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Study of Hong Kong“

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Introduction

Representation stands at the core of contemporary political systems. Political Representation occurs when “political actors speak, advocate, symbolize, and act on the behalf of others in the political arena” (see *Stanford Encyclopedia of Philosophy*). With the concept of representation taking on different forms (depending on a country’s political framework), the majority of contemporary actors chose the route of electoral representation. Generally, the notion of electoral representation ensures that the citizenry is able to select (in regularly and fairly held elections) the people who will represent their interests in the political arena. The process based on constituencies voting for their preferred representatives (and political parties) at regular intervals, with successful candidates going on to represent their voters in the decision-making process within the formal political arena, has become the standard model in Western liberal democracies.

In recent years, however, political representation (specifically electoral representation) has been characterized by civilians questioning the concept of one man one vote. The ascent of far-right parties worldwide; the advance of hybrid, ‘illiberal’, repressive or outright totalitarian regimes engaging in democratic regression; coupled with electoral representatives infuriating their constituencies by voting against their wishes and interests after gaining office, created fears and uncertainties amongst citizens. The predicament of electoral representation lies in the fact that the democratic process is based on a specific definition of constituencies who are able and willing to participate in elections. This often includes residents with citizenship and a specific socio-economic status, therefore excluding individuals and groups who are not seen as part of the (ethnic, social or political) community.

As scholars, political actors, experts and citizens alike experience these waves of changes in political representation, it seems valuable to search for alternative approaches to revive the citizenry’s interest and belief in the concept of representation. Within this context, Hanna Pitkin’s highly influential standard account of representation serves as a starting point. Pitkin’s (1967) definition states that to represent is to make present again; this notion of representation rests on the “activity of making citizens’ voices, opinions, and perspectives ‘present’ in public policy making processes” (see *Stanford Encyclopedia of Philosophy*). The issue of constituencies losing faith in being represented equally and faithfully could be addressed by turning to the growing field of informal representation.

To address civilians concerns regarding representation in democratic as well as hybrid, repressive and authoritarian regimes, one has to broaden one’s view on the representative process and focus on including the citizens perspective. Potential avenues to explore are surrogate representation (Mansbridge 2003), individuals rejecting any form of representation refusing to speak for anyone but themselves (Hayat 2022), individuals or communities assigning the role of (informal) representative to an individual (Salkin 2021), reflecting on the complex reality of representation outside of formal institutions (Rehfeld 2006), or the creation and mobilization of constituencies (Disch 2021) by informal representatives. While most of these concepts are valuable tools to enhance or compliment the representative process, it

is important to acknowledge that their applicability varies significantly in hybrid or repressive systems compared to their liberal-democratic counterparts.

Governments in hybrid, illiberal or repressive regimes tend to push their citizens to remain apolitical (for example by failing to create a public space where civilians can gather and deliberate or by restricting participation in elections), so as to minimize any threats to their power. A viable option for individuals to force formal representatives to acknowledge and include their perspectives in the representative process are social protest movements. As for protestors in repressive regimes “it is no longer important who wins elections or who runs the government” (Krastev 2014, p. 4), they turn to activism and acts of disobedience to affect representation (going beyond formal representatives, who are at the heart electoral representation, and making space for informal types of representation). Scholars focusing on the potential impact of disobedience on representation in liberal-democratic societies could benefit from applying the analysis of these concepts in hybrid or repressive regimes, as the study of social protest movements’ use of disobedient contestation methods exhibits avenues for counter-acting autocratization and fostering democratization.

In accordance with literature on informal representation, this thesis aims to connect informal representative practices of non-electoral representatives’ representative claims (Saward 2009 and 2010), positions of actors within the public and empowered space (Kuyper 2016) as well as systemic representation outside of formal political institutions (Saward 2014) with the practice of disobedience during social protest movements. Concentrating on (an updated) definition of Rawlsian-inspired civil disobedience (Celikates 2016, Rawls 1999, Scheuerman 2021a and 2022) and contemporary definition (and defense) of uncivil disobedience (Delmas 2018 and 2020), and combining these concepts with Saward’s and Kuyper’s notion of informal representation, this thesis investigates how the use of uncivil disobedience as a representative practice challenges traditional conceptions of representation (i.e. electoral representation). The underlying argument shaping the analysis posits that participation in uncivil disobedience as protest practice expands traditional conceptualizations of representation by focusing on informal representation.

To investigate the potential effects of (uncivil) disobedience on representation the thesis will include a case study of Hong Kong’s most recent protest movements. To this end, the disobedience campaigns and involvement of informal representatives during (and after) the 2014 Umbrella and 2019 Anti-Extradition Movement will be examined, as they are expressions of (1) citizens combating their repressive regimes attempts to monopolize the political sphere and (2) civilians ensuring that their perspective is included in the representative process. To conduct the analysis three datasets are employed. The Basic Law (Hong Kong’s constitution) is utilized to explain the city’s legal and political framework. By comparing the procedures and laws set out in the Basic Law with the government’s reaction to protestors criticizing the administration’s disregard for democratic principles (laid out in the constitution) the social movements’ choice of protest practice is connected to disobedience.

Furthermore, the ANTIELAB datasets (provided by *Hong Kong Free Press*) ‘mobilization map’, ‘poster search engine’ and ‘arrests + protest statistics’ are combined with the social movements’ disobedience strategies to emphasize the impact of the protests with regard to decisions made by government officials, the democratization effects of the use of (uncivil) disobedience on citizens as well as the importance of informal representatives in hybrid or repressive regimes. Analyzing the effect of uncivil disobedience on the representative process election reports and official websites of significant elections during and after the Umbrella and Anti-Extradition Movement, provided by the Electoral Affairs Commission (EAC), are employed to measure the role of informal representatives (i.e. the degree to which they successfully mobilize and represent marginalized or silenced voices). By including cases of civil disobedience for comparison, the thesis aims to explain how uncivil disobedience (particularly in repressive or hybrid regimes) can wield greater efficacy in expanding representation.

It is important to mention that this thesis does not attempt to put forth a set guideline or theory on how protest movement’s use of disobedience alters or shapes political representation. It does not strive to classify the ‘right way’ of combining protests, disobedience and informal representation to challenge traditional conceptions of representation or judge the success or failure of each disobedience strategy. The aim is to capture the meaning of the events and to reflect on the complex relationship (and reality) between representatives and their audiences, and to analyze how protest movements engaging in uncivil disobedience can transform political representation (and perhaps foster democratization in authoritarian systems).

To summarize, this thesis has significant implications for the understanding of contemporary political representation as it shows how informal representation and disobedience strategies have substantial impact on the representative process. Even though the majority of research has focused on liberal-democratic systems so far, the findings further strengthen the argument that applying and analyzing these concepts in contexts of hybrid or repressive regimes can contribute to and widen our understanding of including the citizenry’s perspective in representation. Additionally, the results show that social protest movements are a valuable data source to study the impact of informal representation and disobedience as protest practice, as the landslide victories of former frontline activists and informal representatives (who participated in civil or uncivil disobedient actions) in Hong Kong elections prove how unconventional representative practices have the potential to affect decision-making.

As the findings indicate that not all disobedience strategies have the same outcomes across different types of protests and informal representative practices, future research should further investigate the relation between the various interactions of protesters, repressive governments and (informal) representatives to explore the mechanisms behind these different strategies. As Hong Kong is a unique case, the effects of disobedience on representation should be studied in similar contexts (i.e. in other hybrid, repressive or totalitarian systems) and compared to look for overarching trends or patterns.

The remainder of this thesis is structured as follows. Section 1 outlines and reviews the theoretical concepts prevalent in the field of disobedience and representation studies. Section 2 presents the theoretical assumptions based on the literature review, leading to the research question and underlying arguments. At first, Pitkin's standard account of "making present again" is explained, shifting the focus towards the citizen's perspectives. Building on Saward (2009, 2010, 2014), Kuyper (2016) and Delmas (2018, 2020) the analysis of the 2014 and 2019 Hong Kong protests aims to support informal (non-electoral) representation theory by describing how social protest movements offer new possibilities of reflecting broader interests and voices. The following section then explains the case, the data and method which are utilized to answer the research question. The historical contextualization of the role of representation and disobedience in Hong Kong is presented in section 3, leading to the case study in section 4. The results of social protest movements' strategic use of (civil and) uncivil disobedience and informal representation demonstrate how citizens can open up and extend the representative process to include their perspectives are discussed in section 5, followed by a conclusion and an outlook for future research.

Part 1: Conceptualizing Representation and Dissent

Undoubtedly, democracy is the leading political system nowadays. Based on the western liberal-capitalist notion of universal suffrage, the rule of law as well as freedom and protection of human and civil rights, the democratic system has emerged as the most sought-after political structure worldwide. The heart of this political framework revolves around representative democracy, emphasizing the population's ability to choose their preferred representatives through regularly and fairly held elections. By focusing on the connection of political representation and electoral democracy, the democratic process is constructed around a specific definition of constituencies capable (and willing) to participate in voting – often including residents with citizenship and a distinct social and economic position, thus excluding groups who are perceived as being outside the (social, political or ethnic) community. In a similar vein, Saward (2010) emphasized that “in certain electoral and party systems, and indeed in certain national, cultural, and political contexts, some societal groups are overrepresented in electoral—legislative contexts, and others are underrepresented” (p. 44).

This focus on representative democracy (and the corresponding relation between representation and elections) has dominated scholarly discussion so far. Hanna Pitkin, in her influential account *The Concept of Representation* (1967, p. 140), states that political representatives should make “present again” the views of the people. Pitkin's focus on defining political representation as “making present again” (p. 8) allows for an idea of representation “where we are not content to leave matters to the expert” (p. 212). Commenting on the descriptive and formal process of electoral representation, the author describes the dilemma between electoral political representatives and their constituencies by foregrounding the limits of “acting for” a specific constituency (e.g. a heterogenous voting population; operating within a broader political framework including political parties and parliament; representatives' own opinions and interests vis-à-vis the diverse pool of opinions of a given constituency). Instead, Pitkin puts forth the notion of representation resting on substantive acting for others, arguing that the people being represented ought to be present in in some form or the other within the legislative process (even if they do not represent or act for themselves).

This standard account of political representation, involving “*inter alia*, authorization, accountability, and the looking out for another's interests” (Rehfeld 2006, p. 3), defined the ensuing body of literature within the field. With Pitkin's standard account and the constructivist turn shaping academic discourse, alternative outlooks on political representation have progressively gained traction through the debate on informal (non-electoral) representation. Being frustrated with the lack of choice (or exclusion) within the representative process, people seek more channels to express their opinions beyond voting in elections every few years, thus paving the way for informal representation. At the same time, the rise of social protest movements enables individuals within marginalized or oppressed communities to express their views, advancing the potential of non-electoral representation in democratic (and repressive) societies. Citizens display their disapproval (and dissent) of formal political representatives and the

political structure by engaging in disobedience. Whether protestors participate in civil and/or uncivil acts of disobedience, actors across the political spectrum seem to condone the act of contestation (whether it be in a democratic, hybrid or repressive system). This section will briefly outline the growing field of informal representation and the role of civil and uncivil disobedience within the representative process.

Using Pitkin's standard account as starting point, the expansion of traditional views of political representation inherently presents an opportunity for the meaning of representation to change: "the single, basic meaning of representation will have very different applications depending on what is being made present or considered present, and in what circumstances" (Pitkin 1967, p. 10). The need to "update" the theory of representation to the complex new realities of the twenty-first century – where diverse sets of actors with differing preferences, socio-cultural backgrounds and means of making their interests heard dominate the political landscape – stems from several challenges that undermine the democratic standard model of representation (i.e. Western democratic electoral representation). These challenges include phenomena such as the "emergence of transnational decision-making arenas", the increasingly prominent role of specialized or expert bodies in collective decision-making processes, "increasing demands for group recognition" as well as the perception that traditional representative institutions are not suitable to reflect the "more complex discourse of representation" resulting in the rise of informal structures of democratic representation (see Warren & Castiglione 2022, pp. 22-23).

Even though some of these structures include electoral representation, the citizenry has increasingly grown weary of electoral representatives, demanding alternate means to express their grievances and advance their views on socio-political matters. Regardless of the political framework people find themselves in, the need for more or "better" representation is omnipresent. In light of these developments, scholars have embarked on a debate intending to expand classical theories of political representation by adding informal representation to the agenda. Some of the most influential publications within this context are Saward's (2010) concept of the representative claim, Disch's (2021) work on the creation and mobilization of constituencies and Mansbridge's (2003) work on rethinking representation.

Representing the constructivist turn, Saward (2010) introduced the representative claim as a lens to analyze political representation. Within the representative process individuals or collective entities (such as political parties) utter claim(s) to "represent or to know what represents the interests of someone or something. It is a claim; it may or may not be a well-founded claim" (Saward 2010, p. 38). The claim of acting as a representative of individuals or groups is then received by an audience which has the power to accept, reject or ignore the claim(s) (Saward 2010, p. 36). This framework allows for a more nuanced approach to studying political representation by granting theorists the opportunity to include a wide range of actors claiming to represent a given individual or community (from elected legislators,

individuals opposing political reforms on their own, people participating in protest movements to members of civil society who are usually not partaking in political or societal matters).

Other contributions have continued to develop Pitkin's fundamental standard account of representation. Disch (2021) for example underlines the importance of mobilization, especially the way representatives are able to mobilize voters into participation. While Disch focuses on representation within electoral democracies, this approach to mobilization as "groups form[ing] around shared interests to demand laws and policies that serve those interests" can be applied to informal representation within social protest movements as well. Foregrounding legitimate forms of representation outside the electoral cycle, Mansbridge (2003) advances the concept of surrogate representation. At the heart of this framework lies the notion of representation "by a representative with whom one has no electoral relationship" with (Mansbridge 2003, p. 522). Whilst the author stipulates that (formal) representatives act as a surrogate representative for constituents outside his or her district, this framework can be applied to individuals acting as (or claiming to be) informal representatives of social movements. Like their counterparts in electoral representation, informal representatives act as surrogate representatives to members of civil society not included in the representative process. By claiming to represent the issues and opinions of the diverse members of a given social (protest) movement, non-electoral representatives are in a position to include voices in the representative process which otherwise would have gone unnoticed.

In his *General Theory of Representation*, Rehfeld (2006) discusses the benefits of extending the term political representation, reflecting on the complex reality of what it means to represent these days. Rehfeld directs our attention to the way political representation nowadays "operates as a political phenomenon in democratic and nondemocratic, formal and informal contexts", requiring theorists to study representation "in nonnational, global arenas where nondemocratic and informal representation increasingly occurs" (Rehfeld 2006, p. 4). As electoral representation proves only partially effective in liberal-democratic and hybrid regimes, and with people in repressive and authoritarian regimes having restricted or no access to actors with decision-making powers, informal political representation proves a viable route to explore. Hayat's (2022) unrepresentative claims exemplify the increasingly prominent role of non-electoral representatives. Situating political action by individuals or groups within the social movements' context, Hayat concentrates on people who actively refuse to speak for anyone but themselves. By claiming to speak only for themselves, these individuals "refute any possible characterization as representatives by making what might be called unrepresentative claims" (Hayat 2022, p. 1038). Regarding social movements, this practice of speaking up for oneself means that "some social movements develop a rhetoric that rejects all forms of political representation and defends the power of the people" (Hayat 2022, p. 1039), thus making room for their opinions (and grievances with formal political representatives) without having to channel elected officials for support.

On a similar note, Kuyper (2016) makes use of performative claim-making and cross-constituency mobilization in social movements, arguing that informal representatives are able to strengthen (within liberal-democratic regimes) or foster (within repressive, authoritarian regimes) democracy. The deliberative framework put forth by Kuyper can aid theorists in analyzing non-electoral representation across political systems by considering the position that actors occupy within the public (“providing information, coalescing interests, or opposing sites of public power”) and/or empowered space (being able to produce “coercively binding rules”) (see Kuyper 2016, p. 321). Bringing more attention to the space of political action and representation, Saward (2014) proposes an adoption of a systemic-societal view. According to the systemic-societal interpretation “representation occurs across society, including in governmental bodies but also for example in interest groups, social movements, and businesses” (Saward 2014, p. 732), thereby opening up representative practices beyond the executive and legislative governmental space. As informal representation takes place outside state institutions (with their focus on electoral representatives) but at the same time includes a claim-making based approach to representation, the proposed systemic-social view provides a more nuanced approach to examine representation (in democratic, hybrid, illiberal or repressive regimes).

The rise of social protest movements worldwide has prompted a discussion on how representation can be thought of in times of democratic decline and civil unrest. While civilians within democratic governments progressively grow weary of decisions made by their formal representatives, citizens in hybrid or authoritarian regimes face (to various degrees) attempts at democratic regression. Being frustrated with electoral representatives or denied the choice to participate in the representative process, the citizenry of the twenty-first century has turned to the act of protesting as an alternative to formal (electoral) representation. The global protest wave in the 2010s brought the topic of (un-)civil unrest to the forefront, with protestors requesting more democracy: from people in authoritarian states demanding “Western-style democracy and elections” to inhabitants of democratic societies calling for “a different kind of democracy from the one they have [i.e. electoral democracy]” (Krastev 2014, p. 11). The crisis of elections and formal political representation has led people to take up disobedient practices to search for alternative modes of representation. Parallel to these developments, academic debate concentrated on the justification of the use of disobedience and the question of whether civil or uncivil disobedience is the preferred mode of contestation.

Proponents of civil and uncivil disobedience alike generally start their discussion of disobedience with Rawls (1999) definition of civil disobedience. Although Henry David Thoreau, with his essay *Resistance to Civil Government*, is credited as the pioneer of civil disobedience (see Celikates 2016 p. 38 and Delmas 2018 p. 6), Rawls definition of the term in *A Theory of Justice* remains highly influential. Drawing on the principles of natural duty and obligation, Rawls (1999, p. 319) designed his theory of civil disobedience for “near-just” societies, specifically a society that is “well-ordered for the most part but in which some serious violations of justice nevertheless do occur”. As such a near-just society “requires a democratic regime” (p. 319), Rawls theory of civil disobedience is usually applied within

the liberal paradigm. Bearing this in mind, the Rawlsian classification of civil disobedience refers to “a public, non-violent, conscientious yet political act contrary to law usually done with the aim of bringing about change in the law or policies of the government” (p. 320). Advocates of Rawls-inspired civil disobedience – locating resistance as acts of publicity, non-evasiveness, nonviolence – include scholars such as Scheuerman (2022) and Bryan (2023). Taking the advantages and criticisms of the “classical” notion into consideration, these intellectuals propose a revised categorization of the term – aiming to go beyond the context of near-just societies – by “includ[ing] a wider range of disobedient actions and a broader range of complaints (Bryan 2023, p. 4) and drawing attention to “[...] a more fine-tuned account of political legitimacy, able to differentiate sufficiently between and among more-or-less just and liberal-democratic political systems” (Scheuerman 2022, p. 987).

Commonly contrasted to its civil counterpart, the concept of uncivil disobedience offers citizens a practical alternative to express their dissent. Stepping outside the bounds of generally accepted norms of civil unrest, this particular act of defiance opens up alternate pathways for conveying discontent. Emphasizing the people’s responsibility to stand up to injustice, Candice Delmas makes a case in defense of uncivil disobedience. In *A Duty to Resist: When Disobedience Should Be Uncivil* (2018), Delmas presents a theoretical framework that extends beyond the conventional liberal framework of civil disobedience proponents. She introduces the idea of “duties of resistance under conditions of injustice” applying this concept to “all societies, legitimate and illegitimate” (p. 10), thereby allowing for a more nuanced and reality-based approach to the analysis of disobedience. Building her theory on four principles – the natural duty of justice, the principle of fairness, the Samaritan duty and political association – Delmas defines uncivil disobedience as being “covert, evasive, anonymous, violent, or deliberately offensive (p. 17). Often (mis-)understood as a call for actively engaging in unnecessary (and preventable) acts of violence, Delmas’ justification of uncivil unrest is rooted in the belief that battling injustice involves “at least making a stand against it, by vocalizing or silently signifying protest” (p.16).

