Mission and Inculturation* (Maryknoll, NY: Orbis, 2003); Jonathan Y. Tan, “A New Way of Being Church in Asia: The Federation of Asian Bishops’ Conferences (FABC) at the Service of Life in Pluralistic Asia,” *Missiology: An International Review* 33, no. 1 (2005): 72–94; Kwok Pui-lan, *Postcolonial Imagination and Feminist Theology* (Louisville: Westminster John Knox Press, 2005).
  
9. Sam Rocha, “Reflections on Paulo Freire and Liberation Theology,” *YouTube*, January 4, 2015 (accessed July 25, 2015, from [https://www.youtube.com/watch?v=BfFj\\_0Bxj00](https://www.youtube.com/watch?v=BfFj_0Bxj00)).
  
10. Second General Conference of Latin American Bishops, “Justice,” in *The Church in the Present-Day Transformation of Latin America in the Light of the Council: Conclusions*, 1.23. In the original, the Spanish *conscientización* is in boldface as a keyword of the conference. I have removed the formatting for readability’s sake in our manuscript.
  
11. Phan, *In Our Own Tongues*; Jonathan Y. Tan, *Christian Mission Among the Peoples of Asia* (Maryknoll, NY: Orbis, 2014).
  
12. For a close reading of the Tiananmen protests in relation to the changing political economy and public sphere cultures of the PRC, see Craig Calhoun, *Neither Gods Nor Emperors: Students and the Struggle for Democracy in China* (Berkeley, Los Angeles, and London: University of California Press, 1994).
  
13. A good introduction to the effect of the 1978 reforms on the PRC is Timothy Cheek, *Living with Reform: China Since 1989* (London: Zed, 2013).
  
14. Tom Ackerman and Slavoj Žižek, “Slavoj Žižek: Capitalism with Asian Values,” *Al Jazeera*, November 13, 2011 (accessed February 22, 2015, from <http://www.aljazeera.com/programmes/talktojazeera/2011/10/2011102813360731764.html>). November 13, 2011 is the upload date on the *Al Jazeera* website. See also Slavoj Žižek, *First as Tragedy, Then as Farce* (London: Verso, 2009), 131; *Less Than Nothing: Hegel and the Shadow of Dialectical Materialism* (London: Verso, 2012), 793; *Demanding the Impossible* (Cambridge,

