

**HONGKONG POLITICAL FIREBRANDS:  
YOU HAVE BEEN WARNED !**

Persons, who are permanent residents of the Hongkong Special Administrative Region (HKSAR) of the People's Republic of China (PRC), especially those with a penchant for militancy in speech and/or in actions, have just been warned ... in no uncertain terms.

If they do not heed the full extent of the warning, they shall suffer the consequences of their undesired activities.

The not-so-veiled warning was issued from the mouth of Mr Zhang De Jiang (), the Chairman of The Standing Committee of The National People's Congress.

This powerful, PRC politician is, also, a third-ranked member of the Politburo Standing Committee of the Communist Party of China as well as being the Vice Chairman of the National Security Commission.

It is well known that he does not suffer fools, gladly.

Mr Zhang De Jiang visited the HKSAR for three days, from May 17 until May 20, 2016, and, on his departure, he left the human population of the 416 square miles that constitute the sovereign territory of the PRC with much about which to ponder.

While he did not, directly, threaten any single person, or group of people, or any HKSAR association, be it directly or indirectly associated with academia or legally empowered to be responsible for the administration of justice in the territory, many of his words sounded as a stern warning to those who might be seen as attempting to usurp the concept of the Domain of the State.

Not a day went by, during his stay in the territory, that Mr Zhang De Jiang did not take the opportunity to issue definitive statements that any right-minded, Hongkong resident could not help but take note.

Although never overtly stated, it was very evident that Mr Zhang De Jiang had made numerous references to the Occupy Central Movement demonstrations of late 2014.

In the last quarter of 2014, demonstrations, lasting about 80 days, choked off many an important business transaction in the HKSAR; and, multitudes of shops were forced to shut their doors as scores of irascible students made it impossible for shopkeepers to sell their wares.

Tourism suffered, very materially, and hotels in the Central Business District of Hongkong Island and in many parts of Kowloon saw occupancy levels drop, some to below 30 percent.

(Although, when asked, no senior official of any hotel was willing to state the hotel's occupancy level, during this difficult and trying period of social unrest in the territory.)

The protestors were spurred on by the encouragement of a handful of youthful, braggadocio antagonists who urged them to charge the barricades, installed by the Hongkong Police Force in order to keep the protestors at bay.

The protestors often fought violently against members of the Hongkong Police Force and, in a number of incidents, certain members of this uniformed, disciplined force could not restrain themselves when faced with the violence of the demonstrators, many of whom attempted, repeatedly, to inflict grievous bodily harm on members of the Force.

Initially, the demonstrators were demanding, inter alia, ‘true’ democratic elections for the Chief Executive – the head of the Hongkong Government of the day – and, in addition, they were demanding the resignation of Mr Leung Chun Ying (), the current Chief Executive of the HKSAR.

Later on, as the Occupy Central Movement gained momentum, the call went out:

*‘We want democracy for Hongkong!’*

While the Occupy Central Movement was deemed as being illegal, those who were vehement in promoting it, thumbed their noses at Authority and, in one, very violent action, stormed the Legislative Council Building, causing material damage to the entrance.

By this time, tent cities were in existence in parts of the Central Business District of Hongkong Island and in areas of Kowloon.

These tent cities were, often, populated, not by just the protestors, but, also, by children, some as young as 12 years of age.

These children could not be dissuaded by their parents not to sleep in the tents. They begged them to return home.

In the most-populous area of Kowloon, known as Mongkok, the Occupy Central Movement blocked major vehicle arteries and intimidated many shopkeepers, forcing them to close their doors.

Those shopkeepers, who objected to the intimidations of the protestors, rued the day as students, by their scores, blocked the entrances of the doors of these shops, making it impossible for customers to enter.

Prior to their leaving doorways, many of the students stole goods from shops as well as causing havoc to the shopkeepers who attempted to physically oust the intruders.

Gangs of these students, proudly roamed parts of Mongkok as a mark of civil disobedience to Authority.

Then, came the riots of Mongkok where those, who did not support the Occupy Central Movement, fought physically with those who were trying to promote and to expand the Movement.

Bloodshed was the immediate result of these riots although, regardless of the violence, nobody was killed.

Numerous members of triad organisations – Chinese criminal syndicates – took part in the riots, seizing the opportunity to take advantage of the situation that was fast spiralling out of control.

The Hongkong Police Force were, for the most part, unable to contain the rioters.

The situation quickly went from bad to worse as demonstrators, for and against the Occupy Central Movement, started to use weapons of convenience in order to assert their superiority.

It was, by far, the largest incidence of civil disobedience in the HKSAR since July 1, 1997, when the territory became the sovereign territory of the PRC.

Naturally, Beijing took careful note of the situation as it was evolving in its territory in Southern China.

**Mr Zhang De Jiang’s Comments**

On the eve of Mr Zhang De Jiang's departure from the HKSAR (May 19), he issued a definitive warning to the people of Hongkong.