Acknowledging that the duty to resist is more of a general and imperfect nature, she allows individuals engaging in uncivil disobedience “discretion as to when and how to discharge it” asserting that uncivil unrest does not necessarily demand “heroic self-sacrifice” of people resisting injustice (Delmas 2018, p. 18). Furthermore, Delmas groups acts of civil *and* uncivil resistance into the concept of principled disobedience, granting theorists with a multifaceted view on resistance practices (beyond discussions of what constitutes near-just societies; differentiated views on disobedience within liberal political systems as well as resistance practices in hybrid or repressive regimes). Akin to Pitkin’s influential standard account of political representation, Delmas duty to resist injustice has evolved into a fundamental base for scholars justifying the use (or incorporation into the academic debate) of uncivil disobedience. For instance, Lai (2019), Pineda (2019) and Richards (2020) build their cases for the value of uncivil disobedience by starting with Delmas’ account of justified uncivil resistance.

In his paper *Justifying Uncivil Disobedience* Lai (2019) engages in the discussion between advocates of civil and uncivil disobedience by demonstrating how the duty to obey – inherent in justifications of civil unrest – can be extended to the defense of uncivil unrest. Exploring the unique features of both types of disobedience and discovering ways in which the two practices intersect, Lai concludes that “[e]xactly the same considerations that, in some circumstances, will support civil disobedience will, in other circumstances (that are different but not necessarily more unjust), support uncivil disobedience instead” (p. 112). Although the debate within disobedience literature on justifications of dissent tends to divide scholars into pro- civil and anti- uncivil disobedience camps, Pineda (2019) acknowledges that “we can and should create normative space for forms of resistance that are evasive, coercive, or shocking, even when we cannot agree on their civility” (p. 163).

This need to transcend the Rawlsian-inspired “orderly” civil unrest within the liberal paradigm is further developed by Robin Celikates. Rethinking civil unrest as a mode of political contestation beyond its liberal understanding, Celikates (2016) employs a critique to Rawls definition of civil disobedience arguing that this liberal understanding “underestimate[s] the transformative effects that civil disobedience can have as a specifically extra-institutional form of political practice” (p. 40). Situating the effectiveness and success of participation in civil disobedience in “moments of real confrontation” (p. 43), which may or may not include elements of violence, Celikates unwittingly contributes to Delmas’ account of principled disobedience (opening up potential justifications for uncivil disobedience). Lastly, in her study of protest movements in Hong Kong, Richards (2020) shows how uncivil disobedience “is becoming a key mode of resistance to the rapid erosion of civil and political liberties” (p. 97). Building on Delmas’ fundamental work, Richards studies the participation of civilians in the 2019-2020 protest movement which started as civil unrest but rapidly turned into a uncivil disobedience campaign to resist injustice. Focusing on the way activists reclaimed the public space by using protest graffiti, Richards demonstrates how citizens participating in uncivil unrest “stimulate dialogue” and “mobilize opinion” (p. 81). Henceforth the involvement in resistance to injustice (whether it be through civil and/or uncivil means) has the ability to foster democratic tendencies across societies, simultaneously creating space for alternative forms of thinking about representation.

Theories of political representation have developed tremendously over the past decades. In light of the changing political and social landscape throughout the first decades of the twenty-first century, the need for diverse, inclusive and egalitarian representation is apparent. The value of the much appraised and emulated status quo of representation (i.e. democratic systems based on electoral representation) is increasingly questioned by civilians. Whether it be lack of choice or alternatives, unfulfilled conditions preventing people to partake in voting (e.g. citizenship; social, ethnic or economic status), loss of faith in electoral representatives (due to broken promises, change of ideology etc.) – across every political system citizens have seemingly grown tired of formal representation. By embracing Pitkin’s view of making present again and shifting the focus towards the citizen’s perspectives, supporters of informal (non-electoral) representation offer new possibilities on reflecting broader interests and voices. Hence,

as this new representation model emerges as complementary or alternative mode to electoral representation, representative practices such as representative claims (Saward 2009 and 2010), cross-constituency mobilization as well as positions of actors within the public/empowered space (Kuyper 2016) and representation outside of formal political institutions (Saward 2014) are the main focus of this thesis.

In search for alternate forms of expressing their discontent with electoral representatives' decision-making, instances of democratic decline and exclusion of members of oppressed/minority communities civilians have turned to disobedient practices and protesting. From western liberal democracies, hybrid or illiberal to outright repressive/authoritarian regimes waves of protest movements erupted as people "cease[d] to believe that voting matters" (Snyder 2018, p. 251). Alternating between civil and/or uncivil unrest as mode of contestation, protestors emphasize the shortcomings of formal representation within democratic frameworks along with a call for creating space for citizens in hybrid or repressive regimes within representation debates. As the contestation modes of civil and uncivil disobedience prove to be a meaningful way for citizens to express themselves and re-direct the representative process, prompting a shift towards incorporating people's perspectives, protestors themselves are able to justify their use of disobedience techniques without formal political agents or institutions (i.e. governing political parties and representatives, legislative and judicial actors) determining it for them.

As uncivil disobedience arises as a potential tool for civil society to represent their interests and grievances, contestation practices of principled disobedience (including both civil and uncivil practices) provide citizens with a way of presenting their perspective(s) at the same time opening and extending the representative process to people who have previously been silent and/or excluded from the process. Engagement in uncivil disobedience guided by the conviction that fighting injustice involves "at least making a stand against it, by vocalizing or silently signifying protest" (Delmas 2018, p. 16) and going beyond Rawlsian-inspired notions of disobedience (exploring contestation techniques outside of nearly-just societies: specifically hybrid or repressive systems) by observing how "moments of real confrontation" (Celikates 2016, p. 43) affect activists partaking in uncivil unrest will guide the argument of this thesis.

Part 2: Representation and Disobedience

History permits us to be responsible: not for everything, but for something... History gives us the company of those who have done and suffered more than we have.

Life is political, not because the world cares about how you feel, but because the world reacts to what you do. The minor choices we make are a kind of vote, making it more or less likely that free and fair elections will be held in the future. In the politics of the everyday, our words and gestures, or their absence, count very much.

— Timothy Snyder, *On Tyranny: Twenty Lessons from the Twentieth Century*

Following the collapse of the Soviet Union and the end of the Cold War, the American political scientist Francis Fukuyama put forward a question which would leave a lasting impression on governments, philosophers and scientists alike: “[w]hether, at the end of the twentieth century, it makes sense for us once again to speak of a coherent and directional History of mankind that will eventually lead the greater part of humanity to liberal democracy?” (Fukuyama 1992, p. xii). Sparked by this narrative of the end of history – viewing history as an evolutionary process, and that after the collapse of the Soviet Union and Communism we have reached the end of history, resulting in the success of the liberal democratic governance model – political actors across the globe advocated for democratization and the corresponding development of a liberal (capitalist) democratic model. In the period after the end of the Cold War and the dawn of a new century, emerging nation-states in Eastern Europe and in other parts of the world went through waves of democratization – creating political institutions, civil societies and capitalist economies.

As modern citizens of the twenty-first century the people of these emerging new democracies – with an authoritarian past – expected their new liberal-democratic nation-states to include free elections, freedom of speech, human rights, rule of law as well as institutions which protect these freedoms and rights. The general opinion at that time was that if one embarks on the process of modernization and democratization (with western European countries serving as best practice models) that this would result for the Eastern European countries in a “return to Europe” (with the ultimate aim to become a member of the European Union) and for other countries (such as China) in a greater geopolitical position (being welcomed into the international community and economy). The first decade of the new millennia saw the rise of new capitalist liberal democracies and provided a hopeful scenario for a future where citizens enjoyed protected freedoms and rights as well as a tight-knit and inclusionary civil society. The model of representative democracy, where citizens partake in regularly held and fair elections in order to elect political representatives which represent and govern on their behalf, has been a central feature within various liberal-democratic models. This mode of electoral representation has subsequently been an indicator of liberal democratic governance.

Liberal democracy has been perceived as something that – regardless of the circumstances – will prevail. The reality however has painted a different picture: we have observed that since the 2010s a number of countries’ elect parties and representatives have systematically undermined democracy and the rule of law. Consequently, we are confronted with autocratization tendencies across the globe. In this context it is imperative to investigate how citizens react to these developments and the degree to which they can articulate their concerns. In what is generally described as democratic backsliding or democratic regression, political actors gradually undo democratic rights and freedoms by engaging in “state-led debilitation or elimination of any of the political institutions that sustain existing democracy” (Bermeo 2016, p. 5). In Hungary, Victor Orban’s Fidesz party utilized executive aggrandizement (e.g. passing pro-Fidesz policies with almost no consultation with opposition parties or the public; changing the constitution thereby weakening horizontal checks on the government; changing nominations for the constitutional court; reshaping the judiciary by forcing judges into early retirement; re-structuring the media landscape) and strategic electoral manipulation (e.g. packing the National Election Committee with party loyalists; passing electoral laws which make it difficult for the opposition to win elections) to transform the state into an ‘illiberal democracy’ (see Knight 2021).

Another important example is the Special Administrative Region Hong Kong (SAR Hong Kong or HKSAR), which is granted autonomous rule in the so-called Basic Law. In the past decades however, Hong Kong’s political representatives – from the Chief Executive, members of the Legislative and Executive Council, the judiciary, the police force and members of the National People’s Congress Standing Committee (NPCSC) – have aided Mainland China’s government in its ‘mainlandization’ process (i.e. Beijing’s attempts to incorporate HKSAR into their political and legal system). As Chan, Nachman and Mok (2021, p. 3) point out, the severe interference of Beijing in the city’s policy matters have had a profound impact on Hong Kong’s political landscape and are perceived by the local population as a threat to the municipality’s autonomy (as codified in the *one country, two systems* policy). Mainland China’s constant attempts to take control of the SAR’s legal and political system and incorporate it to Beijing’s governance have led to waves of protests by Hong Kongers.

This resistance to repressive and authoritarian transformations manifests itself in the citizen’s desire for alternative approaches to make their dissent heard (due to the neglect from their formal political representatives – which either ignore or suppress people’s voices). The main vehicle of resisting democratic regressions are protest (movements) which utilize a range of disobedient acts (from peaceful and non-violent civil disobedience to more ‘extreme’ uncivil forms of disobedience) in order to fight for (liberal) democracy. These social movements utilize protests as a tool for resisting repressive and authoritarian rule of law, additionally challenging the existing representative process. In their endeavors to “prevent a further subversion of democracy” protestors often have to take into account to “transgress democratic norms” (see Wolkenstein 2023, p. 86) themselves to highlight the undemocratic conditions that their respective governments impose upon them. The following section will explore the resistance to democratic regression by focusing on the link between disobedience and political representation.

Updating Political Representation: Disobedience Affecting Representation

Contemporary political actors face an increasingly challenging landscape – from a fractured and heterogenous electorate, worldwide political/social/environmental/economic crises, individuals losing their faith in the democratic political system, the rise of populism and far-right parties, democratic backsliding tendencies to the difficult task of being able to partake in supranational cooperation without neglecting national politics. Once seen as the answer to democratize non-western states, and often perceived as *the* approach to combat authoritarianism, liberal democracy has seemingly reached its limits. Across the world we can observe that governments increasingly opt for transformations of regimes, with some actors choosing to go back and forth between liberal and autocratic governance models leading to democratic regression (i.e. a political system gradually going from being a liberal democracy to some form of autocracy, leaving some electoral elements in tact [or giving the illusion of electoral freedom] in order to appear liberal-democratic), and others engaging entirely in turning their political system into an autocracy.

Furthermore, the increasing distrust in political actors, the rigid electoral system (where usually only residents with citizenship are eligible to participate in elections) as well as the situation that citizens do not feel accurately represented (or even completely neglected) by their formal representatives has contested the liberal-democratic mode of casting a vote at the ballot as the most effective form of being represented within the state. Moreover, the rise of social protest movements brings with it a variety of actors who claim to represent underrepresented/misrepresented groups. Drawing attention to overlooked societal issues and taking minorities' voices to the public stage (where they cannot easily be ignored by formal representatives) these actors portray themselves as representatives of minority groups who are usually not included in the political decision-making process. In contrast to individual citizens (operating on their own or in small groups) these advocates have the potential to lobby electoral representatives to put certain issues on the political agenda.

Usually, the idea of political representation within liberal democracy is connected to the idea of the population being able to elect their preferred representatives in regularly and fairly held elections. The electoral process entails (pre-selected) candidates “compet[ing] over the definition of constituency interests” (Saward 2010, p. 45). The value of holding elections and selecting formal political representatives who govern on the people's behalf (within the liberal democratic system) centers on “minimiz[ing] the likelihood of tyranny, defined as any unjustified deprivation of rights” (Katz 1997, pp. 47-48). The problem with this electoral system of representation is that the process is often based on a particular definition of constituencies who are able and willing to cast a vote (including residents with citizenship and certain social and economic status, thus excluding groups who are not seen as part of the [ethnic or social] community). By linking democratic representation with systems of electoral representation, the majority of scholarly debate has directed their discussion on the relation between (political) representation and electoral democracy.

One of the central figures within this context, Hanna Pitkin, introduces the crucial argument of representatives making ‘present again’ the views of the citizenry. In her influential work *The Concept of Representation*, Pitkin (1967) asserts political representation as “a public, institutionalized arrangement involving many people and groups” (p. 221) and that representation is given “if the people [or a constituency] are present in governmental action, even though they do not literally act for themselves” (p. 222). Viewed as the standard account of political representation, Pitkin’s observation served as the blueprint for the ensuing body of literature within this field. At the same time the constructivist turn influenced scholarly debate substantially with alternative approaches to political representation gradually gaining standing. Characterized by an interconnected globalized world, people require more vehicles to express their thoughts beyond casting a vote at the ballot every few years. The rise of social protest movements aiming to give voice to the marginalized/oppressed have further intensified the debate on political representation within democratic (and authoritarian) regimes.

Contemporary political theory has been continuously widening the classification of representation. Requiring substantial alternatives, more and more people have turned to informal types of representation. Academic discussion on political representation has picked up on the debate and directed attention towards non-electoral types of representation. Going beyond the realm of authorization of representatives via electoral processes, the branch of informal (non-electoral) representation presents viable alternatives to think about representation. Influential works which expand classical political representation theory include Mansbridge’s (2003) surrogate representation, Salkin’s (2021) conscripted informal representatives or Hayat’s (2022) unrepresentative claims. These authors present individuals or groups who normally are not able to select their representatives with the possibility of either speaking up for oneself (unrepresentative claim), assigning the role of representative to an individual (conscripted informal representative) or non-electoral representatives emulating electoral representative’s strategy of surrogate representation (formal representatives who are typically not seen as being able to speak for a specific community taking on the task of representing said group).

The founding figure of the constructivist turn, Michael Saward, introduces another approach to the question of non-electoral political representation. In his book *The Representative Claim* (2010), Saward introduces the concept of claim-making: “makers of claims are trying to achieve acceptance and other effects through the conceptions of subject and object that they construct” (p. 48). The general idea here involves the notion that an individual (or collective, e.g. a political party) speaks and acts for another (i.e. a constituency). This individual or collective agent then generates a claim (e.g. a member of working class movement stating that he or she represents the interest of the working class) which in turn is received by an audience (with the right to accept, reject or ignore the claim). Taking this notion of the representative claim – as a constant process of “receiving, accepting and rejecting claims” (p. 36) – opens up the discussion on expanding political representation beyond electoral representation. Within the context of social protest movements Saward’s concept of claim-making can aid informal

representatives (be it spokespersons, protestors or initiators/organizers) to lobby the interests of the movement to the political apparatus and mobilize society as a whole.

To identify the possible effect of protest practices on non-electoral representation it is imperative to look at Saward's (2009) article *Representation and the Unelected*. With the intention of expanding our understanding of political representation, Saward puts forth the argument to go beyond electoral representation so as to enhance representative practices of excluded and marginalized groups. While he acknowledges the importance of electoral institutions, Saward contends that they "leave open the possibility for non-elective representative claims that can call on criteria of democratic" (Saward 2009, p. 2). By shifting the focus to representative claims made by non-electoral individuals (which may or may not be accepted by an audience or constituency), the author assists scholarly debate in deepening the range of political representation and "the types of justification they invoke" (Saward 2009, p. 9). Recognizing the fact that our modern-day political reality posits representation as an ongoing and dynamic process with audiences/constituencies who are "fluid, functional and cultural, permanent or temporary, within or across borders" (Saward 2009, p. 22), further advances the argument of including protest practices into the repertoire of phenomena which are able to influence political representation. Saward's types of non-representative claims (deeper roots; expertise and special credentials; wider interests and new voices) are valuable tools in the investigation of the relationship between non-electoral representatives and protest audiences.

This framework enables people partaking in social protest movements to evaluate a representative claim made by an informal, non-electoral representative and aids their decision in relation to (1) recognizing themselves as audience of that particular claim and (2) accepting or rejecting the representative claim(s) put forward by an informal representative. The dynamic between non-electoral representatives and protest audiences involves a range of representative claims and justifications – thus going beyond standard practices of electoral representation. Providing a catalogue of types of non-electoral representative claims opens up the possibility of analyzing the performance of representation (which is especially important within the protest movement context). By grouping claims into three categories (deeper roots representative claims; expertise and special credentials claims; and wider interests and new voices claims) Saward offers us a device for portraying a nuanced view on non-electoral representation. Going back to protest practices in social movements, this approach enables a comprehensive view on informal representative practices and how actions and claims of both audiences/constituencies as well as people acting as non-electoral representatives can influence representation (i.e. some actions or claims are clearly identified as protest or representation, but by and large protest and representative practices influence each other).

An additional factor which needs to be taken into account when examining the expansion of representation practices is the re-claiming of public space via protest movements and the corresponding mobilization of non-electoral representatives. Kuyper's (2016) work on analyzing non-electoral

representation within the framework of deliberative democracy proposes that informal representatives need to be examined by the position they inhabit within a democratic system. Distinguishing between representatives in the public space (i.e. arena where anyone part of the community can participate in deliberation – potentially affecting decision-making of actors in empowered sphere) and the empowered space (i.e. collective decision-making: capability of writing rules and shaping public discussion), Kuyper (2016) states that the tasks and legitimacy of informal representatives depend on the democratic sphere they find themselves in. The author asserts that representatives who reside in the public space can “speak on behalf of their constituency in ways that are not strictly deliberative yet still promote democratization” (p. 315).

This categorization of space is applied to countries which work within the liberal-democratic governance model, where citizens are able to inform themselves on political and societal matters and possess the freedom, rights and encouragement to gather in public spaces to deliberate these issues. If the citizens are frustrated with the political institutions or representatives then they have the option to peacefully address their concerns and advocate for their opinions (whether it be through protest practices such as marches, sit-ins, blockades or petitioning formal political representatives by inviting them to open-discussions with members of civil society). However, in repressive/authoritarian political systems, which engage in democratic regression, this distinction between the empowered vs. public space takes a different form. Civilians’ resistance to their respective regime’s curtailing of democratic freedoms and rights is often met by ignorance or suppression and categorized as disobedience.

Within this context, the decision-making power of the empowered space cannot be influenced by peaceful civil society organizations, discussions or civil protests. At the same time, Kuyper’s notion of the public space, where civil society can participate in deliberation (thus potentially affecting decision-making of actors in empowered sphere), is only possible within the frame of liberal democracies – civilians in repressive, hybrid or totalitarian regimes typically do not have the chance (nor the space) to get together and take part in deliberative processes. In reality, these people are being discouraged from developing a political consciousness due to the repressive government’s fear that the citizenry’s engagement in political and social discussions (and realization that liberal democratic governance models are more favorable) would lead to resistance to the hybrid or authoritarian mode (in form of protest movements with civil and/or uncivil disobedient acts).

While Kuyper’s definition of the empowered vs. the public space certainly can be applied in liberal-democratic systems, the meaning of these concepts can manifest differently in hybrid or authoritarian regimes. For example, the actors in the empowered space – which take part in collective decision-making and have the capability of writing rules and shaping public discussion – often belong to an elite of representatives who do not take into consideration their constituents needs and only produce policies which serve their own interests (to keep the rest of society from changing the system). They do not

encourage or shape public discussion because they actively suppress the formation of political (and social) discussions by the citizenry, which renders the concept of the public space meaningless.

Due to ignorance and suppression by their formal representatives, people feel like they have no alternative than to engage in democratic norm-transgressions and protests to make their voices heard. When analyzing the impact of resistance (in the form of disobedience) to democratic regression (i.e. how disobedience affects representation) it is imperative to keep in mind that the analytical concepts of empowered and public space have different meanings in liberal democracies vis-à-vis hybrid or repressive regimes. In hybrid, repressive or authoritarian regimes the population's utilization of the public space is accompanied by the classification of any actions or deliberations in promoting democratic ideas and values (while shining light on their government's repressive mechanisms) as actions of disobedience.