- UK and Malden, MA: Polity, 2013), 41; *Trouble in Paradise: From the End of History to the End of Capitalism* (London: Penguin, 2014), 3; *The Universal Exception* (London: Bloomsbury, 2014), x.
15. David Harvey, “Neoliberalism ‘with Chinese Characteristics,’” ch. 5, in *A Brief History of Neoliberalism* (New York: Oxford University Press, 2005), 120–151.
  16. Kean Fan Lim, “Socialism with Chinese Characteristics: Uneven Development, Variegated Neoliberalization and the Dialectical Differentiation of State Spatiality,” *Progress in Human Geography* 38, no. 2 (2014): 221–247.
  17. See Tse, “Under the Umbrella.” This approach of thick description emerges from the discipline of cultural geography, a field that has always included reflections on religion in the core of its scholarly activity. Classics in the discipline include: Pierre Deffontaines, *Géographie et religions* (Paris: Gallimard, 1948); David Sopher, *Geography of Religions* (Englewood Cliffs, NJ: Prentice Hall, 1967); Paul Wheatley, *The Pivot of the Four Quarters: A Preliminary Enquiry into the Origins and Character of the Ancient Chinese City* (Chicago: Aldine, 1971); Peter Jackson, *Maps of Meaning* (London: Routledge, 1989); James S. Duncan, *The City as Text: The Politics of Landscape Interpretation in the Kandyan Kingdom* (Cambridge: Cambridge University Press, 2004); Tim Cresswell, *In Place/Out of Place: Geography, Ideology, and Transgression* (Minneapolis: University of Minnesota Press, 1996); Brenda S. A. Yeoh, *Contesting Space in Colonial Singapore: Power Relations and the Urban Built Environment* (Singapore: Singapore University Press, 1996); Denis Cosgrove, *Social Formation and Symbolic Landscape* (Minneapolis: University of Minnesota Press, 1998); Yi-Fu Tuan, *Humanist Geography: An Individual’s Search for Meaning* (Minneapolis: University of Minnesota Press, 2012).
  18. Edward L. Cleary, *Crisis and Change: The Church in Latin America Today* (Maryknoll, NY: Orbis, 1985), 4. Cleary observes that while ‘see-judge-act’ originates from Catholic Action groups in Europe and was adopted by Latin American liberation theologians, it owes its reasoning to Thomas Aquinas’s instruction on prudential judgment. This genealogy foregrounds the ironic traditionalism of liberation theology, which has popularly been interpreted as a Marxist-Christian synthesis.
  19. We are grateful to Christian Amondson at *Syndicate: A New Forum in Theology* for allowing us to expand and adapt essays from a forum that I edited. The original essays are: Kung Lap Yan, “Occupy Central, Umbrella Movement, and Democracy: A Theological Articulation,” *Syndicate: A New Forum in Theology* (accessed July 25, 2015, from <https://syndicatetheology.com/commentary/occupy-central-umbrella-movement-and-democracy-a-theological-articulation/>); Rose Wu, “The Rebirth of Hong Kong,” *Syndicate: A New Forum in Theology* (accessed July 25, 2015, from <https://syndicatetheology.com/commentary/the-rebirth-of-hong-kong/>); Sam Tsang, “Right Texts, Wrong Applications: The Exegetical Typhoon against the Hong Kong Umbrella,” *Syndicate: A New Forum in Theology* (accessed July 25, 2015, from <https://syndicatetheology.com/commentary/right-texts-wrong-applications-the-exegetical-typhoon-against-the-hong-kong-umbrella/>); Justin K. H. Tse, “Mapping the Umbrella Movement: Uncovering Grounded Theologies in Hong Kong,” *Syndicate: A New Forum in Theology* (accessed July 25, 2015, from <https://syndicatetheology.com/commentary/mapping-the-umbrella-movement-uncovering-grounded-theologies-in-hong-kong/>).

20. Justin K. H. Tse, "Grounded Theologies: 'Religion' and the 'Secular' in Human Geography," *Progress in Human Geography* 38, no. 2 (2014): 202.
  
21. This is part of an argument that I advanced in Justin K. H. Tse, "Can American Christians Care About Hong Kong's Umbrella Movement," *Washington Institute for Faith, Vocation, and Culture*, November 18, 2014 (accessed July 25, 2015, from <http://www.washingtoninst.org/9057/can-american-christians-care-about-hong-kongs-umbrella-movement/>).
  
22. The movement in scholarship toward critical studies of secularization can be represented by the following texts: Talal Asad, *Formations of the Secular: Christianity, Islam, Modernity* (Stanford, CA: Stanford University Press, 2003); John Milbank, *Theology and Social Theory*, 2nd ed. (Oxford: Blackwell, 2006); Charles Taylor, *A Secular Age* (Cambridge, MA and London: Belknap Press of Harvard University Press, 2007); William T. Cavanaugh, *The Myth of Religious Violence* (New York: Oxford University Press, 2009); Craig Calhoun, Mark Juergensmeyer, and Jonathan VanAntwerpen, eds., *Rethinking Secularism* (New York: Oxford University Press, 2011); Judith Butler, Jürgen Habermas, Charles Taylor, and Cornel West, *The Power of Religion in the Public Sphere*, eds. Eduardo Mendieta and Jonathan VanAntwerpen (New York: Columbia University Press, 2011); Brad Gregory, *The Unintended Reformation: How a Religious Revolution Secularized Society* (Cambridge, MA and London: Belknap Press of the Harvard University Press, 2012).
  
23. For a critique of expertise that could shed light on the Umbrella Movement's rejection of ungrounded knowledges, see Timothy Mitchell, *Rule of Experts: Egypt, Techno-Politics, Modernity* (Berkeley, Los Angeles, and London: University of California Press, 2002).