He said, among other things:

*'We are all in the same boat. If Hongkong does well, everyone would benefit.'*

*'If Hongkong becomes chaotic, everyone has to "mai dan" () – the Cantonese, slang term for paying the bill.'*

Addressing some 220 representatives from a number of diverse sectors of the HKSAR society, Mr Zhang De Jiang said that the people of the territory should focus on the development of the economy.

He said that the success of the HKSAR's economy was due, in large part, to easy (and preferential) access to the many markets of the (Chinese) Mainland.

He, then, went on to warn:

*'Hongkong's traditional advantages are also weakening, and it has yet to form new industries for growth.'*

*'If the city (of Hongkong!) is to remain competitive, it must boost its economy and see the complicated situation and intense competition in the global economy.'*

Turning his attention to what he described as 'street politics', Mr Zhang De Jiang emphasised that it was imperative that society should not engage in quarrelling 'about this and that.'

He emphatically dismissed calls for self-determination and independence, such suggestions, being 'unfeasible and ... not acceptable to the vast majority of Hongkongers.'

Mr Zhang De Jiang stated:

*'In the interest of the country, in the interest of Hongkong, particularly the fundamental interests of the 7.30 million residents in Hongkong, we must stick to the one country, two systems principal. We must stick to The Basic Law.'*

One day earlier, Mr Zhang De Jiang, at banquet in his honour in Wanchai, Hongkong Island, said that Hongkong must safeguard the rule of law.

Singling out the HKSAR Judiciary, he said, among other things, that the Judiciary should implement the law 'seriously' and 'justly', without tolerating offenders.

He said:

*'I hope that the SAR Government and the Judiciary would firmly fulfil the solemn duty to safeguard the rule of law.'*

He stated, definitely:

*'No one can override the law, and no offenders can evade legal jurisdiction with any excuse.'*

*'Society should severely condemn those actions which challenge the rule of law.'*

On the subject of independence for the HKSAR, Mr Zhang De Jiang said:

*'This is not a matter of localism. This is a matter of secession in the name of localism. Hongkong people's care of their own way of life and set of values ought to be respected.'*

Mr Zhang De Jiang emphasised that the ‘*one country, two systems*’ concept, originally promulgated by Mr Deng Xiao Ping (), the late, Paramount Leader of the PRC, permits the HKSAR a very high degree of autonomy over its affairs in addition to enjoying civil liberties.

The citizens of the PRC, proper, do not enjoy the same, very high degree of autonomy or the civil liberties as are enjoyed by residents of the HKSAR, he explained.

Mr Zhang De Jiang made the claim that the so-called, pro-independent advocates of the HKSAR represented only ‘*an extremely small number of people.*’

## **Conclusion**

In the vernacular of Americans, no matter how the cookie crumbles, Mr Zhang De Jiang’s many statements, with regard to the affairs of the HKSAR and of certain (questionable) determinations of the Judiciary, as well as the political firebrands, who are determined to rile certain segments of society to commit acts of violence, all of which are contrary to the law, amount to a stern warning.

One might suggest that the essence of his many utterances amounted to:

*‘If you fail to listen to me and act as I have strongly suggested, then, you shall experience the wrath of Beijing in due course.’*

Translating many of his words into the language of the common man, it amounts to an official, advance notice of what might happen in the future should Hongkong’s political firebrands continue to try to upset the Hongkong apple cart.

In addition, the entrenched innuendo in respect of this powerful politician’s many utterances suggest, in no uncertain terms, that he is well aware of those HKSAR people who are more interested in their own aggrandisement than in the betterment of the lives of the majority of the residents of the Hongkong Special Administrative Region of the People’s Republic of China.

His oblique attacks on the Judiciary were clearly aimed at the numerous determinations of various HKSAR courts in favour of some of the activists of the Occupy Central Movement of late 2014.

In the PRC, proper, being separate and distinct from the HKSAR of the PRC, the legal system is vastly different from that of English Common Law.

The intrinsic nature of English Common Law is that the determinations of judges, sitting in courts, applying the legal principle(s) in deciding points in litigation, according to precedent in respect of the facts, laid before them, is binding on all courts of the land.

Thus, determinations of Hongkong courts – determinations that must be based on English Common Law – are couched, in effect, on evidential considerations.

That is to say that without the required, acceptable evidence to prove an accused’s guilt beyond a reasonable doubt, the accused is deemed innocent of the charges, brought against him/her.

This is not, always, the case in respect of the courts of the PRC, proper, where the judges may well, in making determinations, have to take into consideration not only the law of the land, but other mandates – the authority to abide by certain policies in the interests of the State – those mandates that may well be contrary to ‘*stare decisis*’ – to stand by things decided.

Only too often, judges, sitting in courts in the PRC, proper, have to take into account determinations that have their bases in current political thinking rather than in existing legal precedence.

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