The dynamic environment of protest movements (e.g. the ability to organize and adapt the structure, aims and methods of the movement to the situation and the protestors needs) provides a powerful space for informal representatives to gather political influence (even outside the empowered space). Non-electoral representatives can be as powerful as their electoral counterparts due to the impact they have on civil society. When informal representatives, who are accepted by their audience or constituency (in our case: members/activists of a social movement), manage to mobilize support from civil society (either by joining the movement or by sympathizing with them) they are able to influence the empowered space (along with the public space). Recognized informal representatives (note: whether it be by their audience/constituency and/or actors from the empowered space) can lobby formal representatives for their cause or they can transition into the empowered space by running for office.

Social protest movements – regardless of their protest practices – almost always manage to re-claim the public space, often mobilizing a large segment of civil society (whether they take part in protest activities, aid protestors who experience police brutality or finance the movement). Whenever a mass movement gathers enough force and attention within the public space, non-electoral representatives can effectively transition (and influence decisions) into the empowered space. An example of how disobedience can affect representation with regard to the dynamic between informal representatives and protest audiences (and how they are able to challenge traditional representative practices) is the triumph of umbrella soldiers and pro-democracy activists during the 2016 and 2019 elections in Hong Kong. The broad civil society support for (perceived) central representative figures of the Umbrella Movement manifested itself in the results of the 2016 District Council Elections and the 2019 Legislative Council Elections when several umbrella soldiers gained seats – particularly in the 2016 elections, when Nathan Law (one of the key informal representatives of the movement) was voted into office (see Hansen-Edwards 2018, p. 16). The transition of protest movements' informal representatives to the empowered space (where they can actively shape the decision-making process) is not the only impact disobedient resistance has on representation.

To gain a more systemic understanding on the effects of disobedience on representation one has to include the citizenry's perspective into the analysis. This can be achieved by including people who actively partake in resistance movements, people who support or empathize with protestors or people who silently aid participants (either by providing medical or financial aid) and how they are represented. While a majority of social (protest) movements use speech (e.g. rallies in front of government buildings, chanting slogans demanding more freedom and rights, participating in public discussions and protest gatherings) and (civil and/or uncivil) acts of disobedience to mobilize civil society to their cause with informal representatives then justifying this verbal and physical resistance to the respective formal representatives (attempting to lobby the interest and concerns of citizens to the political apparatus), there is also a significant silent segment of civil society which is often neglected in their need for representation.

One does not have to actively take part in protest movements to demand more inclusive and egalitarian representation. In her article *Representing Silence In Politics*, Monica Brito Vieira (2020) expands the discussion on representation by focusing on the question of how representation can empower citizens from their silent positions. Challenging the leading position that silence is seen as a marker of political absence, Brito Vieira proposes a "more distinctive way in which silence can act as a mode of representation: where it refuses to act like speech, and explicitly departs from claim-centered modes of representation" (p. 984), thereby illustrating how a systemic understanding of representation could work. Citizens can be represented (or represent themselves) and can showcase their approval or dissent for political agents with and without speech.

Going back to resistance to democratic regression in hybrid, repressive and authoritarian regimes, we can observe how individuals utilize verbal and non-verbal cues to participate in representation and dissent. While most protest movements gain attention by using verbal speech acts (such as shouting their demands for more democratic freedoms and rights, chanting protest slogans, having public discussions and rallies etc.) and actively engaging in forms of (civil and/or) uncivil disobedience, citizens also have the option to use silent means to express their opinions and criticisms. As Brito Vieira (2020, p. 978) points out, "silence opens up to alternative forms of democratic engagement that have productively disruptive potential precisely because they are not like speech", thus providing alternative opportunities for individuals to have a voice in the representative process (who otherwise would not have taken part in the official, electoral process or who do not want to visibly take part in resistance in form of open protest).

Taking the example of the most recent protest movement in Hong Kong (2019), the importance of having the choice to participate in representation and resistance with and without speech becomes clear. During the 2019 Pro-Democracy Movement, a significant portion of the city's inhabitants (mainly the younger generation – university students) were seen on the frontline taking action and voicing their concerns (participating in government sit-ins, marches, rallies, occupying government and public

buildings, resisting police brutality), thus being actively and verbally part of the representation and resistance process. At the same time, the brutal suppression of the people's fight for democracy by government officials and formal political representatives, activists bravery (standing up to police forces using tear gas and rubber bullets to disperse the protests) and unwavering attitude of taking to the streets to make their voices heard (despite tough conditions) has inspired a more silent part of civil society to express themselves (see Ma & Cheng 2019).

The movement gradually gathered a support network of business-men, parents, doctors, grandparents and other civil society members who are 'silent' (i.e. do not take part actively in disobedient acts of resistance or voice their concerns publicly) but also express their need for more democratic representation by supporting the movement silently (e.g. providing medical aid, using their contacts to provide protestors who do not have a place to sleep, financially supporting the movement, cooking meals for activists, provide protestors with supplies such as masks, helmets, goggles, gloves). Furthermore, the movement's masking and "be like water" tactic allows people who are usually excluded from the representation process to take part in resistance without having to fear legal, political or social consequences (people who would otherwise not have participated in visible, public protest were given a voice in the representative process).

In a similar vein, after the 2014 Umbrella protests for universal suffrage and the right to elect Hong Kong's highest political office directly, some of the protesters were running for office in 2016 despite their track record of participating in protests and advocating for more independence and democracy. Although some of these umbrella soldiers managed to gain seats, their history as activists – and correspondingly their advocacy for self-determination and democracy – as well as their refusal to swear allegiance to "the Hong Kong Special Administrative Region of the People's Republic of China" during the oath-taking of the new legislative council led formal political representatives to resent (and reject) them. This small act of defiance, manifested in the umbrella soldiers "professed allegiance to the 'Hong Kong nation'" and "giving their oaths in English" referring to the "People's Refucking of Chee-na", resulted in their oaths not being accepted and the loss of their seats on the council (see Summers 2021a, p. 93). These examples illustrate how individuals can participate in representation and (disobedient) resistance with and without speech.

Whether it be via classifications of informal representative claims or through positioning oneself within the public and empowered space – academic discussions on (in)formal representation are in need of more nuanced positions, focusing on incorporating citizens (or protestors) perspectives. The systemic understanding of representation allows for a broader and more nuanced understanding of the representative aspect of protests in practice (going beyond the liberal-democratic paradigm, allowing us to analyze representation in hybrid, repressive or totalitarian countries). This can be achieved by including what Saward (2014) calls "systemic-societal" views into our analysis. By defining representation as something that "occurs across society, including in governmental bodies but also for

example in interest groups, social movements, and businesses” (Saward 2014, p. 732) and focusing on informal representatives, who are “often located outside the state, often nonelective or informally or partially elective though still based on claim-making and reception” (Saward 2014, p. 732), theorists are able to put a spotlight on non-traditional modes of representation and are able to include and understand the citizenry’s perspective.

From Civil to Uncivil Disobedience: Disobedience As Representation

The global waves of social protest movements in the 2010s have sparked a public as well as academic debate on protest practices of civil and uncivil disobedience. The movements techniques to make their concerns and issues visible to political representatives have initiated an intense debate on the engagement of civilians in democratic norm-transgressions in resistance to hybrid or repressive regimes’ endeavors at democratic regression. Contemporary theoretical debates on the definition and justification of civil disobedience (CD) generally employ Rawls (1999) “standard” definition as starting point. Here, the use of CD is warranted in “near-just” societies, with disobedience being “a public, nonviolent, conscientious yet political act contrary to law usually done with the aim of bringing about a change in the law or policies of the government” (p. 320). The key idea revolves around the notion that people engaging in civil dissent should do so (1) publicly (disobedience is “engaged in openly with fair notice, it is not covert or secretive”, Rawls 1999 p. 321), (2) without the use of violence and (3) bearing in mind that taking part in CD protest practices involves being accountable to the law. But what is a near-just society? Do democratic societies have space for any kind of protest practice? What about repressive, hybrid or authoritarian regimes? With this conceptualization of CD serving as the starting point for intellectual debates, we face a wide range of definitions of what exactly civil acts of disobedience include.

The proponents of civil disobedience usually argue that the practice of violent forms of disobedience (commonly referred to as uncivil disobedience, often without a shared concise definition of what the term refers to) is almost never justified in a near-just and legitimate society – the justification of uncivil acts of disobedience is granted only in illiberal or undemocratic regimes. Scholars such as Scheuerman (2022, p. 994), in defense of civil disobedience, put forward the argument of normatively defining and distinguishing between the preferable “civic-minded, open or public, nonviolent lawbreaking” of CD and the “offensive, covert, legally evasive, and violent lawbreaking” of uncivil disobedience (UD). By centering the discussion on the liberal paradigm of ‘near-just’ societies theorists neglect to take into account the complex reality of the use of disobedience. The complexity of civil disobedience within liberal theory and within hybrid, repressive or totalitarian contexts ought to be seen as a “genuinely political and democratic practice of contestation” (Celikates 2016, p. 43).

The question of whether CD is adequate arises in near-just and repressive societies alike, thus showcasing how the Rawlsian discourse on the “purely symbolic” and “essentially non-violent” character of civil disobedience reduces this mode of resistance to a “purely moral appeal”. In reality,

citizens taking part in violent and/or non-violent forms of disobedience (both in liberal and repressive societies) will include some form of real confrontation – whether it be marches, government sit-ins and occupations of public buildings or property damage, rioting, hacktivism and sabotage (see Celikates 2016, pp. 41-43). By employing (both civil and/or) uncivil disobedience as protest practices, citizens, activists and minority groups re-claim the public space and manage to mobilize different segments of civil society (which otherwise probably would not have engaged with a certain topic/issue) – acquiring the capability to affect electoral actors in the empowered space in the process.

Movements adhering to the playbook of Rawls standard notion of civil disobedience (i.e. following basic norms of civility: publicity, non-violence and non-evasion) are usually analyzed and placed within political frameworks of democratic rule of law. In reality, the majority of protests (and disobedience) across the globe take place in authoritarian, illiberal or hybrid regimes where the right to protest is met with suppression and/or police violence. As Celikates (2016, p. 41) correctly points out

this episodic, informal, and extra-institutional or anti-institutional form of political action also allows citizens (and even those who are excluded from this status) to protest and participate, when—as is often the case in representative democracies—the official and regular institutional channels of action and communication are closed to them or are ineffective in getting their objections across.

In cases such as Hong Kong, where civil society is confronted with an erosion of democratic rights and freedoms as well as suppression of any pro-democracy sentiments, protest movements oftentimes see no alternative than to resort to uncivil acts of disobedience. The most vocal proponent of justifying uncivil disobedience is Candice Delmas. Viewing the theoretical debate around disobedience following Rawls civility-focused definition as too narrow to understand “the boundaries of acceptable protest” (Delmas 2020b, p.19), Delmas proposes that the duty to resist injustice can be achieved by civil and uncivil disobedience alike. Uncivil practices – such as violent strikes, guerrilla street art, ecosabotage, black bloc tactics, and vigilantism – which go beyond the basic norms of civility by “being either: covert/anonymous, evasive, violent, or offensive/disrespectful” (Delmas 2020b, p. 19) may be justified as an acceptable means of protest. Taking into account this alternative form of disobedience helps us to understand the complex realities of people’s frustrations with formal political representatives and the limitations of civic-minded dissent.

The more dynamic environment in protest movements (ability to organize and adapt protest practices to the situation and the protestors needs) allows theorists to consider the (often neglected) citizenry’s perspective. Since social movements go through different phases of dissent and negotiation (or lack thereof) with formal representatives, the activists are able to assess the cause of action and the consequences of taking action according to the situation they find themselves in. However, most of the time protestors do not have the time (or capacity) to sit back, meet up and discuss the ‘right way’ to disobey nor to think through the potential consequences of their actions. The duty of agents engaging in

CD – Rawls’ pillar of non-violence (i.e. no bodily harm to any individual) – are presented in UD literature in line with the argument that the duty of preventing any harm to individuals cannot always be adhered to within uncivil acts of disobedience since “the interest of all agents in being able to resist severe injustice” (Bryan 2023, p. 13) takes precedence.

Individuals participating in UD are predominantly aware that to enhance their goals they probably have to engage in violent forms of norm-transgressions (even if they are in fact protesting against the government’s democratic regression and norm-transgressions). In the Rawlsian-inspired discourse on civil disobedience, this aspect of violence (vs. the aspect of non-violence in the Rawlsian definition) is often utilized to distinguish between the concepts of civil and uncivil disobedience, in consequence advocating for CD due to its non-violent character. However, this theoretical debate on the defining qualities of civil versus uncivil disobedience obscures the fact that even liberal democratic societies do not operate under the conditions of a ‘near-just’ society. The need for a more fluid and dynamic conceptualization of disobedience arises.

In repressive or hybrid regimes, protestors are faced with dire conditions – e.g. people being severely punished for actions which in liberal democratic systems are no big deal (e.g. protesting) – consequently having a different set of options of resistance (in contrast to their counterparts in liberal democratic systems) at their disposal. The way civilians chose to participate in any form of disobedience has to be situated within the governance model the people find themselves in. How people react to political representatives or government members curtailing democratic freedoms and rights depends on the degree to which they are able to participate in the representative process. When citizenries are faced with democratic regressions and are not able to articulate their opinions and concerns (both in liberal-democratic and hybrid/repressive societies), their appeals to their formal political representatives go unheard or are suppressed, then alternative forms of making their dissent present are being sought out. Here the transformative (and democratizing) potential of uncivil disobedience comes in. As Celikates (2016, p. 40) indicates

[i]n this context protest often aims at initiating and reopening democratic deliberation, especially when citizens are faced with failures of government to debate or enact important policy options, where the discussion or enactment of those options is obstructed by the phenomenon of deliberative inertia.

Thus, one can understand if participants of social movements partaking in some form of uncivil disobedience (often being aware and trying to minimize physically harming other persons) want to avoid legal repercussions of actions which they deem are going to help restore a democratic system. A recent study on the perceived outcomes and willingness to retreat among participants of Hong Kong’s Umbrella Movement suggests that participants in protest movements are not significantly affected by negative outcomes: “participants were driven more by the perceived chances of success than by the perceived chances of negative consequences”. Furthermore, the study showcases how individuals participating in

CD/UD movements do not “rule out rational calculations and strategic thinking”, acknowledging the complex reality of organizing and conducting such mass movements (frequently lacking formal representatives who can defend or explain the movements’ course of action) (see Ma & Cheng 2019, pp. 119-121).

The resistance to democratic regressions manifests itself not only in individuals’ active involvement in (uncivil) protests, but also in using disobedience as representation. Since government officials and formal political representatives within hybrid, repressive or totalitarian systems most of the time do not react positively to protestors demanding more democratic rights and freedoms, activists use their disobedience as representing themselves (apart from official political institutions and parties). The dynamic nature of protests, the wide range of participants as well as the use of more controversial disobedience tactics often captures international attention. As in the case of Hong Kong, protest movements – by representing themselves and engaging in disobedience – are able to gather support outside of the state. Take for example the activists and informal representatives of the 2014 and 2019 pro-democratic movements in Hong Kong, which managed to effectively lobby political representatives in the United States and in Britain.

Tang (1997, pp. 424-426) points out how the transition from British rule to the creation of an autonomous Special Administrative Region under Chinese sovereignty affected the American support of an independent development of the region and Beijing’s rejection of British and American democratization policies. Combating Mainland China’s aggressive mainlandization policy, the U.S. government supported Hong Kong’s inhabitants who resist Chinese interference and plead for a democratic and sovereign city. After the outbreak of the Pro-Democracy protests in 2019 the United States passed the so-called *Hong Kong Human Rights and Democracy Act*, “linking Hong Kong’s special trade status to an annual State Department review that would assess its continued autonomy” (Carrai et al., 2022, pp. 216 – 217). This policy aimed to support the Pro-Democracy Movement and strengthen the local resistance to Chinese oppression. The political regime in Beijing disregarded the American support of the protesters and announced in 2020 that the proposal to establish new national security laws in Hong Kong would be reviewed, eventually passing the law.

The announcement of the proposed adoption of the security laws for Hong Kong prompted the American government to end the SAR’s special status under U.S. law. This temporary setback however did not lead to a decrease in American interest in Hong Kong’s political landscape, as the U.S. government continued to voice their support for the SAR and deployed sanctions against key personnel involved in the adoption of the National Security Law (see Eichensehr 2021, pp. 131-138). In a similar vein, the former colonial patron of Hong Kong – the United Kingdom – continues to support the protestors. Summers (2016) points out how the role of the British government declined initially after the handover to China, but that the 2014 Occupy Movement “brought the city’s politics back to international attention in a way not seen since 1997” (p. 2) and therefore an involvement of the U.K. in Hong Kong’s

politics. Britain chose to support HKSAR in demanding that the “rights and freedoms enshrined in the Basic Law and Joint Declaration [i.e., Sino-British Joint Declaration: framework under which the handover of Hong Kong was agreed] to be respected” (Summers 2016, p. 13).

The British government furthermore reinforced its support in 2019 as Hong Kong experienced another wave of (uncivil) protests. Initially, U.K. officials responded by expressing “public concern about these proposals, particularly over the potential impact on the business community, academics and journalists, implications for the existing extradition arrangement between the UK and Hong Kong” (Summers 2021b, p. 277), followed by continued opposition to the proposed reform. British support of an independent and democratic Hong Kong is a decisive factor in empowering the local population’s struggle for a sovereign SAR outside the repressive hands of Mainland China. This example illustrates how disobedience can act as and influence representation, providing the theoretical debate with a more systemic approach going beyond the liberal-democratic paradigm. Under repressive and authoritarian conditions we need to adopt a more systemic understanding of representation and the way disobedience affects this process (see Kuyper 2016, Saward 2014).

The participation in actions of civil and uncivil disobedience within the public space has the potential to affect (formal and informal) representatives. While some social movements rely on one or more individuals to be the face (and main representative) of the movement’s objectives, contemporary protest movements increasingly remain leaderless. Through the dynamic and fluid nature of protest movements, activists are provided with the ability to switch between civil and uncivil disobedience to enhance their goals. The more attention the movement gathers, the need for some sort of representation arises. Being neglected (and sometimes rejected) by formal political representatives, protest movements seek alternative modes of representation to further their objectives.

The concept of informal, non-electoral representation seems to prove a viable option within this context. The question arises how an individual is selected or conscripted into the role of informal representative within the protest context? Are social movements’ non-electoral representatives in repressive or totalitarian regimes different from their counterparts in more democratic systems? If a movement has no other alternative than to engage in UD – how can an informal representative justify these actions to formal representatives or parts of society who do not understand why this course of action had to be taken? Two crucial observations have to be put forward here.

First, we have to stop evaluating protest movements from a rigid, linear timeline where we only examine the cause of the protests, the aims the movement claimed to fulfill by engaging in CD/UD and the moment protests were ‘crushed’ by the police or a repressive government. A social movement did not automatically ‘fail’ if it was terminated prematurely or if certain goals were not achieved within a specific time frame. The timeline of protest movements ought to be investigated with regard to systemic effects. For example, formal or informal representatives can be influenced by a specific form of protest (either civil or uncivil disobedience, or other approaches). As mentioned previously, the use of CD as

well as UD during recent Hong Kong protests has motivated informal representatives of the Umbrella Movement to run for office in district and council elections, thus offering frustrated citizens the opportunity to participate in the representative process and to select electoral representatives who know their concerns, take them seriously and who have been on the frontline with them. When analyzing the effects of disobedience on the relationship between representatives and their audiences, it is imperative to study the various dimensions of the protest timeline so as to allow the full range of perspectives, motivations, consequences and outcomes at different stages of the protest to come to light. Only then is it possible to not only analyze the effects of CD/UD on representatives, but also the notion that in some contexts, disobedient acts represent something on their own. This can contribute to the justifiability of disobedient actions.

