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December 5th, 2024

Freedom of the press in Hong Kong



LSE graduate Brianna Crummy writes about the context for and implications of the criminal convictions of two Hong Kong-based journalists.

In August 2024, two editors of the former *Stand News* in Hong Kong were **found guilty of sedition** through charges brought forth by the government under a colonial-era law – the first sedition case since the city returned to Chinese rule in 1997 after 150 years of British colonization. Former editor-in-chief Chung Pui-kuen and former acting editor-in-chief Patrick Lam were tried in court during the **ongoing crackdown on dissident voices**. This case serves as a litmus test for the current state of the press in Hong Kong, once considered a **“bastion” of free press in Asia**. With Hong Kong’s **low ranking in press freedom** currently at 135 out of 180, the case **raises concerns** over the continued backsliding of media freedom and what it means for those seeking to report on the government and publish information independent of its influence.

Context and history

The Hong Kong press has a storied history with colonialism, power, and the fight for democracy. In the middle of the 20th century, **the press arrived at a social pact with ruling powers**: media refrained from challenging the colonial government and, in turn, the government did not seek to control the press.

In the 1990s, when Hong Kong started transitioning back to Chinese rule, Hong Kong boasted **hundreds of news publications and 15 broadcasting channels** and held an international image as

having an independent fourth estate. Journalists **adopted a level of professionalism** by maintaining ideals of objectivity and neutrality in their work, holding to account both the British and Chinese governments. In 1997, the Basic Law, which promulgated the **“one country, two systems” principle**, was enacted and essentially **afforded a level of autonomy** to the region, including freedom of speech, outside of the People’s Republic of China. For the next six years, the Chinese government indeed granted a significant degree of freedom to the media, relying on a **political understanding of self-censorship** to contain the Hong Kong press.

The actions and strategies used by Beijing to induce self-censorship have shaped the incentive structure and political atmosphere through which Hong Kong media operate. Its effects can be seen through the ownership models where **pro-government management has been installed** across a number of Hong Kong media organizations. Over time it became clear stifling **the press was being done in a “quiet manner.”** While the self-censorship was not inherently overt, any reporting critical of the government could easily be **killed and the dissemination of pro-Beijing propaganda** put in its place. These practices remain in place today, and clearer efforts to censor the press are becoming more commonplace.

An inherent tension lies in the theoretical understanding of media freedom as it is applied to Hong Kong. The ideal of a free press is one that informs the public and holds different forms of power to account. While acknowledging what the provision of a free press offers, it is equally important to conceptualize what a lack of one would entail. Scholar **Cherian George points to the People’s Republic of China** as the “gargantuan exception” to the agreed norms for the press in that the government views the press as the official mouthpiece of the Communist Party. While Hong Kong’s position has been that of “one country, two systems” an ongoing back-and forth persists around the negotiation of a free press. With the textbook use of national security as justification for limiting dissent, the government is emboldened to carry out its repressive vision for press freedoms and democratic liberties, more broadly.

Recent developments

Since Hong Kong’s transition, the news media has been subject to the whims and pressures of the Chinese government but still maintained a semblance of acting freely and in the interest of the public. However, with the enactment of the National Security Law (NSL) in 2020, a swift and steady erosion of the press has led to a transformed media landscape.

The NSL was enacted as a way to clamp down on demonstrations following the 2019 protests in Hong Kong over an extradition bill that would send criminal cases from Hong Kong to mainland China. The national security law **made a wider range of acts illegal**: anything deemed secession, subversion, terrorism, or collusion can be criminalized and punishable by a sentence of life in prison. As democratic freedoms once deemed unique to Hong Kong continue to be revoked through new forms of repression, the means to censor pro-democracy movements grow stronger.

In 2021, two major publications, *Apple Daily* and *Stand News*, **shut down** after the government froze their assets. The same year an additional five independent media organizations shuttered out of fear for the same treatment. Authorities in Hong Kong revealed in 2023 that **260 people had been arrested due the NSL and 79 of them had been charged**.

Charges of sedition

Stand News was one of the last news organizations critical of the Chinese government before its forced closure at the end of 2021. The publication live-streamed the pro-democracy/anti-government demonstrations in 2019 and published openly critical reporting of China's response. In December 2021 authorities raided the newsroom's offices, arresting four board members along with editors Chung Pui-kuen and Patrick Lam. Chung and Lam **were the only two charged**, accused of "conspiring to publish and reproduce seditious articles, calling Stand News a political platform." The case against the editors was brought to court in October 2022.

In August this year, a Hong Kong court convicted Chung and Lam of the sedition charges despite their not-guilty pleas. The judge in the ruling cited "national security" as a justification for the decision. The case was built around 17 articles published by *Stand News*, **11 of which were deemed published with "seditious intent."** These included commentary about the national security law and law enforcement. The remaining six articles **were ruled by the judge** not to have **seditious intent**. The two men were given jail sentences at the end of September.

Conclusion

An era of silence settles over Hong Kong as the assault against pro-democracy advocates and practitioners wages on. Reports of additional **news outlets, NGOs, and even bookstores closing** continue while China tightens its grip over the former British colony. The problems associated with self-censorship, have been eclipsed by the devastating consequences of the now depleted media landscape. The sedition case against Chung Pui-kuen and Patrick Lam is only one example of weaponizing the repressive national security laws against so-called dissidents in the wake of the 2019 pro-democracy demonstrations. Media mogul Jimmy Lai was **similarly prosecuted** and sits in prison after a court found him guilty of collusion and fraud for his participation in the protests. Pro-democracy activist Tam Tak-chi is **servicing a 40-month sentence** for vocalizing criticism of Hong Kong laws and reciting anti-government chants.

An over-exertion of government intervention in the press creates conditions under which **journalists essentially cannot operate** out of fear of retribution. It is clear that Beijing seeks to extend the Chinese tradition of the press to Hong Kong through excessive use of the law. As watchdogs around the globe document the ongoing backsliding of the once free Hong Kong media, the future of independent media becomes even more fragile and precarious.

This post represents the views of the author and not the position of the Media@LSE blog nor of the London School of Economics and Political Science.

Featured image: Photo by [Andrew Jephson](#) on [Unsplash](#)

About the author



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Brianna Crummy is a graduate of the Media and Communications Governance program at the LSE. Her professional interests span media policy, press freedom and local journalism sustainability. Brianna's background is in journalism with previous roles in US newsrooms including Politico and NBC Washington. She received her BA in journalism and education studies from American University.

Posted In: Filtering and Censorship



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