Second, the concept of accountability, which is prevalent in most representation and civil disobedience theory, needs to be re-worked in the context of uncivil disobedience. Since the majority of social movements are leaderless, they have to rely on informal representatives to represent their ideas and beliefs and to justify their course of action. According to Salkin (2021, p. 429), individuals who end up acting as informal representatives can do so willingly (voluntary representatives) or they can be pushed into this position “over their own protests (unwilling representatives) or even without their knowledge (unwitting representatives)”. Without a political party, institution or electoral process to ‘validate’ their claims, informal representatives within social movements can face considerable hardships when taking on their role. With regard to accountability, this manifests in the need for so-called second-best forms. Rubenstein (2007) argues that these “surrogate” representatives can provide protest audiences with benefits associated with standard accountability (usually applicable to formally elected representatives) when they engage in efforts to “negotiate standards, gather information, and/or sanction power wielders on accountability holders’ behalf” (p. 631).

Due to the high intensity of emotions displayed by informal representatives and individuals partaking in social protest movements, it is also necessary to include an affective dimension when talking about accountability. As informal representatives of protest movements are more often than not active participants in disobedient action, they share an affective bond with their audience (making their representative claims more feasible). If participants and empathizers of a movement feel like their “lived experiences, feelings and struggles” (Knops 2023, p. 14) are recognized, understood and at the center of the claims made by an informal representative, they are more willing to endorse an individual’s representative practice and are more likely to believe that this person is able to hold formal political actors accountable. By considering these factors in one’s analysis, one can “overcome the tension that is often pitched in representation theory between the rejection of representation and its non-electoral practice” (Knops 2023, p. 14).

While the academic discourse is locked in a dispute around the normative aspects of utilizing civil or uncivil disobedience, in practice people participating in protest movements are able to assess their

situation continuously and adapt their approach accordingly throughout the protest timeline (not just before or after the protest or before or after the dissolution of a protest). As Ma & Cheng (2019, p. 118) point out “people pay constant attention to the dynamics of the movement, the responses of power holders, media coverage, and reactions from the public and then adjust their evaluations of the likelihood of various outcomes”. The dynamic and fluid nature of protest movements provides participants with the ability to switch between civil and uncivil disobedience to advance their objectives. Informal representatives are then able to justify the use of uncivil protest practices by arguing that the appropriate methods are applied according to the situation at hand.

One aspect which is often emphasized by theorists defending CD (and arguing against UD) is the use of violence during protests. Pro-democracy protestors advocating for a restoration (or implementation) of democratic elements should heed the examples set forth by pioneering figures such as Ghandi or Marthin Luther King and pursue civil contestation tactics, accentuating the fact that it is “their oppressors who were uncivil and inhumane” (Scheurman 2022, p. 985). Surely, civic-minded and peaceful resistance is a more rational option for social movements to alert the formal political apparatus of their concerns and issues – most frequently these movements start out by employing CD strategies for their cause, but due to either ignorance, neglect or attempted termination of their (public, non-evasive and non-violent) protest these groups feel as though there are no other alternatives than to resort to UD.

Defenders of the value of uncivil disobedience propose a more nuanced approach to disobedience (namely the inclusion of uncivil forms in addition to CD), and while they advocate the use of certain forms of violence most of them condone intentional bodily harm to people. This can be seen in Delmas’ (2018) argument in defense of UD: protestors have to “act with respect for other people’s interests, including, but not limited to, their basic interests in life and bodily integrity”, in consequence opening up for justifiable forms of violent disobedience “[o]ne may respect people’s basic interests uncivilly, in an offensive tone, using vulgarity and humor, and even rage. Incivility does not necessarily violate people’s basic interests [i.e. bodily integrity]” (pp. 49-50). A crucial debate between theorists on both sides centers on the way uncivil disobedience is carried out and how it is perceived. In protest conditions (in hybrid or repressive systems) participants generally employ a number of uncivil disobedient actions to illustrate the urgency of their situation: from spraying walls with graffiti, plastering shops and other public buildings with posters, hacking into government databases, vandalizing public sculptures or monuments to damaging government buildings.

Scholars such as Scheurman (2021a), propose a distinction between politically motivated property damage and violence against persons. The author observes that property damage is seen as “off limits” by proponents of civil disobedience, thus placing this particular disobedient act in the realm of uncivil disobedience. As recent protest movements seem to have disregarded the practice of civil disobedience and have started to “appear willing to sacrifice strict ideas about nonviolence” (Scheurman 2021a), p. 90), theorists have felt the need to discuss the implications of violence (whether it be property damage

or bodily harming other human beings). Emphasizing the diverse intentions, techniques and strategies of protestors engaging in politically motivated property damage during protest movements, Scheuerman (2021a) acknowledges that “some property damage may result in tangible damage to and unwanted systematic violation of human bodies and psyches, but some will not” (p. 93).

As long as human lives are prioritized (keeping in mind that the destruction of shops can lead to dire consequences to the people working there and that violence against other human beings ought to be prevented) – so the argument goes – protestors are justified in partaking in property damage. While Scheuerman’s argument is a valuable contribution to the theoretical discussion of the use of disobedient acts during protest movements, the complex reality (and rising emotions) which participants face do not always allow groups to take a step back and debate about the consequences of their chosen actions. Of course, the various groups within social movements do coordinate and elaborate on the actions they plan to take, but in some cases there simply might not be the time or space to review the types of disobedient acts at their disposal.

A crucial factor which might not be discussed within this light is the fact that protestors engaging in UD (being covert, evasive, anonymous, violent and/or deliberately offensive) primarily do so only when they experience violent suppression of their protest. While Scheuerman’s theory might hold in western liberal-democratic societies, citizens in repressive, illiberal, hybrid or totalitarian regimes are often faced with some sort of police or state brutality when participating in protests (whether they are civil or uncivil to begin with). The debate around bodily harm rarely seems to extend to the individuals protesting on the front line. Activists who engage in acts of UD also risk their own body and are subjected to violence.

Police brutality is not really delved into when talking about protest movements and the use of CD/UD, although this can be an important factor that motivates people to join the protestors. For example, the use of tear gas and rubber bullets by police officers in full riot gear against activists of the Anti-Extradition Movement (2019) in Hong Kong embodied the use of violence by an institution that ought to protect citizens from violence. This severe case of violence served as a motivation for individuals from all segments of society to join the protests, reinforcing activists belief that by engaging in (UD) protest actions they are doing the right thing. As Summers (2021a, p 131) points out

[m]any [people] in Hong Kong were protesting in response to the use of force by the police on 12 June, including their efforts to disperse the entire crowd of protesters and not just the frontline radicals, and their labelling of the attempts to break into the legislative council (LegCo) as a “riot”. The policing of protests was to become the main driver for many of the subsequent demonstrations, and on 21 June, protestors effectively besieged the police headquarters for a whole day, with the police waiting passively for the crowds to disperse.

The concept of employing uncivil disobedience in social protest movements – especially within repressive, authoritarian regimes – linked to the relationship between (informal) representatives and their audience allows us to expand on traditional conceptualizations of political representation (going

beyond electoral representation). While there is no complete rulebook or scheme of resistance for social movements to follow, theorists can support citizens (as well as political decision-makers) in understanding the complex reality that any form of resistance or disobedience occurs in. It is crucial for citizens who are putting their own bodies in harm by engaging in civil or uncivil forms of resistance to know that some sort of “democratic norm-transgressions may be needed and permissible in order for them to achieve their primary aims” (Wolkenstein 2023, p. 86). The movement’s non-electoral representatives are able to mobilize parts of civil society to their cause (either by empathizing with, supporting or joining the resistance) and are capable to justify the employment of certain (civil and/or uncivil) disobedient acts to formal political actors as well as civil society as a whole. Most importantly, we properly engage in discussions on protestors in hybrid, repressive, and totalitarian regimes, who (through lack of substantial alternatives) engage in any form of disobedience to fight for democracy, by accepting the fact that “concrete strategic choices must always be made by flesh-and-blood citizens that possess local, situated knowledge about their regressing regime” (Wolkenstein 2023, p. 106).

Methodology

To address the research question, this thesis will focus on analyzing two significant social protest movements in Hong Kong: the Umbrella Movement (2014) and the Anti-Extradition Movement (2019). Hong Kong serves as a compelling case for investigating the impact of disobedience on political representation, offering insights beyond the liberal paradigm by illustrating the applicability of these concepts to hybrid/repressive regimes. In particular, the case of Hong Kong’s protest movements presents a unique context wherein activists employed uncivil contestation methods (justified by informal representatives) to draw formal representatives and political agents attention to the citizenry’s perspective. At first I want to provide a brief overview over the history of Hong Kong – starting from the colonialization of the territory by the British, the handover to Mainland China under the *one country two systems* principle in 1997 up to the gradual interference of Beijing in HKSAR’s legal and political matters. This historical contextualization is essential for understanding civilian’s uprising to their government and formal political representatives. By situating the protest movements within HKSAR’s complex history we can understand and shed light on the role played by foreign actors, such as the United Kingdom and the United States, in supporting activists participating in acts of disobedience.

The thesis will specifically focus on the Umbrella Movement (2014) and Anti-Extradition Movement (2019), as both were characterized by a largely leaderless structure, with informal representatives clarifying and justifying the strategic choice behind the movement’s disobedience campaigns to the wider public and activists engaging in civil and uncivil disobedience alike (depending on the success of each strategy). This approach is relevant as it examines resistance within a repressive and authoritarian regime, a perspective often neglected in representation and disobedience literature (which predominantly focuses on liberal democracies and peaceful protests). HKSAR’s protest movements strategically employed UD (note: the 2014 protest included mostly CD, occasionally engaging in UD as

well) as tools for resisting authoritarian rule of law, with informal representatives mobilizing large segments of civil society in the public space and advocating their cause to the decision-making formal representatives in the empowered space. The primary aim is to deepen the discussion by showing how (1) citizens in authoritarian regimes are in need of alternative approaches (to electoral representation) to make their perspective(s) heard and (2) how protest movements using a variety of disobedient actions, offering/creating space for the citizenry to articulate their concerns and demands, are a viable option for citizens to resist democratic regressions in hybrid/repressive regimes.

The majority of articles and case studies within protest and representation literature tend to focus on the governance mode of liberal democracy which rest on formal electoral representation. By building on the growing literature on informal representation (Hayat 2022, Mansbridge 2003, Salkin 2021, Saward 2010 and 2014), I aim to expand the traditional conceptions of representation by studying the dynamic between informal representatives and their audiences on a systemic level. By combining Saward's (2009 and 2014) and Kuyper's (2016) work on non-electoral representation with Delmas (2018) theory on uncivil disobedience, the theoretical framework allows a nuanced analysis of the dynamic between representatives and their audiences. The analysis investigates the influence of uncivil disobedience on the representative process, comparing it with instances of civil disobedience to assess their effectiveness. Through the inclusion of civil disobedience cases for comparison, the thesis seeks to clarify how uncivil disobedience, especially within hybrid/repressive regimes, can be effective in enhancing representation.

The framework extends the debate on the potential of protest practices (including CD/UD) for representation. The core arguments being (1) acts of (civil and/or) uncivil disobedience in the public space have the potential to affect (formal and informal) representatives, (2) the dynamic and fluid nature of protest movements provide activists with the ability to switch between civil and uncivil disobedience to enhance their goals and (3) the dynamic between non-electoral representatives and protest audiences expands representative practices beyond standard practices of electoral representation. With the intention of exploring the relation between representatives and audiences in protest movements, the paper will compare acts of civil disobedience during the Umbrella protests with the uncivil disobedience-oriented Pro-Democracy Movement. By directing attention to the re-claiming of public space via protests and the corresponding mobilization of non-electoral representatives I aim to present the inherent potential of expanding electoral representation practices.

The research question guiding the paper is *how does uncivil disobedience as a representative practice challenge traditional conceptions of representation?* The underlying argument shaping the thesis posits that participation in uncivil disobedience as protest practice expands traditional conceptualizations of representation. I define traditional conceptualizations as the form of electoral representation prevalent in western liberal-democratic representative systems (i.e. civilians participating in elections to select candidates who will “speak, advocate, symbolize, and act on the behalf of others in the political arena”

see *Stanford Encyclopedia of Philosophy*). Protest movements, which (deliberately) use a wide array of contestation methods (ranging from non-violent civil disobedience to more ‘extreme’ forms of uncivil resistance) serve as a key route to resist democratic regressions. These social movements purposefully utilize protests as a tool for resisting repressive and authoritarian rule of law. In their endeavors to “prevent a further subversion of democracy” protestors often have to take into account to “transgress democratic norms” (Wolkenstein 2023, p. 86) themselves so as to highlight the undemocratic conditions that their respective governments impose upon them. Connecting the theoretical framework (Saward, Kuyper and Delmas) to the most recent major political events in Hong Kong (Umbrella and Anti-Extradition Movement), the paper will map the degree to which social movements applying uncivil disobedience, along with non-electoral representatives mobilizing civil society, affect representation.

Linking the theoretical framework (Saward, Kuyper and Delmas) to key political events in Hong Kong (Umbrella and Anti-Extradition Movement), the thesis will study the extent to which social movements applying uncivil disobedience can mobilize non-electoral representatives to their favor. Due to the theoretical focus of the thesis the research design will be qualitative in nature, including a detailed within-case study design (comparing the diverse contexts and strategies of employing civil and uncivil disobedience during the 2014 and 2019 movements; see Powner 2015) by looking at activists’ disobedience actions during the 2014 and 2019 protest movements and how individuals (acting as informal representatives) explanation and justification of the protestors choice of engaging in disobedience campaigns reflects the citizenry’s need to have their perspective acknowledged and incorporated in the representation process.

In order to answer my research question I will employ a variety of datasets. First, the Basic Law (<https://www.basiclaw.gov.hk/en/basiclaw/index.html>) which constitutes the legal and political framework of Hong Kong SAR will be consulted to map out the framework under which formal representatives and civilians alike ought to operate. To examine the efficacy of the protest movements with regard to disobedience and representation I will employ ANTIELAB Research Data Archive’s datasets provided by *Hong Kong Free Press* to illustrate how the participants of the 2019 Pro-Democracy Movement effectively employed uncivil resistance to Hong Kong and Mainland China governments’ attempts of democratic regression. The data assists in demonstrating how the protestors democratic-norm transgressions have impacted members of the Hong Kong government (leading to a withdrawal of the contested extradition proposal), how violent police brutality to suppress the call for more democracy and egalitarian representation has prompted the movements’ more violent reactions along with the protestors use of UD to emphasize the undemocratic conditions they are faced with.

Furthermore, I aim to employ data provided by Hong Kong’s Electoral Affairs Commission (<https://www.eac.hk/en/>) to investigate (and compare) the effect civil and uncivil acts of disobedience had on formal political representatives (by looking at the voting patterns, successful candidates and voter turnouts during and after the 2014 and 2019 protests). The datasets will be utilized to study the impact

of informal representatives (who actively participated in the 2014 and 2019 protests– fighting for electoral freedom/universal suffrage, egalitarian/inclusive representation and democratic rights) on the empowered space. Finally, I intend to employ *Hong Kong Free Press*’ mobilization map to demonstrate how the 2019 Pro-Democracy Movement effectively mobilized a significant portion of civil society across various public spaces, amidst the controversial use of uncivil resistance.

To conduct a descriptive diverse within-case analysis (see Gerring 2016, Chapter 4), I aim to use pictures of the 2014 and 2019 protest movements’ uncivil resistance, protest posters, mobilization and protest statistic graphs (from ANTIELAB provided by *Hong Kong Free Press*); laws and elections procedures laid out in the Basic Law as well as election reports (from the Electoral Affairs Commission) – along with the theoretical framework described in the previous sections – to understand how the engagement in UD influences representative practices. By focusing on the local manifestations of contestation during Hong Kong’s social protest movements I aim to explore the effects of the dynamic relation between participants and informal spokespersons of the disobedience campaigns during the 2014 and 2019 protest movements and the transformative impact they had on how we interpret political representation. The Umbrella and Anti-Extradition protest movements are cases where there is (1) a significant relationship between informal representatives (who themselves are active and frontline members in protests and disobedience campaigns) and audiences (members and supporters of the protest movement); (2) where we can observe the degree(s) of efficacy of employing UD (in comparison to CD) within the context of hybrid/repressive regimes and (3) how these diverse disobedience strategies affect (and shape) political representation.

Using mobilization maps, protest posters and pictures of protestors occupying public spaces I aim to analyze how the dynamic and fluid nature of the protests together with the broad range of contestation practices led to a re-claiming of the public space corresponding with cross-societal mobilization. Furthermore, I aim to focus on student leaders Joshua Wong, Nathan Law and Alex Chow whose claims to represent the movements’ members and supporters are based on the wider interests of the movement and are rooted in them being active members of both the Umbrella and Anti-Extradition Movement. Drawing on the Basic Law and the Electoral Affairs Commission reports I seek to explore how the lobbying of these informal representatives to the wider Hong Kong society, formal representatives of HKSAR’s government and international actors such as the United Kingdom and the United States provides incentives for democratization and showcases how civilians’ participation in contestation practices can affect decision-making and the representation process.

In conclusion, this section aims to explain the chosen research design, offering a comprehensive outline on the analysis of the impact of (uncivil) disobedience on political representation in the context of social protest movements in Hong Kong. It brings together historical contextualization, theoretical framework and data to contribute to the understanding of representation practices in hybrid and repressive regimes.

Part 3: East Meets West – Unravelling Hong Kong’s Exceptional History

The municipality of Hong Kong, situated on China’s southern coast, developed under the experience of western *and* eastern social and political frameworks. Throughout its history (up until the present) Hong Kong has been described as “an important, unique interface between China and much of the rest of the world” (Summers 2021a, p. 2). Connected to Mainland China via land border in the northern part of the region and surrounded by the South China Sea, Hong Kong served as a link between the Mainland and the rest of the world. Caught up in the imperial ambitions and battle for trading rights between the Chinese Quing dynasty and the British Empire, the territory became “the most important place in China for more than 150 years [...] because it was not politically part of China” (Carroll 2007, p. 2). Serving as a colony of the United Kingdom from the mid-nineteenth century to the end of the twentieth century has shaped the region immensely – from the introduction of the English language as official language, the creation of schools and universities, the development of a new political and representative system, an increasingly heterogenous population and economic growth.

The astonishingly long era of British rule officially came to an end in 1997 with the so-called handover of the city to the People’s Republic of China (PRC) and the creation of the Special Administrative Region Hong Kong (HKSAR) (Fung 2003, p. 178). In correspondence, the *one country two systems* (OCTS) principle, asserting that the SAR “would be ruled independently of the PRC by its own constitution, the Basic Law” (Hansen-Edwards, 2018, p. 9), aimed to create order and stability (and soothe locals anxiety) in this transformative period. The time after the handover was envisioned as an era where Hong Kong could – for the first time in decades – be free from the influence of Britan and Mainland China and act autonomously in their legal and political affairs. However, the shadow of *one country two systems* rose quickly over HKSAR: Beijing’s government gradually started to meddle in the territory despite their initial promise of keeping OCTS for fifty years.

The growing interference of the PRC’s political actors into the Hong Kong’s political sovereignty has led to a strong desire for democracy within the local population. Embracing a distinctive Hong Kong identity – viewing themselves as “members of a special community, separate both from the colonial government and from their compatriots on the mainland” – and holding onto the opinion established during their colonial days that “life in Hong Kong was better than on the mainland” (Carroll 2007, p. 158) has led citizens to reject Beijing authorities, demanding the ability to choose their political representatives autonomously. Ensuing social protest movements fighting for universal suffrage, equal representation, democracy and autonomy have attracted the attention of the international community, leading to a scholarly debate on the significance of democracy and representation within this region, accompanied by the fight of major international actors (mainly China, the United States and the United Kingdom) for influence over Hong Kong. The following section will provide a brief overview of Hong Kong’s history with the aim to explain the context (leading up to the two major protest movements) which shaped the political landscape of the territory.

Navigating the Tides of Time: From Foreign Rule to Handover

When referring to Hong Kong, the first image that comes to mind is the area of Hong Kong Island (first part of the territory to be ceded to the British) with its manifold harbors and known in the pre-colonialization period for its fishing villages (the name Hong Kong means “Fragrant Harbour” in Chinese). The territory of Hong Kong covers three main parts in total: Hong Kong Island, Kowloon Peninsula and the New Territories, all of which were ceded to the British Empire in the mid-nineteenth century (see Carroll 2007, p. 1). Following the first Opium War (1839-1842) between the Chinese Qing Dynasty and the British Empire, the Treaty of Nanking (signed in August 1842) ceded Hong Kong Island to the British Empire in perpetuity.

Perceived in Chinese history as the first of many unequal treaties “forced on a weak China after military defeats by Western powers in the nineteenth century”, the accords containing Hong Kong’s fate prove to be of great consequence centuries later with the People’s Republic of China’s quest for reunifying Chinese territories (Carroll 2007, p. 16). The regions of Kowloon Peninsula and New Territories were equally leased to the British for ninety-nine years in 1860 and 1898 respectively. The extraordinary length of the British reign – from 1842 until 1997 – influenced Hong Kong greatly, illustrating how Hong Kongers developed differently to their Mainland counterparts despite their close proximity and influx of refugees from Mainland China. Not only did Hong Kong prosper economically under British influence transforming the city into a “wealthy commercial and entrepreneurial powerhouse”, but the colonial period brought about social and political change as well, including a fast growth in population, “public housing programmes, the provision of low-cost medical services, the reform of the police force, anti-corruption campaigns, and civic education” (Bolton 2000, pp. 268-269). Furthermore, English was instituted as the first official language of Hong Kong (continuing in this role up until present day) with Cantonese (second official language), Mandarin Chinese and Putonghua being the major spoken languages (see Hansen-Edwards 2019, p. 7 and Hong Kong Government Fact Sheet).

One of the most intriguing aspects of Hong Kong’s history concerns the creation and adaption of the municipality’s political and representation framework throughout the years. The colony’s constitution – codified in the Letters Patent 1843 – presented a new political structure where a governor (appointed by the British Crown) would administer the municipality along with help from “a lieutenant governor, a colonial secretary, an Executive Council [ExCo], and a Legislative Council [LegCo]”. Consisting of both official and non-official members (selected by the governor), the LegCo (legislative advisory body; government officials and governor-appointed unofficial members) and ExCo (governing advisory body appointed by governor; drawn from mainly British elite; limited accountability function) reflect the issue of political representation throughout Hong Kong’s history.

During the colonial period the territory experienced a variety of (attempted) political reforms and although “this basic constitutional framework saw minor modifications over the years, it experienced no significant changes until the early 1980s” (see Carroll 2007, p. 46). The reason behind Hong Kong’s limited form of representation and self-government lies in the colonial government’s belief that they ought to “avoid incurring the resentment of the European community by giving too much power to the Chinese elite” as well as the fact that “giving in to any European demands would encourage the Chinese to make similar requests (Carroll 2007, p. 50 and 67 respectively). Until the final decade of British rule, the fear of provoking China and Chinese influence in Hong Kong prevented the colonial administration from implementing local demand for democratization.

Even though Hong Kong’s development as a colony of the British Empire was characterized by positive and negative experiences, civilians felt that their system was (in every way) favorable to the system their counterparts in Mainland China had to endure. The looming deadline of 1997 – when the territory’s lease to the United Kingdom from China would expire – created an anxious atmosphere in both London and Hong Kong. Realizing that the PRC had no intention of allowing British rule to continue, the governments in London and Beijing set out to negotiate the transfer of rule (without the consultation of Hong Kong’s governor or the Hong Kong people). The city’s future political status was determined via the Sino-British negotiations and the Joint Declaration (signed 1984, ratified 1985). The Declaration provided conditions for the transition, specifically that (1) the whole territory of Hong Kong would revert to Chinese rule on July 1 1997, (2) Britain would administer the city until then and (3) would help maintain its economic prosperity and social stability with the PRC cooperating in this process, (4) HK would become a Special Administrative Region (SAR) with high level of autonomy (except in defense and foreign affairs), (5) HK’s social and economic system would remain unchanged, as would most of its laws, (6) HK government would retain control over trade policies and trading agreements, (7) the rights and freedoms of speech, assembly and religion would be preserved and 8) this *one country two systems* arrangement would last for fifty years after 1997 (until 2047) (see Carroll 2007, p. 181).

The handover of Hong Kong to the PRC in 1997 and the subsequent creation of HKSAR brought upon the end of the extensively long era of western influence in the region. Complemented by the creation of the *one country two systems* principle and the introduction of a new constitution (the Basic Law) the chief purpose of OCTS is to assert Hong Kong as a part of China (see Chen 2020, pp. 21-22 and Summers 2021a, p. 3). Whereas the period after the handover was intended to grant Hong Kong sovereignty over its political and legal landscape, the Mainland’s government progressively began to intervene in the SAR’s political matters.

The Battle for the Pearl of the Orient: Beijing's Race for Hong Kong

Since the handover in 1997 Beijing has continuously violated the promised autonomy of Hong Kong laid down in the *one country two systems* policy. The process of “mainlandization” (i.e. Mainland China’s efforts to integrate HKSAR into their political and legal system) has been the focus of academic discussion. The general principles – as codified in the Basic Law – state that Hong Kong SAR “exercise[s] a high degree of autonomy and enjoy[s] executive, legislative and independent judicial power, including that of final adjudication, in accordance with the provisions of this Law” (see Basic Law, Article 2) and shall “safeguard the rights and freedoms of the residents of the Hong Kong Special Administrative Region and of other persons in the Region in accordance with law” (see Basic Law, Article 4). As Chan, Nachman and Mok (2021, p. 3) correctly point out, the severe intervention of Beijing in the city’s policy matters deeply impacted the SAR’s political landscape and is perceived by the local population as a threat to the municipality’s autonomy (as codified in the Basic Law). Although Article 11 of the Basic Law promulgates the notion that the systems and policies practiced in HKSAR “shall be based on the provisions of this Law” (see Basic Law, Chapter I), the influence of Mainland China within Hong Kong’s Standing Committee of the National People’s Congress proves how decision-making regarding the SAR’S legal and political system is undermined. Carroll (2022, p. 1) describes the process of mainlandization as follows

[since 1997 but especially over the past few years] many Hong Kong people have become increasingly hostile toward the Chinese government and the mainland in general, identifying as Hong Kong people – Hongkongese or Hongkongers (Heunggongyahn) –rather than as Chinese. This form of self-identification had emerged much earlier. But it became even more widespread as Hong Kong became further integrated with mainland China.

During the colonial period, British officials usually replied to calls for more representation and democratization by the local population (European, Eurasian and Chinese) with the argument that “any democratic reforms would not be tolerated by China” in order to “justify Hong Kong’s lack of democratization” (Carroll 2007, p. 133). This fear of provoking China prevented substantial political reforms which would have introduced democratic elements to Hong Kong. White (2016, p. 53) explains how the “[c]onstitutional arrangements inherited from both the distant and recent past shape expectations of what Hong Kong’s regime type should be”. On the one hand, the British established some minor democratic impulses in their final decade of rule (indirect elections of parts of the Legislative Council) (see Carroll 2007, p. 182), with the local population enjoying protected freedoms and rights enshrined in the Basic Law. But on the other hand, the PRC’s leadership is frequently striving to formally integrate the SAR into the Mainland by “regulating Hong Kong’s cultural and political space through a variety of policies” (e.g. economic integration, promoting Cantonese language use, implementing national education curricula, embracing a Chinese identity etc.) (see Chan, Nachman & Mok 2021, pp. 4-5).

Following the executive-led system based on the British system of colonial governor, Hong Kong's political governance centers on the person of the Chief Executive (the head of government – including a comprehensive array of constitutional powers). The position of Chief Executive comes with a strong influence on the legislative process with the election into this prestigious office depending on the members of the China's National People's Congress Standing Committee (NPCSC) (see Jang 2015, p. 290). The Basic Law declares that HKSAR "shall be a local administrative region of the People's Republic of China, which shall enjoy a high degree of autonomy and come directly under the Central People's Government" (Basic Law, Article 12). Hong Kong's post-handover legislative system encompasses both territorial and functional representation. The functional representation system was established in 1985 with the purpose of expanding LegCo by twenty-four elected members (rising up to twenty-six in 1988) with half of the elected members being chosen by functional constituencies, the other half being selected by twelve electoral colleges (composed of members from the lower councils) (see Carroll 2007, p. 183).

The current system does not allow a direct election of legislators and the chief executive: "[h]alf of the 60 legislators are chosen by voters from geographical constituencies, and the other half are elected out of functional constituencies of various sizes" (see Zhang 2011, p. 644). Even though Hong Kong's rule of law is supposed to enjoy a high degree of autonomy, Beijing officials maintain their hold on policies produced by the Hong Kong government by appointing pro-Beijing members in the NPCSC. The National People's Congress Standing Committee is one of the pivotal actors within Hong Kong's political system, based on its depiction in the Basic Law (see Basic Law, Article 17)

Laws enacted by the legislature of the Hong Kong Special Administrative Region must be reported to the Standing Committee of the National People's Congress for the record. The reporting for record shall not affect the entry into force of such laws. If the Standing Committee of the National People's Congress, after consulting the Committee for the Basic Law of the Hong Kong Special Administrative Region under it, considers that any law enacted by the legislature of the Region is not in conformity with the provisions of this Law regarding affairs within the responsibility of the Central Authorities or regarding the relationship between the Central Authorities and the Region, the Standing Committee may return the law in question but shall not amend it. Any law returned by the Standing Committee of the National People's Congress shall immediately be invalidated. This invalidation shall not have retroactive effect, unless otherwise provided for in the laws of the Region.

With the introduction of functional representation in 1985 and the NPCSC's decision (despite the promise of the Basic Law to grant election by universal suffrage) not to change the election process, tempers among citizens run high. Unable to choose their representatives on their own and with "the legislators elected by a democratic rule coexist[ing] with their counterparts chosen by a non-democratic process in the same collective decision-making body (Jang 2019, p. 290), the people of Hong Kong have grown wary of their political system. The increasing frustration about the representation system led to critique of the functional representative system since it "giv[es] undue privilege and influence to a small circle of selected elites, thereby creating different classes of citizens" (Kwok 2006, p. 402). The PRC's mainlandization tactics, the constant intrusion in Hong Kong's governance – undermining HKSAR's political sovereignty – as well as the unsatisfactory representational system have led millions of people to the streets. In the following sections the development of the social protest movements in Hong Kong (which arose in reaction to the PRC's hostile politics) will be discussed in light of this background.

Part 4: One Country, Two Systems? Hong Kong's SAR Reality

You can't just fold your arms and pretend nothing affects you. By the time it really affects you and you speak up then it's too late.

- *Faceless: Inside Hong Kong's Fight For Freedom*

Hong Kong's colonial legacy along with its status as a special administrative region has led to a strong desire for equal representation and democracy within the city's population. With their counterparts in Mainland China experiencing curtailment of freedom of speech and little regard for the protection of human rights (in addition to restrictive modes of representation due to a CPP-monopolized electoral process), Hong Kongers strive for a political system akin to the Western representative model. White (2016, p. 86) has captured the core feeling guiding Hong Kongers' quest for inclusive representation and protection of democratic rights by maintaining that "[m]ost in Hong Kong mainly want to keep their distance from the Communist Party of China, and most see democratic reform as a way to further that aim". Notwithstanding the locals' longing for autonomous governance and representation, reality seems to paint a different picture.

Twenty-six years after the handover and the codification of the OCTS policy in the Basic Law, Hong Kong appears to be stuck between its western legacy (former British colony) and its place (albeit as a special administrative region) within the CCP (Chinese Communist Party)-controlled People's Republic of China. Presented with democratic elements of rule of law during the final decade of colonial rule, Hong Kong's civil society fostered a distinctive local identity striving for self-governance and democracy (Ma & Zheng 2020, p. 12). The locals' desire to develop and defend basic democratic principles as well as the city's autonomy under the OCTS framework underlines the appeal of the Western representative system as the most suitable framework for advancing these principles.

Despite their initial promise to refrain from intervening (or enforcing their political framework) within the SAR's political and legal system until 2047, the PRC started to employ numerous tactics to undermine HKSAR's sovereignty. In contrast to the Western democratic system – where political agents only “wielded power when they won elections and took control of the government” – the political system in Mainland China is entirely based on the rule of the Chinese Communist Party who has “no competition” (Shum 2021, p. 57). Hence, the mainlandization process initiated by CCP loyalists and officials necessitated ensuring that only Beijing-approved candidates could run for office – meaning that “leaders who have most power in Hong Kong lack the modern popular legitimacy that comes from winning competitive elections” (White 2016, p. 62) – thereby weakening the position of local political parties and formal representatives (eliminating their ability to affect political development and appeal to their audiences).

With tempers running high and civilians' continuing dissatisfaction with electoral representatives' lack of inclusion and disregard for the citizenry's perspective, along with ongoing attacks on HKSAR's autonomy, inhabitants decided to express their concerns by taking to the streets and participating in demonstrations. A wave of protest movements burst out seeking democracy, autonomy, universal suffrage, egalitarian/inclusive representation and protection of human rights. The main purpose of the following sections is to explain the development of protest movements in Hong Kong, appearing in reaction to Mainland and HKSAR governments' hostile and repressive politics, and to embed them within the representation and disobedience framework.

A Storm In The Making: Insights Into The Umbrella Movement

As Beijing's administration sets out to continue violating the Basic Law and the OCTS principle, and in absence of a powerful local HKSAR governance, members of civil society have taken upon themselves the "dominant role as the chief guardian of Hong Kong's autonomy and rule of law" (Davis 2020, p. 179). An event with considerable importance within this context is the Umbrella Movement. Taking place between September and December 2014, the Umbrella Revolution (also known as Occupy Movement) involved a series of protest activities mobilizing a large segment of civil society in the process (including people who up until that point were not able to participate in the formal representation process as well as individuals who were excluded by decision-making actors).

Ignited by a debate on electoral reform within Hong Kong, residents united against the local (and Mainland) government. Having endured the CCP's efforts to interfere with the SAR's autonomous system for decades, the point of no return arrived for Hong Kongers when formal political actors (executive and legislative representatives as well as members of the Standing Committee) initiated public deliberation on reforming the election of the Chief Executive (i.e. the head of government and representative of HKSAR). In doing so, the government sought to ensure that public discourse is shaped solely by the empowered space. The future suppression of protests – which provide citizens with a communal space to articulate their political views publicly– shows how formal political agents in hybrid/repressive regimes actively hinder the public from developing political opinions by neglecting to provide a space for informed discussion, deliberation and advocacy. Article 45 of the Basic Law (see Basic Law, p. 71) describes the process of electing the Chief Executive:

The Chief Executive of the Hong Kong Special Administrative Region shall be selected by election or through consultations held locally and be appointed by the Central People's Government. The method for selecting the Chief Executive shall be specified in the 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 selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures.

Moreover, Annex I of the Basic Law (*“Method for the Selection of the Chief Executive of the Hong Kong Special Administrative Region”*) asserts that the position of the Chief Executive shall be elected by “an Election Committee which is broadly representative, suited to the actual situation of the Hong Kong Special Administrative Region (HKSAR), and represents the overall interests of society, and shall be appointed by the Central People’s Government” (see Basic Law Annex I, p. 109). Members of the Election Committee are comprised of functional constituents comprised of 1,500 members belonging to the subsequent sectors (1) industrial, commercial and financial, (2) professions, (3) grassroots, labor, religious and other, (4) members of the Legislative Council, representatives of district organizations and other organizations and (5) HKSAR deputies to the National People’s Congress (NPC), HKSAR members of the National Committee of the Chinese People’s Political Consultative Conference (CPPCC), and representatives of Hong Kong members of relevant national organizations (see Basic Law Annex I, p. 109).

Albeit assurances of guaranteeing universal suffrage for the 2017 (and onwards) elections (i.e. granting all citizens freedom to select their Chief Executive directly) the NPCSC (Standing Committee of the National People’s Congress) ensured that only CCP-approved candidates were able to participate in the election by maintaining the status quo enshrined in the Basic Law (warranting that a few chosen groups of people are entitled with the right to vote). As Tai (2019a, p. 66) correctly points out, the PRC government’s efforts to prevent the implementation of universal suffrage in Hong Kong stems from the fear that “voters would elect an unacceptable chief executive and hand LegCo to the opposition” resulting in “the end of Beijing’s control, with Hong Kong possibly even becoming a base from which to subvert the CCP’s grip on China as a whole”. In reaction to the rejection of open nominations of prospective candidates and the governing agents’ persistence on nominating candidates by a broadly “representative” committee (filled with pro-Beijing and business elite members; thus disregarding calls for vote by universal suffrage) groups of civil society actors joined forces in a civil disobedience campaign against the continuing violation of Hong Kong’s autonomy.

The mass mobilization during the 2014 protests was enabled by the earlier success of student activists in the 2012 campaign against Moral and National Education. In a series of mass protests initiated by high school student organization Scholarism (headed by Joshua Wong) in alliance with parents, teachers, and the university student association Hong Kong Federation of Students (HKFS) [both Wong and HKFS would later become major players within the Umbrella Revolution] the movement rallied against a proposed mandatory moral and national education curriculum. The civil disobedience campaign included hunger strikes and rallies in front of government headquarters with activists claiming “the Civic Square as a site for public lectures and civic salons” (this was hitherto improbable, as Hong Kong’s administration actively sought to extinguish/suppress any form of public deliberation that could foster pro-Hong Kong sentiments) effectively pressuring the government to concede by rendering the curriculum optional (see Lee & Sing 2019, pp. 16-17).

Both Scholarism and HKFS channeled their triumphant mobilization and disobedience techniques from their previous protest practice to challenge the NPCSC's decision against implementing universal suffrage. Headed by student leader Joshua Wong, Scholarism initiated a weeklong class boycott involving both secondary and tertiary students before moving on to a sit-in at Hong Kong's government's headquarters on September 26 where protestors "forced their way into the forecourt of the government offices" with three students being arrested and detained for three days (Summers 2021a, p. 86). Parallel to these developments of public outrage and civil unrest (note: class boycotts and government sit-ins within a hybrid/repressive regime such as Hong Kong classify as CD as these protest activities typically face opposition from government officials, who attempt to disperse them by issuing threats of arrest, directing the police to disband the protests or by categorizing the protests as being against the rule of law), a peaceful civil disobedience campaign (spanning two to three days) was planned by the Occupy Central with Peace and Love Movement (headed by reverend Chu Yiu-ming, law professor Benny Tai and sociology professor Chan Kin-man) for October 1 (National day of the PRC). When the leaders of Occupy Central became aware of the government sit-in on September 26, the student activists (led by Joshua Wong, Agnes Chow, Nathan Law and Alex Chow) courage in light of police forces trying to dissolve the protests inspired them to join forces and protest collectively.

The Umbrella Movement officially kicked off on September 28, when the Hong Kong police charged pro-democracy activists with tear gas. Once united the movement managed to mobilize "thousands of people of Hong Kong who were shaken by the actions taken by the police" (Hansen-Edwards 2018, p. 15). The 79 days of activists taking to the street in a civil disobedience campaign – involving rallies, marches and government sit-ins (following Rawlsian CD by being public, non-violent, non-evasive [for the most part]) – and using umbrellas to shield themselves from the Hong Kong Police's use of tear gas and pepper spray to disperse protests centered on Mainland China's ongoing violations of *One Country Two Systems* as well as demands for democracy and freedom to select their representatives on their own through universal suffrage. The use of strikes, rallies, marches, government sit-ins and occupation of public space can be categorized as instances of CD (not as regular protest methods) since these contestation practices have a different meaning and context in hybrid/repressive systems. In such regimes the citizenry face different conditions than their counterparts in democratic systems, such as no public (i.e. safe) space to gather information and engage in deliberation; suppression and ignorance by formal political actors when they do decide to voice their opinion (asserting that protestors participating in protest practices such as strikes, rallies, sit-ins or marches are violating the rule of law) and advocate pro-democratic views (even though the protestors adhere to the principle of non-violence); facing police brutality and legal repercussions such as arrests and captivity for merely participating in protest activities. Consequently, individuals engaging in any kind of protest that showcases a deviation from the official party line are seen as being disobedient and are automatically confronted with legal (and political/economic/social) consequences.

Developing into the largest disobedience campaign in the history of Hong Kong (holding that status until the 2019 protests came along) the Umbrella Revolution stunned the city with unprecedented occupations of public space – spanning from Causeway Bay on Hong Kong Island to Mong Kok in Kowloon – criticizing both the local and mainland government and calling for democracy (reflected in the movement’s slogans *Take Back Our Future* and *Fight for the Place You Love and Where You Belong*). The core features of the movement revolved around “a decentralized, informal leadership emerged organically around the two student organizations: Scholarism and the Hong Kong Federation of Students” (Lee & Sing 2019, p. 19). The organizational structure along with the use of civil disobedient techniques have generated support from Hong Kong’s civil society and international actors (most prominently the United States and the United Kingdom) due to sympathetic media coverage and statements of support. Nonetheless, the movement remained unsuccessful as the Hong Kong government proceeded with business as usual in the 2017 Chief Executive elections. While the Umbrella Revolution did not achieve its demand for universal suffrage the protests were still triumphant. The mass protests and civil disobedience campaign succeeded in fostering political activism and producing “new forms of localism and even demands for independence” particularly among the youth (Carroll 2022, p. 66).

These new aspects of localism were nurtured by protestors of various groups and organizations joining forces “forg[ing] new groups, build[ing] trust and shar[ing] ideas of how to continue their fight for change” (Lee & Sing 2019, p. 21) without resorting to lobbying their elected representatives. By relying on former student leaders (who were already known within the political and public space) on representing their opinions and issues to the broader public and government officials, the activists participating in the movement went beyond traditional views of representation by operating on the idea that “democracy is not just about electoral and constitutional struggles or protests in crisis moment, but everyday engagement with local community affairs and mutual help” (Lee & Sing 2019, pp. 21-22). Additionally, the success of umbrella soldiers and pro-democracy activists during the 2019 District Council Elections and 2016 Legislative Council Elections evidenced the effect of disobedience on representation. With extensive support of civil society the movement’s former informal representatives managed to gain seats within the formal political empowered space (rivaling electoral political representatives, gaining more influence and acquiring the ability to impact policy decisions) (see Carroll 2022 pp. 65-66; Hansen-Edwards 2018 pp. 13-15; Lee & Sing 2019 pp. 16-23 and Summers 2021a pp. 77-80).

What renders the Umbrella Movement of significant importance is the unprecedented scale of civil disobedience campaigns alongside the massive support from a broad range of civil society. Even if members participating or supporting the movement have differing views and opinions on how Hong Kong’s political future should look like, the underlying unifying anchor bringing students, parents, shop-owners, business men and pensioners together is the Basic Law. Even when activists make “claims for self-determination or independence” they always come back to and rely “on its [the Basic Law]

guaranteed freedoms of speech, association and the press, as well as the rule of law, to advance their concerns” (Chan & de Londras 2020, p. 186).

The decision to actively engage in ‘more extreme acts of civil disobedience’ – exposing themselves to government allegations of undermining the rule of law by embracing civil disobedience – such as confronting (and combating) the police’s use of excessive violence and attempting to encircle Government Headquarters alongside class boycotts, student marches, occupying public spaces near government offices and the financial district has secured the movement the attention and support to leverage formal political representatives (in Hong Kong and Beijing) (see Chan & de Londras 2020 pp. 186-191 and Tai 2019b p. 362). While in liberal-democratic systems these contestation practices would be considered as regular protests, in hybrid/repressive regimes like HKSAR such actions are regarded as acts of disobedience. As formal political representatives perceive citizens participating in any form of protest as a challenge to the rule of law (more specifically as a threat to their authoritarian order), they try to quench any pro-democratic or anti-regime voices. This involves suppressing protests and penalizing people partaking in acts of disobedience by issuing threats of arrest.

Winds Of Change: The Resilience Of The Water Revolution

In the wake of the handover Hong Kong experienced a fair share of protests, but nothing would compare to the fervor and impact of the 2019 Anti-Extradition Movement. In the aftermath of the failure of the 2014 Umbrella Revolution and the imprisonment of pro-democracy activists (including informal representatives Alex Chow, Nathan Law and Joshua Wong) citizens’ fear of the city’s loss of autonomy – confronted with the PRC’s palpable disregard for the Basic Law and OCTS – reached an all-time high. With tempers running high and tensions between members of civil society and Hong Kong government officials reaching a breaking point, the outburst of yet another wave of activism further polarized the social and political landscape in the Special Administrative Region. Unfolding between March 2019 and May 2020 the Anti-Extradition (known as Water Revolution or Pro-Democracy) Movement presented Hong Kong and Mainland China with an unprecedented scale of cross-society mobilization along with an extraordinary repertoire of disobedient actions.

In February 2019 the Hong Kong administration – under Chief Executive Carrie Lam (elected in 2017 without the promised vote by universal suffrage) – proposed changes to the Fugitive Offender Ordinance. The presented *Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill* would allow the extradition of suspects to jurisdictions outside of Hong Kong (i.e. Mainland China and Taiwan). The proposed Bill raised alarm within HKSAR’s already agitated civil society for several reasons. The amendments to the Fugitive Offenders Ordinance would allow the transfer of civilians “to jurisdictions where the basic rights enshrined in Hong Kong Law, including the fundamental rights to a fair trial and access to an attorney, might not be protected” (Chan, Lai & Kellogg 2023, p. 17) additionally raising concerns about “who might be extradited to Mainland

China and for what reasons”, fearing a (forced) return of political dissidents to the PRC (Purbrick 2019, p. 466).

The government’s complete disregard of citizens’ opinions on the subject matter and its unceasing push for adopting the bill aggravated civilians to such an extent that they turned to the streets to express their perspective(s). Akin to the movement’s ‘be like water’ mantra, protests initially started out like a wave on a small scale building up continuously until the moment they crashed and flooded the whole region. The prolonged series of protests started out with 10.000 people gathering on the streets on March 31, moving to tens of thousands citizens marching on LegCo demanding an end to the proposed amendments on April 28, a silent protest march by local lawyers (dressed in black) on June 6, culminating in the largest civil disobedience action the city has seen to date. On June 9, people assembled at the so-called Million Peaceful March, a protest march stretching from Victoria Park to the Admiralty District including over a million people (see Figure 1) representing a “a wide range of sections of Hong Kong society” (Purbrick 2019, p. 468). After this unprecedented display of civil resistance, demonstrations were organized almost every week increasingly intensifying in the process (Toru 2020, p. 96).



Figure 1- June 9 2019 Million March

Although “most actions in June and early July were non-confrontational and non-violent” (Tang & Cheng 2022, p. 135) – consisting of public, non-violent and non-evasive sit-ins, marches and rallies (with the HKSAR administration later labeling the protests as being a threat/contrary to the rule of law)– the government seemed unfazed by this public display of (civil) unrest with Chief Executive Lam ordering the resumed reading of the bill. The day LegCo planned the second reading of the bill (June 12) would become the day of reckoning for Hong Kong’s administration. Earlier that day (from 7 to 8 am) protestors gathered in front of Central Government Offices and Legislative Council (where the Bill was scheduled for a second reading). Albeit stationing police forces (equipped with anti-riot gear) around the building to assist LegCo members and staff attending the reading, the sheer number of activists and protesters surrounding the building eventually forced LegCo to delay the reading of the Bill to another date.

While the protestors were successful in managing to halt the reading with a majority of the activists protesting peacefully (adhering to Rawlsian principles of publicity, non-evasiveness, non-violence), the situation got out of hand in the afternoon. When a small group of activists broke into the Legislative Council building the police responded with an extreme display of force (involving pepper spray, tear gas and rubber bullets) in the entire protest area (fighting both the largely peaceful crowd as well as the minor group of protestors who forcefully entered the government building). Following this event large-scale waves of uncivil disobedience campaigns dominated the city (see Chan, Lai & Kellogg 2023 p. 18 and Purbrick 2019 pp. 469-470).

With neither side willing to compromise violence continued to spiral. As the protestors perceived their previously employed civil disobedience strategy of strikes, government sit-ins, marches and rallies (classified by government officials as riots and contrary to the rule of law) as ineffective in appealing to formal representatives (from the Chief Executive, governance parties, members of the functional constituencies, the NPCSC to LegCo members) the movement began taking a look at the playbook of uncivil resistance (e.g. activists masking their identity by using face masks and goggles in an effort to evade legal consequences; damaging public property by spraying graffiti or vandalizing government buildings; using umbrellas, plastic bottles, stones and anything else they could find on protest sites to shield protestors from police violence). Starting out as revolt against the Amendment Bill of the Fugitive Offenders Ordinance the movement quickly turned into pro-democracy protests with demonstrators rejecting Mainland China's interference in Hong Kong's governance and autonomy, demanding (Western-style representative) democracy.

The government's total lack of understanding and empathy with the protest movement – the government referred to the June 12 protest as riot and stated to suspend the bill (without withdrawing from the proposition) – further fueled the movement's actions. While the protests up until July 2019 included “weekly anti-government protests, which started with peaceful marches or assemblies and ended later in the day with violence instigated by increasingly large numbers of radical protest” (Purbrick 2019, p 472) the excessive use of violence displayed by the Hong Kong Police Force against protestors “further aggravated the public, and the clashes became even more violent” (Toru 2020, p. 96) with the Water Revolution increasingly opting for uncivil resistance to make their case. Figures 2-5 illustrate how the pro-democracy activists themselves transgressed the democratic norms they advocated for and employed Delmas' rulebook of uncivil disobedience (by being covert, anonymous, deliberately offensive and in some cases violent).



Figure 2 - Rioter During The 2019 Protests



Figure 3 – Covert, Evasive and Violent Resistance During the Water Revolution



Figure 4 - Hong Kong Police Force (in Riot Gear) Using Violence to Disperse Protests



Figure 5 - Protestor Shielding Fellow Activists From Police Violence

In the aftermath of an “attack on pro-democracy protesters launched by pro-China thugs on July 21” the practice of violent disobedience tactics intensified substantially leading to a “spiral of violence between the protesters and the police” from August to November, eventually stagnating in December “following the mass arrest of frontline protesters and the landslide victory of the pro-democracy camp in District Council elections held in late November” (see Tang & Cheng 2022, p. 135). From the moment of violently clashing with the Hong Kong Police Force on June 12 a series of protests across the city (at one point even leading to a blockade of the local airport) took place.

Figure 6 showcases the degree to which the Anti-Extradition Movement managed to mobilize civil society and the various mobilization techniques it employed (including marches [data marked in orange], human chains [data marked in blue] and assemblies [data marked in pink]). The movement’s ‘be like water’ tactic – protesting simultaneously in multiple locations; dressing head to toe in black and concealing one’s identity through face masks and goggles (thereby evading legal consequences), referring to their disobedient action as Water Revolution – is a strategic decision to minimize the number of arrests. Every time members need to gather ‘water flows together like a river’ (i.e. protestors dressed in black with goggles, masks and protective gear meeting in public spaces), then a huge wave of people appears (i.e. hundreds to thousands of unrecognizable protest groups appear in various locations across the city) and when the water disperses (i.e. they end their protest activity) they can be normal citizens trickling back into daily life without fearing to bear consequences of taking part in protests (see *Faceless: Inside Hong Kong’s Fight For Freedom*).

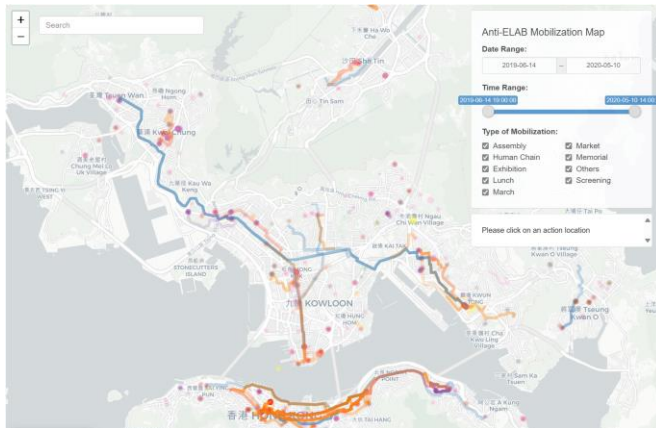


Figure 6 - ANTIELAB Mobilization Map (Hong Kong Free Press)

Purbrick (2019, p. 473) describes the movements' uncivil disobedience tactics as

protesters respond[ing] to the arsenal of Police weaponry with innovative means of protection including uniform black clothing, construction helmets to protect against projectiles and batons, gas masks or swimming goggles to counter tear gas and pepper spray, the ubiquitous umbrellas to counter tear gas as well as to hide the identities, and mobile phones to exchange intelligence and communicate.

By employing these covert and anonymous tactics, a reaction to Hong Kong Police Force's brutal dispersion methods, the Anti-Extradition Movement managed to mobilize supporters and members across civil society (from business leaders, parents of students participating in the movement, teachers and university professors to elderly people who have witnessed Hong Kong transitioning from foreign rule, the establishment of an autonomous SAR to the PRC's continuous mainlandization attempts). Although officially leaderless, the movement's members produced a list of five demands accompanying their slogan *Liberate Hong Kong Revolution Of Our Times*: (1) full withdrawal of the Extradition Bill, (2) retraction of the characterization of the June 12 protests as riots, (3) release of arrested protesters and no further capture of protestors, (4) establishment of an independent commission of inquiry into police violence, and (5) universal suffrage for Hong Kongers to vote in the Legislative Council and Chief Executive elections (as well as the resignation of Chief Executive Carrie Lam) (Toru 2020, pp. 96 – 97). The movement would not stop their activism and disobedience actions until these five demands were met.

Taking a page out of the book of the Umbrella Movement, the Anti-Extradition/Pro-Democracy Movement remained without formal leadership. The movement nevertheless included informal representatives (most of them having been to some degree involved in a similar role during the Occupy Movement). Akin to the Umbrella Movement's organizational structure (its core feature being spontaneity, no formal leadership, egalitarian and deliberative decision-making without a clear chain of command; see Ma & Cheng 2019, p. 89), the 2019 protest movement favored a decentralized and inclusive structure. Even though a broad segment of civil society took part in the protest movement, the

key agents of force were “school and university students, but also [civilians] radicalized by the violence of a minority of them that has the tacit support of the majority” (Purbrick 2019, p. 474). The organizational structure of the Pro-Democracy Movement in light of the CPP’s and local government’s relentless push for violating the Basic Law is illustrated by the following quote

The difficulty of the Government in understanding how the protesters organize has been compounded by the open platform nature of the protest movement which is not led by visible leaders who have an identifiable agenda. Because these groups organize and project themselves via Internet and social media there is no central organization. The protest movement, in particular young people and students, has made great use of the Internet, social media, and mobile communications to discuss, grow support, communicate, exchange intelligence, and organize action. The decentralization and diversity of the protest movement has benefitted from three main areas for digital collaboration. (Purbrick 2019, pp. 474-475)

The leaderless nature of the movement along with its flexible ‘be like water’ strategy allowed activists to go beyond the limitations of orderly civil protest. To evade legal and political consequences associated with partaking in the protest movement, the “conscious decision to avoid having obvious public leadership figures” despite the fact that the police engaged in a series of arrests of “high-profile activists such as Joshua Wong (arrested on 31 August 2019), media mogul Jimmy Lai (arrested in February and again in April 2020) and other leading members of traditional pro-democracy parties” (Summers 2021a, p. 136) was made, with these figures acting as informal representatives instead (focusing on appealing to the international community).

Even though they faced police violence and legal punishment the protestors continued to participate in and organize protest actions. The general feeling was that everyone has a part to play – it does not matter how much one gives – thereby encouraging a political awakening in the younger generation despite them being taught to remain apolitical (see *Faceless: Inside Hong Kong’s Fight for Freedom*). The movement’s flexible and dynamic structure enabled protestors to assess their resistance methods according to the situation they found themselves in. In consequence, the 2019 Pro-Democracy Movement employed a mixture of civil *and* uncivil disobedient practices to make themselves heard and to appeal to their formal representatives. From engaging in mass demonstrations, strikes, government sit-ins, marches and rallies (March to July 2019; the government considered these actions as riots contrary to the rule of law), to vandalizing government and public buildings, spraying graffiti’s with their demands across town, occupation of public space (mainly universities, the financial and government district as well as the local airport) up to the violent clashes with the police all while masking their identities and evading legal consequences – activists, supporters, members and informal representatives alike effectively utilized (both civil and) uncivil resistance methods, resulting in the withdrawal of the Amendment Bill. However, the government refused to give into the other four

demands with the protests going on until the outbreak of the covid pandemic and the implementation of the National Security Law in 2020 (see Hung 2022, pp. 3-5).

Figure 7(a-d) displays a timeline of both social protest movements. Including key stages of both the Umbrella and Water Revolution, the graph describes when and in what context protestors decided to use civil and/or uncivil disobedience; how the repressive measures by HKSAR's hybrid/the PRC's authoritarian governments to suppress the protests prompted activists' use of uncivil resistance and how informal representatives utilize the movements' practice of disobedience to transform the representative process.



Figure 7a - Protest Timeline: Hong Kong's Social Protest Movements And Disobedience

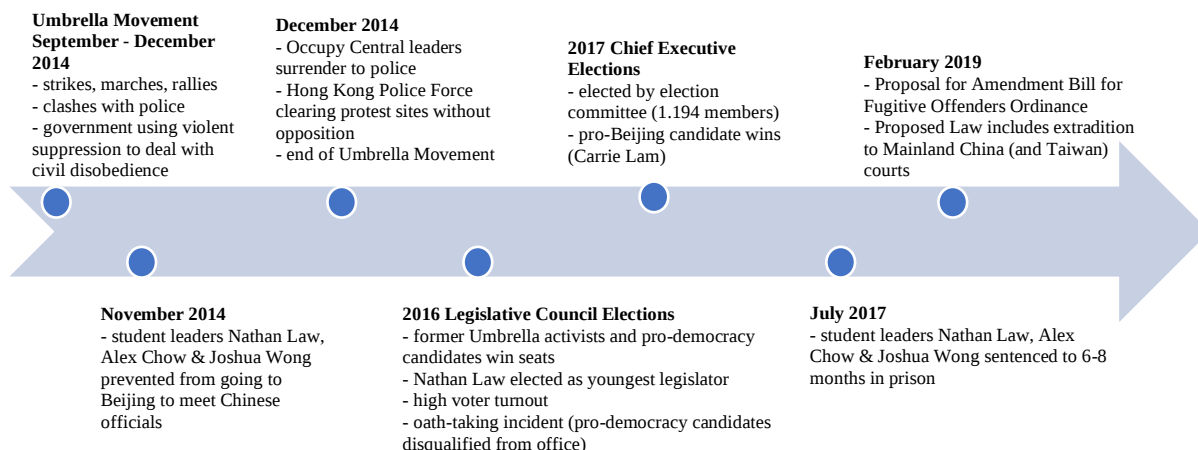


Figure 7b - Protest Timeline: Hong Kong's Social Protest Movements And Disobedience

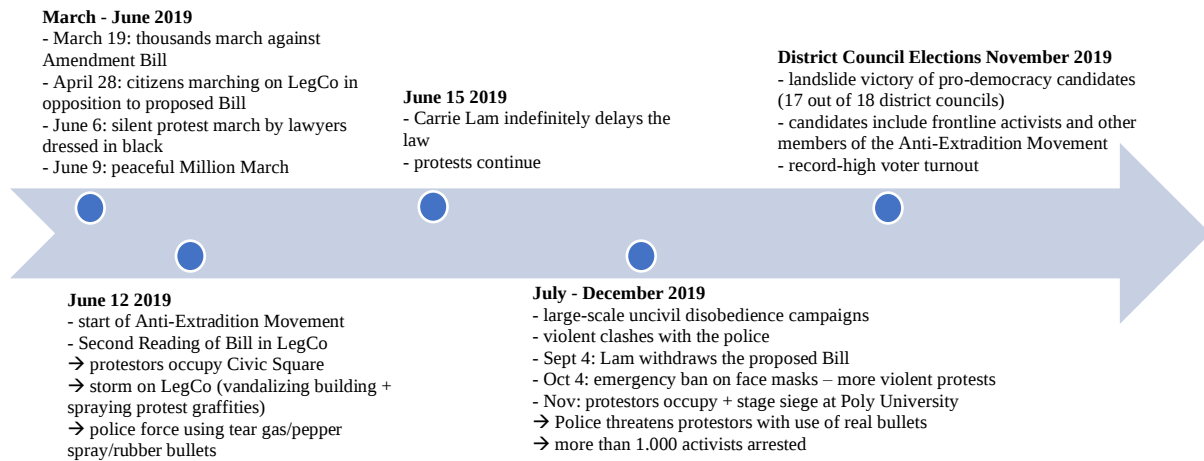


Figure 7c - Protest Timeline: Hong Kong's Social Protest Movements And Disobedience

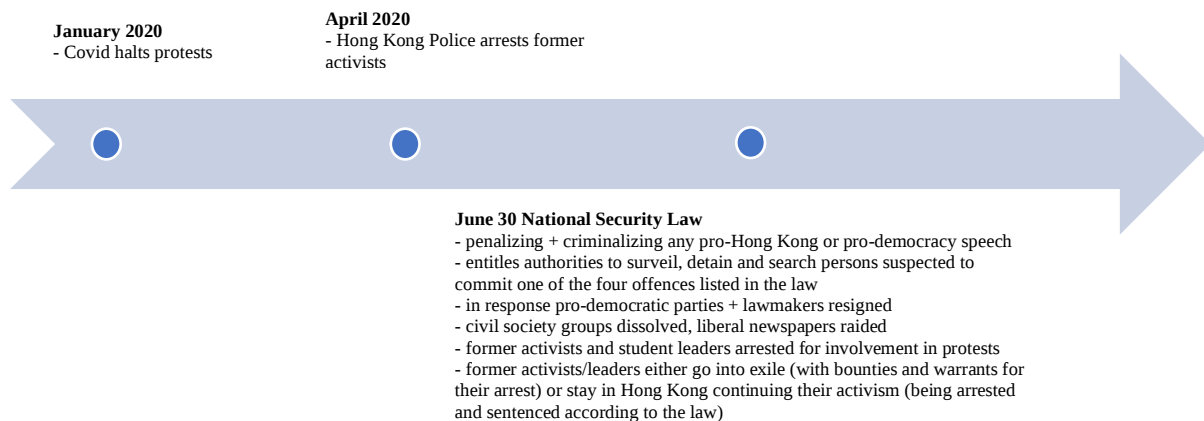


Figure 7d - Protest Timeline: Hong Kong's Social Protest Movements And Disobedience

Figures 7a-7b cover the period from the Sino-British Joint Declaration (1994) until the aftermath of the Umbrella Movement (2017). With a brief historical contextualization of the event surrounding the handover (which is essential to understand Hong Kong's political landscape) the graphs present the events of the 2014 Umbrella Revolution. Providing a comprehensive account of every stage of the protests, the graphs illustrate how social protest movements empower individuals within marginalized or oppressed communities (in hybrid or repressive societies) to express their opinions. Citizens display their disapproval of formal political representatives and the political structure by engaging in disobedience. By joining forces, organizing collective protest actions and mobilizing a wide array of civil society Scholarism and HKFS' student leaders along with Occupy Central's founders brought Pitkin's argument of 'making present again' the views of the citizenry to life through informal representation.

Being ignored and instructed to remain apolitical by their formal political institutions and actors, the activists of the Umbrella Movement created a representation process in the sense of “a public [...] arrangement involving many people and groups” (Pitkin 1967, p. 221) by re-claiming the public space through their protest practice (creating a venue for all Hong Kongers to deliberate, foster and communicate their political views). Furthermore, student leaders Nathan Law, Agnes Chow, Joshua Wong and Alex Chow taking up the role of informal representatives and lobbying the movement’s cause to (both HKSAR and PRC) government officials – whether it be through televised debates, protest rallies or strikes, protesting on the frontline so as to protect other protestors from police violence – and running successfully for office in subsequent elections showcases how representation can take place outside of formal political institutions “if the people are present in governmental action, even though they do not literally act for themselves” (Pitkin 1967, p. 222).

The graphs also indicate how the Umbrella Revolution’s contestation practices such as strikes, marches, rallies and occupation of public space – which are considered to be standard protest repertoire in liberal-democratic systems – are considered as acts of civil disobedience in hybrid or repressive regimes. Hong Kongers participating in these protest actions were faced with legal and political consequences, as the government sent the Hong Kong Police Force to disperse protests (arresting protestors in the process) and labeled civilians partaking in protest actions as threatening Hong Kong’s stability and political order. Although a majority of protestors engaged in civil unrest (adhering to the principles publicity, non-evasiveness, nonviolence and acting contrary to Hong Kong administration’s sense of rule of law), a smaller radical group tapped into the realm of uncivil disobedience when they broke into government offices and clashed with the police force in reaction to the authorities use of pepper spray and tear gas against peaceful protestors, leading to their arrest.

The events described in the timeline offer an insight into how citizens’ reaction to political representatives curtailing democratic freedoms and rights depends on the degree to which they are able to participate in the representative process. In the case of the Umbrella Movement, the government’s decision to use violent and suppressive methods to deal with civil disobedience, the protestors continuing to take to streets in civil disobedience campaigns in spite of threats of tear gas, pepper spray and arrests as well as the student leaders (informal representatives) unceasing work to represent and make visible the protestors demands (even when they were banned from office after achieving landslide victories in elections) showcases the transformative and democratizing potential of civil disobedience.

Figures 7c-7d portray the events of the 2019 Anti-Extradition Movement. The timeline describes the covert, evasive, anonymous, violent and deliberately offensive disobedience campaign of the Water Revolution. With government officials and formal political representatives suppressing protestors demanding democratic rights and freedoms, activists used disobedience as representing themselves and their views (outside of official political institutions and parties). The broad repertoire of uncivil protest practice – from property damage, protest posters and graffiti, breaking into government buildings,

using face masks and goggles to cover themselves/remain anonymous/evade legal consequences, using force to shield protestors from police violence to participating in prohibited marches and rallies in public space – the Anti-Extradition demonstrators engaged in “moments of real confrontation” (Celikates 2016, p. 43).

Albeit faced with violent dispersion methods and legal consequences (from arrests to imprisonment) for participating in (disobedient) protest actions, the members of the Anti-Extradition Movement continued their disobedience campaigns as a “key mode of resistance to the rapid erosion of civil and political liberties” (Richards 2020, p. 97). With the assistance and support from the Umbrella Movement’s student leaders (now acting as informal representatives for the Pro-Democracy Movement) the protestors managed to pressure the HKSAR government into withdrawing the Extradition Bill. Henceforth the involvement in disobedience to resist their repressive government has provided Hong Kongers with the ability to foster democratic tendencies (through de-centralized and equality-based decision-making structure), simultaneously creating space for citizens to come together and express their opinions on political matters.

To summarize, this section analyzes the civil and uncivil disobedience campaigns during the Umbrella and Water Revolution to advance the argument of

(1) acts of CD/UD disobedience in the public space having the potential to affect (formal and informal) representatives: from inviting student leaders to a televised debate with the Chief Executive, the withdrawal of the Fugitive Offenders Ordinance Amendment to former student leaders and activists victories in elections (transitioning to the empowered space, mobilizing civil society to take part in elections and influencing the decision-making process) – the respective movements’ strategy of disobedience campaigns effectively impacted the formal political sphere.

(2) the dynamic and fluid nature of protest movements providing activists with the ability to switch between civil and uncivil disobedience to enhance their goals: albeit taking the route of uncivil disobedience, the Anti-Extradition Movement mixed elements of CD into their protest strategy (by organizing marches and rallies with protest posters featuring their demands in addition to breaking into and damaging government buildings, clashing violently with the police after the use of pepper spray and tear gas to disperse protests). Faced with oppressive conditions by their repressive regime (classifying any individual taking part in any disobedient action as rioter, arresting and charging individuals participating in the protests, sending the police force to violently disperse protests) activists continuously assess their cause of action and the consequences of taking action according to the situation they find themselves in; leaving it to the protestors on the ground to decide whether they engage in civil and/or uncivil disobedience to further their cause.

(3) the dynamic between non-electoral representatives and protest audiences expands representative practices beyond standard practices of representation: contestation practices of principled disobedience (CD and UD) provide citizens with a way of presenting their perspective(s) while opening and extending the representative process to people who have previously been silent and/or excluded from the process. Informal representatives who are active members of protest movements are able to mobilize parts of civil society to their cause and are capable to justify the employment of disobedience campaigns to formal political actors as well as civil society. For example, the use of CD/UD during Hong Kong protests has motivated the movements' informal representatives to run for office in district and council elections, thus offering frustrated citizens electoral representatives who know their concerns, take them seriously and who have been on the frontline with them.

Part 5: The Power Of Dissent – Disobedience Shaping Representation

Since the twentieth century Hong Kong represents a gateway between East and West. The territory's distinctive history and geographical position has distinguished the SAR within the globalized world order. While HKSAR retains autonomy in its political and legal affairs, the city officially remains a part of the People's Republic of China (hence being embedded in the CCP-controlled repressive socialist system), effectively rendering it a hybrid state. This *one country two system* policy constructs Hong Kong's unique political, social and economic landscape. The introduction of democratic principles and political representation during the final decade under British rule (most prominently widening the electoral base of the functional constituencies and strengthening representation in the Legislative Council) has led to the sentiment that Western-style systems (akin to the democratic representative model) are more preferable compared to Mainland China's regime. These so-called Patten reforms (named after the last British governor of Hong Kong: Chris Patten) increased "political participation through regular channels so dramatically that 'voting had become a socially acceptable behavior'" (Carroll 2007, pp. 201-202) and with pro-democracy candidates winning seats at the 1995 LegCo elections (with one-third of the members being directly elected) established (albeit to a minor extent) an opportunity for citizens to select their political representatives (see Carroll 2007, pp. 198 – 201).

The post-handover period was intended and imagined by Hong Kongers to include more freedom and autonomy in the city's governance along with the hope of gradually integrating Western-style representative democracy in the process. This dream of HKSAR administering control in the region quickly faded as the regime in Beijing chose to disregard the OCTS principle and began to interfere with Hong Kong's political, judicial and societal matters. As Yee (2011, pp. 257-258) correctly observes, the citizens response to the PRC's growing intervention and violation of the SAR's sovereignty range from critics viewing "any intervention from the central government in Beijing [...] as a sign of a violation of the 'one country, two systems' principle" (which bestows Hong Kong's government with a high degree of autonomy), to pro-Beijing supporters asserting the necessity of Beijing's interference in Hong Kong's affairs to "maintain the social and political stability of the HKSAR". The contrasting views on the SAR's political framework have created tensions between pro-Hong Kong and pro-Beijing citizens, leading to diverging understandings and placements of value on the Basic Law and the OCTS policy.

The ongoing conflict between pro-democracy and independence groups (primarily composed of students) and factions advocating the city's integration into the CCP-controlled mainland regime (represented by government officials and the business elite) has manifested itself in the uprise of social protest movements. Growing increasingly frustrated with formal representatives neglecting (or outright) ignoring civilians opinions, wishes and grievances; the central government favoring Beijing-approved policies and excluding a large segment of civil society, Hong Kongers felt that there was no other alternative than to make themselves heard in a manner which would leave formal representatives and government officials (both in Hong Kong and Beijing) no other choice than to acknowledge the voices

they try to silence. The 2019 Anti-Extradition/Pro-Democracy Movement and the 2014 Umbrella Movement equally responded to mainlandization tactics by questioning the PRC's right to interfere in HKSAR's autonomous governance (referring to the Basic Law and highlighting the OCTS policy). Civilians' resistance took shape in form of (civil and) uncivil disobedience campaigns, effectively mobilizing support across civil society and across borders (most prominently international actors such as the United States, the United Kingdom or the European Union).

To answer the question of understanding how the engagement in uncivil disobedience influences representative practices (going beyond traditional conceptions of electoral representation by including informal representation) one has to delve into local manifestations of contestation. Within this context it is imperative to explore the effects of the dynamic relation between participants and informal spokespersons of the disobedience campaigns during the 2014 and 2019 protest movements and the transformative impact they had on how we interpret political representation.

From Umbrellas To “If we burn, you burn with us”: Affecting Representation Through Disobedience

With the promotion of liberal capitalist ideology and the rise of liberal democracies with the idea of political representation being connected to the populace being able to select their representatives (who act and govern on their behalf) in regularly and fairly held elections, the age of globalization promised more equal and diverse political frameworks. Yet, the complex reality of a fractured and heterogenous electorate with civilians increasingly losing their faith in the democratic political system, along with democratic backsliding tendencies, have seriously questioned the value of political representation based on the electoral process. Ever more governments tend to transform their regimes and turn their backs on the Western liberal democratic model (leading to more democratic regression). The failure of formal political representatives (legitimized via the electoral process) to accurately grasp the demands for more inclusive, diverse and truly democratic representation along with the continuing disregard to human rights, freedom of speech and rule of law has led to citizens taking matters into their own hands. The rise of social protest movements opens up the representative process by bringing into the forefront previously silent or neglected individuals as well as a variety of actors serving as informal representatives who are able to draw attention to overlooked societal issues, take minorities' voices to the public stage and explain (and justify) the contestation methods employed by civil society to articulate the citizenry's perspective.

When delving into representative processes beyond the conventional view, dimensions of space are fundamental elements to consider. The public space is instrumental for inhabitants of all classes (and communities) to come together and encounter another in meaningful discourse. In contrast to their counterparts in liberal democracies, citizens in hybrid or repressive regimes often do not have the possibility to gather information and discuss political or societal matters in the public space. These individuals do not have access to a public space where they can come together, engage in deliberation

and advocate their opinions to the formal decision-making actors in the empowered space. Civilians in these systems often have to re-claim the public space by means of social movements or protests; when taking to the public space they often intend to focus on the conditions of suppression and ignorance they face from their formal representatives. Kuyper's (2016) notion of public and empowered space – which centers on a public space where civil society participates in deliberation – is only feasible in liberal democratic systems, when people with hybrid or repressive governance regimes gather the courage to come together in public they do so under different circumstances.

The effective utilization and incorporation of the public space played an instrumental role in the success of both the Umbrella and Water Revolution. The dynamic and fluid nature of the protests together with the broad range of contestation practices led to a re-claiming of public space corresponding with cross-societal mobilization. Take for example the 2014 Umbrella Movement: when the Occupy Central with Love and Peace movement joined hands with student activists of Scholarism and HKFS on September 26 and re-claimed the public space by initiating sit-ins and rallies in the heart of the government and financial district they engaged in what liberal-democratic societies would describe as protest. But in the context of Hong Kong's hybrid regime, with the tendency to repress of any kind of political statements made by citizens, the acts of people gathering to conduct occupations of public space or holding rallies/marches in the government district are being seen as an act of civil disobedience as these protestors are met with legal repercussions (arrests and confinement) and threats of police brutality and their methods of resistance are perceived by Hong Kong's administration as being contrary to the rule of law.

By re-claiming public sites and opening them up to members of civil society the movement thereby created public space in the sense of this space being “any arena with few restrictions as to who can participate”, presenting a wide array of actors (from activists, students, lawyers, university professors, business leaders to everyday citizens removed from the political process) with an opportunity to “coalesce, exchange arguments, and update their preferences in light of new ideas and experiences” within a safe and unconstrained environment away from formal political actors (see Kuyper 2016, p. 312). The dynamics of protest action and organization allowed activists to connect people from all backgrounds, coming together in contested spaces and developing political awareness together through the “praxis of civic collective action” (Ma & Cheng 2019, p. 14). Figure 8 (*New York Times* 2014) displays the public site demonstrators occupied on September 26, which would kick off the Umbrella Movement.

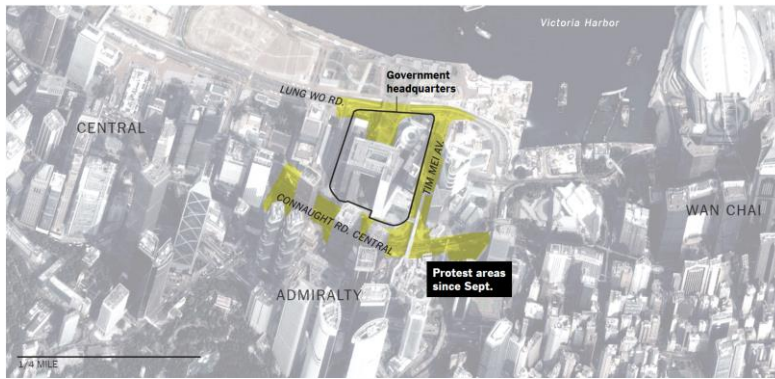


Figure 8 - Protest Map Umbrella Movement

Leading up to the outbreak of the Umbrella Revolution, Occupy Central with Love and Peace had conducted public gatherings with the aim to promote universal suffrage. The group had planned a civil disobedience campaign on October 1 (the national day of the PRC), the idea being to occupy a pedestrian area in the Central District by conducting a public, non-violent sit-in (and staying in place awaiting “removal by the police once permission to stay expired”). Their plans changed when the week-long class boycott initiated by Scholarism and HKFS (in late September) ended in students occupying the Civic Square (where the SAR’s government offices are located). The student activists managed to mobilize a huge crowd so that Occupy Central decided to join them in their civil disobedience campaign. Although the Hong Kong Police attempted to block off the area, hundreds of activists flooded the area prompting the Hong Kong Police Force to utilize tear gas “in an effort to disperse the protesters, but this only brought even more people to join the demonstration”. Encouraged by collective civic action, protestors continued their peaceful (non-violent) occupation by instrumentalizing the public space for their civil disobedience campaign (despite the police force’s violent means to suppress them) (see Tai 2019a, p. 67). The protestors refusal to withdraw in spite of their difficult conditions and position within their political system, together with the development of political awareness (enabled through the creation of a public space where citizens could participate in collective action and deliberation) not only offers alternative means to partake in the representation process, but also serves as a catalyst for democratization.

In hybrid or repressive regimes, such as Hong Kong, citizens are mostly discouraged by formal political actors and institutions to formulate opinions or discuss political and societal issues. Governments purposefully employ various strategies to ensure that their constituencies remain apolitical, fearing that political awareness may lead to civilians demanding civil and political rights which would pose a “serious threat to the stability and continuation of the authoritarian rule” (Tai et. Al. 2020, p. 112). As there is no official public site where the population can gather to collect information and discuss issues close to their hearts, it falls upon social protest movements to create such an environment. For Kuyper’s (2016) framework of public and empowered space – where “deliberation in the public space is supposed to affect, significantly and substantively, the decision-making of empowered space” (p. 312) – to be employed in cases such as Hong Kong, individuals and groups across

civil society have to take collective action and re-claim public sites intentionally through activism, social movements and protests. The 2019 Anti-Extradition Movement illustrates how collective action and mobilization in the public space along with uncivil disobedience campaigns creates incentives for the populace to make formal representatives acknowledge and deal with the people's perspective.

The occupation of university campuses, government and financial districts along with spreading their messages online, through posters and graffiti in the public sphere, enabled pro-democracy activists to gather influence within the city. In a political system where people had come to the belief that "elections are simply a repetitive ritual of support [for pro-Beijing and anti OCTS policies]" and the "free exchange of ideas, where 'free' means 'without the threat of violence'" (Snyder 2018, pp. 252-253) was rendered virtually impossible due to suppression of deliberation in public spaces and restricted voting systems, individuals felt like they had no other option than to engage in acts of contestation to re-claim public sites. The peaceful one million march (and earlier protest marches and rallies) in 2019, the occupation of university campuses and clashes with the Hong Kong Police Force on several public sites across town effectively mobilized a large segment of HKSAR's population (whether they actively joined the movement or supported activists by providing food, shelter, money or escape routes), prompting a reaction from government officials.

As HKSAR's administration chose to impose mask bans, labeled public, non-evasive and non-violent marches and sit-ins as riots (in effect categorizing these protest methods as civil disobedience), police officers arresting both non-confrontational (activists engaging in marches, rallies, sit-ins) and more radical protestors (participating in property damage, engaging in violence to combat police brutality) and demonstrators being prosecuted on the grounds of "unlawful assembly, rioting, assaulting or resisting a police officer, an possession of weapons or instruments unfit for an unlawful purpose" collective civic actions – such as gatherings and marches in public spaces, protest posters/graffities on public buildings, storming of government buildings and offices, protestors masking and protecting themselves with goggles, masks or umbrellas as well as radical frontline activists engaging in violence to shield other demonstrators from police violence – have been classified by Hong Kong's administration as civil and uncivil disobedience (see Chan, Lai & Kellogg 2023, p. 19). Albeit faced with legal repercussions, from being arrested and charged to being imprisoned on grounds of participation in civil or uncivil disobedience, members of the Anti-Extradition Movement continued their fight for autonomy, democracy and equal representation by applying actions classified by the government as CD/UD. This case exemplifies how social protest movements appropriating public space by employing disobedience activities can substantially affect the empowered space (namely by formal representatives having to deal officially with matters they used to ignore before).

It is imperative to emphasize the role of informal representatives within this context. Actors in the empowered space monopolize collective decision-making and enjoy the right of writing rules and shaping public discussion. As these representatives more often than not belong to a minor group of

society (detached from the everyday realities of their fellow citizens), repeatedly failing to take into consideration their constituents' wishes and grievances, they are not in the position to encourage or shape public discussion as they actively hinder the citizenry in forming political (and societal) discussions. The dynamic environment of protest movements (e.g. the ability to organize and adapt their structure, aims and methods as the movement unfolds) provides a powerful space for civilians to develop alternative means to partake in the representative process. Even though social movements reject their formal representatives and operate without official leaders the nature of their collective action, their ceaseless demands for freedom and rights in light of political repression as well as justifications of their own democratic norm-transgressing (to accentuate the unjust conditions of the political system) warrants for informal spokespersons who represent their cause.

Since social protest movements, irrespective of their chosen contestation methods, accomplish to reclaim the public space, in the process assembling a considerable following, the organization of decision-making and coordination of choosing protest activities on such a grand scale requires some form of informal representative(s). Individuals acting as or being conscripted into the role of an informal representative are substantial to the acceptance and (to some degree) success of a protest movement as these figures are in the position to describe the protestors reasons for partaking in disobedient actions as well as to justify civil and/or uncivil unrest to the wider public. While members of protest movements do not have to follow or accept non-electoral representatives, oftentimes they do accept an individual or a selected group of people to represent their viewpoints to formal political institutions and the broader public as these informal actors' claims to act as the movement's representatives frequently "have a resonance with their audiences because they can sometimes do things that elective claimants cannot do" (Saward 2009, p. 8). Although both the Umbrella and Water Revolution reflected the trend of new social movements being "outspokenly critical of the existing representative institutions and promote a more horizontalist and participatory form of democracy in their stead" (de Sande 2019, p. 240), they accepted the assistance of informal representatives to lobby their cause to the HKSAR government, their fellow Hong Kongers (and counterparts in the Mainland) as well as to international actors (most prominently the U.K. and U.S).

Leading up until the kick-off of the Umbrella Movement in September 2014, law professor Benny Tai and his co-founders of the Occupy Central Movement led public gatherings, discussions and disobedience actions in Hong Kong. Although they were keen to promote the values of democracy and universal suffrage, they did not manage to appeal to the wider Hong Kong society. The real change in mobilization was achieved by student leaders Joshua Wong, Nathan Law, Agnes Chow (from Scholarism) and Alex Chow (from HKFS) who effectively organized and led the week-long student boycotts and subsequent government sit-in joined by the Occupy Central Movement (which would be the catalyst for the Umbrella Movement). Organizing an yet unprecedented scale of civil disobedience (including strikes, rallies, marches, sit-ins – the HKSAR administration's decision to label any citizen engaging in these actions as violating the rule of law categorized them as CD) these student leaders were

arrested and prosecuted numerous times for their involvement in the Umbrella Revolution (see Lee & Sing 2019 p. 139 and Tai 2019b p. 366). Even though HKSAR and Beijing government officials and media tried to downplay the scale of the movement and squash the activism by going after Wong, Law and Chow, the informal representatives still managed to engage the support and empathy of Hong Kong's civil society.

Drawing on V-DEM's variable graph and the “mass mobilization concentration” and “mobilization for democracy” indicators, figures 9-10 display the potential positive effects of umbrella and pro-democracy informal representatives' successful mobilization of a broad segment of Hong Kong's civil society. Being themselves active members of both the Umbrella and Anti-Extradition Movement, student leaders Joshua Wong, Agnes Chow, Nathan Law and Alex Chow's claims to represent the wide array of the movements' members and supporters are based on the wider interests of the movement: (1) the specific grassroots elements of the movement (decentralized and horizontal structure, taking part in civil and uncivil unrest), (2) the active and collective participation in disobedient campaigns and occupation of public spaces reflects the student leaders' mirroring and stakeholder claims (due to the similarity between the representative and the constituency he or she claims to speak or stand for as well as the idea of standing or speaking for a group that has a material or other stake in a process or a decision), (3) the mobilization of support or empathy of a wide array of civil society actors who previously remained silent or completely ignored/neglected/removed from the representative process and people who might not hold the same demands of democracy but seek to have their voices included in the representative process (surrogacy for wider interests) and finally (4) the non-hierarchical and horizontal aspect of decision-making and the choice of mode of participation in the movement – whether it be by being on the front lines, participating in uncivil or more toned-down civil activism, supporting the movement by providing protective gear/shelter/food/escape routes/money for funding the activism – allows for individuals to speak for or represent their own interests (self-representation) (see Saward 2009, pp. 10-15).

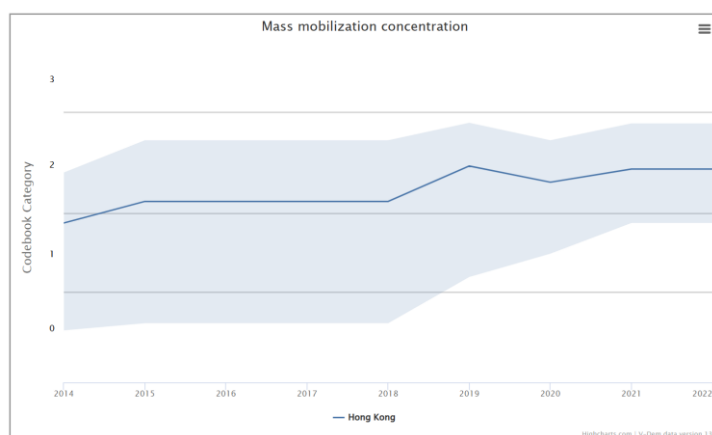


Figure 9 - V-DEM Variable Graph 1: Mass Mobilization in Hong Kong (2014-2022)

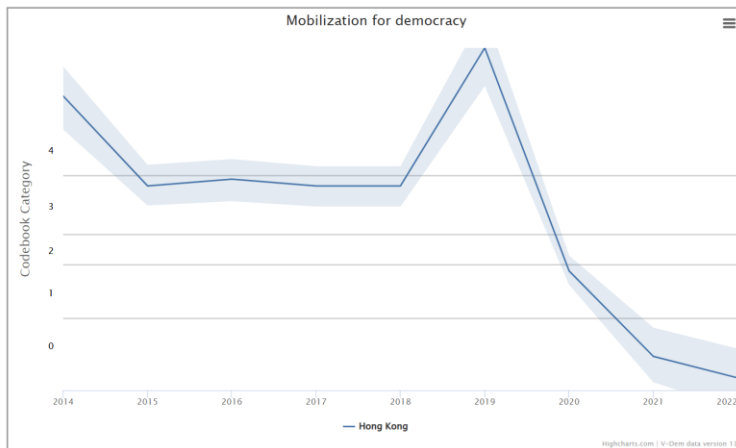


Figure 10 - V-Dem Variable Graph 2: Mobilization for democracy in Hong Kong (2014-2022)

Having learned from the successes and failures of the 2014 Umbrella Movement, the pro-democracy protestors “[took] up the role of movement organizers and gotten involved in the practical work of mobilization”; and with the experience and guidance of Wong, Law and Chow, members of the 2019 Anti-Extradition Movement are “no longer casual participants of politics but ‘everyday activists’ for whom political resistance is part of their lives” (Tang & Cheng 2022, p. 137). As pro-democracy activists could rely on informal representatives – who gather substantial influence through their range of wider interests and deeper roots (being part of and identifying with the protest community) claims – to elucidate and promote their demands and justify the reasons for their unconventional disobedient actions to Hong Kong’s civil society and to actors within the empowered space, the movement managed to gather a powerful position within the public space. In light of these developments and “through the occupation and recomposition of public space and the experimental realization of alternative, horizontalist forms of organization and decision-making” (de Sande 2019, p. 239) the Water Revolution paved the road for fostering democratization.

When informal representatives who are accepted by their audience or constituency successfully mobilize support from civil society they are able to influence the empowered space. Recognized non-electoral representative figures who enjoy the confidence of their constituents (and gather significant attention within the public space) are able to lobby formal representative actors for their cause or they can transition into the empowered space by running for office. As previously mentioned, the triumph of umbrella soldiers and pro-democracy activists during the 2016 and 2019 elections in Hong Kong was made possible by the broad civil society support and the incumbents role as informal representatives of the 2014 and 2019 protest movements. Amongst the victorious movement members who transitioned into the empowered space was student leader Nathan Law (one of *the* central informal representatives of the movement) (see Hansen-Edwards 2018, p. 16). Albeit being voted into office via the formal electoral process, the pro-democracy candidates and former informal representatives were deterred from going into office due to their involvement (and arrests for participating) in the Umbrella Revolution along with the use of “irregular swearing-in methods in the oath-taking ceremony to express their

political opinions against the HKSAR Government and the CCR” (Tai 2019b, p. 364) leading to their disqualification as members of LegCo. Being excluded by their formal political representatives, these individuals took up their role as informal representatives and turned to actors outside of Hong Kong to implore their assistance in civil society’s fight for democracy and inclusive representation (more on this subject in the next sub-section).

The cases of Hong Kong’s social protest movements engaging in various forms of disobedient campaigns, re-claiming public space, including previously silenced and neglected communities of civil society by presenting an opportunity to actively participate in the representative process offer a more systemic understanding on the effects of disobedience on representation and the value of incorporating the citizenry’s perspective. Both the Umbrella and Pro-Democracy Movements provided citizens with a wide array of options to participate in protests, whether it be people actively joining the resistance on the streets, people empathizing/supporting the movements’ goals and demands by advocating formal representatives to stop the violent suppression of activism by the police, or people silently aiding protestors (by providing medical support, financial aid, food and shelter). This dynamic nature of the SAR’s social movements has encouraged participants to “select their role based on their own perception” (Purbrick 2019, p. 476), reflecting activists usage of verbal (shouting their demands during protest marches, rallies or occupations of public sites) and non-verbal (protest posters/graffities; breaking into, damaging and occupying government buildings; engaging in violence to fight against police brutality) cues to take part in representation and dissent.

Both the Water and Umbrella Revolution relied on verbal speech acts (such as shouting their demands for more democratic freedoms and rights, chanting protest slogans, having public discussions and rallies) and silent forms of contestation practices in the public space to communicate their frustration with Beijing’s endeavors to impose their repressive and authoritarian system onto the autonomous HKSAR. Whether it be silent protest marches such as the June 6 2019 march organized by local lawyers dressed in black (to highlight the loss of autonomy and ever-increasing importance of pro-Beijing attitudes in Hong Kong’s governance), rallies/gatherings and occupations of public space with posters proclaiming individuals grievances with the current system or slogans demanding democratic rights and freedoms, or activists breaking into government buildings, damaging public property by spraying protest-related graffiti, occupying university campuses and local airports to wearing all black, masking themselves with goggles, masks and protective gear all while reacting to the violent suppression of the police force with equal violent means to protect their fellow protestors on the frontline from bodily harm – the Umbrella and Pro-Democracy movements provided citizens with alternative options beyond their electoral representatives to take part and have a voice in the representative process (who otherwise might not have taken part in the official, electoral process or who might not want to visibly participate in open protest fearing legal, economic or political consequences).

“It was you who told me that peaceful marches did not work”: Disobedience As Representation

Hong Kong is no stranger to protest culture nor to the use of disobedience campaigns. From the civil disobedience-oriented Star Ferry Riots in 1966, the escalation of violence during the 1967 Confrontation (with protestors burning cars, assaulting the police and left-wing schools’ students joining the rioters by making bombs in the schools’ science laboratories) (see Carroll 2007, p. 147-151) to the post-handover uprise of student activism in light of the 1989 Tiananmen movement “revealed many of the conditions in Hong Kong that provided a favorable environment for civil unrest” (Carroll 2007, p. 151). The PRC’s violent suppression (and massacre) of the Tiananmen Movement’s student demonstrators would prove to be a decisive moment for Hong Kongers, with locals embracing their unique Hong Kong identity and political system (as opposed to the system their mainland counterparts have to bear) and Chinese refugees being reaffirmed in their decision to move to the more democratic HKSAR where they “could have a better future” and where they could “avoid the fate of people on the Chinese mainland” (Shum 2021, p. 33). Although the events on Tiananmen Square in 1989 would inspire youth activism and civil unrest in the SAR in the years to come, older inhabitants, who have experienced Mainland China’s cultural revolution, reflected on the role of protests and disobedience campaigns in reaction to the CCP’s authoritarian repression in 1989 doubtfully:

‘It’s not going to end well for these youngsters,’ he predicted. ‘They don’t understand,’ he said. ‘The Communist Party rose to power by manipulating protests, ginning up mass movements, and then suppressing them ferociously once they’d served their purposes’. ‘A newborn calf doesn’t fear a tiger,’ he said. ‘You cannot beat the Communists this way’. (Shum 2021, p. 33)

The PRC’s endeavors to undermine the *one country two systems* policy by ensuring that only pro-Beijing candidates preside in HKSAR’s government, parliament, police force and judiciary has prompted people to take to the streets to uphold and protect their democratic freedoms and rights (as enshrined in the Basic Law). Confronted with a rigid and exclusionary electoral system, formal representatives who only serve like-minded pro-Beijing and business elite’s interests, as well as the CCP’s blatant disregard of OCTS and mainlandization campaign, Hong Kongers have resorted to mass protest movements and contestation in form of (civil and) uncivil disobedience. The unprecedented scale of uncivil unrest and cross-society mass mobilization of the 2019 Anti-Extradition Movement has shown how “extraordinarily popular and remarkably effective” protests can be “not in spite of but because of such tactics of uncivil disobedience” (see Delmas 2020a). Figure 11 (ANTIELAB arrests and protests statistics provided by *Hong Kong Free Press*: showing the accumulated number of arrestees during the height of the disobedience campaigns from July 2019 to January 2020) represents the allure (and success) of the 2019 protests in mobilizing civilians to partake in UD despite activists being arrested by Hong Kong’s police force (facing prosecution and incarceration on the grounds of a variety of offences including rioting and unlawful assembly).

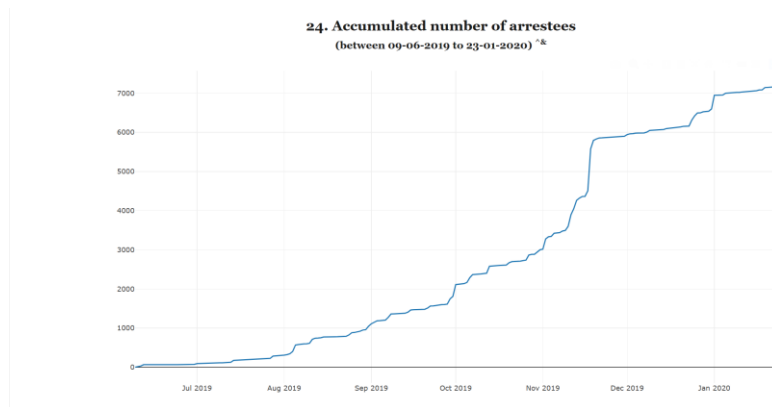


Figure 11 – Anti-Extradition Movement Arrest Statistic (July 2019 – January 2020)

The Sino-British Joint Declaration and the Handover of Hong Kong to China under the terms of OCTS granted Hong Kong self-governance in political and legal affairs until 2047 (without Beijing’s interference). Additionally, the Chinese government consented to grant HKSAR “a significant measure of democracy and continued freedoms of religion, speech and assembly – rights that were denied inside China” (Shum 2021, p. 192). But as Hong Kongers would soon find out the CCP did not intend to keep this promise. With the rise of Xi Jinping in the 2010s the Chinese government “curtailed Hong Kong’s democratization” and initiated a campaign to “actively undermine Hong Kong’s political system” (Shum 2021, pp. 192-93). When it was decided in 2014 that – despite insurances of universal suffrage in the Basic Law – the Chief Executive elections in 2017 would include nominations of prospective candidates by the National People’s Congress Standing Committee (NPCSC, dominated by Beijing-approved members) and only functional (and geographical) constituencies would be allowed to vote, the local population started to believe that the concept of ‘one man one vote’ was meaningless. The Umbrella protests arose in reaction to Mainland China’s evident interference in Hong Kong’s autonomy along with Hong Kongers’ disillusionment in the formal electoral representative process.

In response to the NPCSC’s decision student organizations Scholarism and the Hong Kong Federation of Students (HKFS) organized week-long class boycotts followed by public sit-ins outside the government headquarters from September 22 onwards. The movement’s rapid and massive mobilization would commence when informal representatives – student leaders Agnes Chow, Joshua Wong, Alex Chow and Nathan Law – “asked students to launch a ‘non-scripted square-off’ occupying Civic Square [the courtyard of the government headquarter]” (Ma & Cheng 2019, p. 58). The barricade and occupation of the Civic Square represents not only civilians re-claiming public space (in the Kuyperian sense) but also making space for silenced or excluded voices to come together and discuss their vision of Hong Kong’s political future, the administration’s categorization of these protests as going against the rule of law mapping their protest methods to the realm of civil disobedience. Although the protest site was quickly surrounded by the police – attempting to disperse the protests by using pepper spray and sealing off government headquarters with roadblocks – “thousands of citizens arrived and stood guard outside Civic Square to ‘engulf police’ and ‘protect students’” (see Ma & Cheng 2019, p. 59).

Alongside the use of public, non-violent, non-evasive (being contrary to the rule of law according to government officials) civil disobedience actions (in the context of a hybrid and repressive regime: occupying public space, sit-ins, rallies and marches), the Hong Kong Police Force's decision to encounter peaceful student protestors (solely shielded by umbrellas) with teargas motivated citizens to join the movement and led to further civil unrest in the form of mass occupations (Ortmann 2021, p. 315).

An explaining factor for the successful mobilization of a broad segment of Hong Kong's civil society is the role of the HKFS' and Scholarism's Alex Chow, Joshua Wong, Agnes Chow and Nathan Law who were active (and frontline) members of the civil disobedience campaigns before and during the Umbrella Movement. Grounding their representative role in what Saward (2009) describes as deep group morality – by sharing values of democratic rights and freedoms, the sense of belonging to a unique Hong Kong identity apart from the mainland's interference, the view that every Hong Konger has the right to be a part of the representative process and the belief that by engaging in public and non-violent civil disobedience campaigns the movement's goals can be achieved – these student leaders took on the role of informal representatives, eventually representing the Umbrella Movement “in a televised debate with the Government consultation committee head, Carrie Lam” (Chan & de Londras 2020, p. 191). Using their status as recognized representatives they introduced egalitarian, democratic and participative forms of decision-making by dissecting the various occupation sites into smaller groups of communities who then “made decisions based on consultations and deliberations at the locality (Ma & Cheng 2019, p. 89). The dynamic relation between these representatives and their audience (fellow activists, members and supporters of the movement) created the base for mobilization and collective disobedient action, thus facilitating the promotion of democratization and creating an alternative representation process. This argument is underlined by Lee & Sing's (2019, p. 19) description of the movement's exceptional mobilization strategies granting “the participation of a variety of grassroots groups from different class background”.

Albeit the large-scale mobilization and civil disobedience campaigns the Umbrella Movement failed to establish universal suffrage for the 2017 Chief Executive election. Referring to the Annex I of the Basic Law the Chief Executive would be elected by the Election Committee, comprised of 1.194 members in four sectors (see *EAC Chief Executive 2017 Elections Report*, p. 1; p. 27; pp. 142-43), as opposed to the eligible 3.8 million registered citizens who would be able to vote (see *The Guardian* 2017). With two pro-Beijing candidates – Carrie Lam and John Tsang – and one progressive candidate – Woo Kwok-Hing – and the “undemocratic and [...] uneven nature” (see *The Guardian* 2017) of the electoral system in allocating votes, the Umbrella Movement's campaigns for more egalitarian representation seem to have been ineffective. The pro-Beijing candidate Carrie Lam became the new Chief Executive with 777 votes out of the 1.194-member Election Committee (see 2017 Chief Executive Elections Official Website). Even though the Umbrella Movement proved unsuccessful in this regard, the collective civil disobedient action and protests proved to be partially successful, namely in the uprise

of pro-democratic parties and electoral victories of the movement's informal representatives and activists in subsequent elections.

One of the most outstanding examples are the 2016 Legislative Council Elections. With a voter turnout of 58,28% for the overall geographical constituencies (3,779,085 registered electors) and 74, 33% for the overall functional constituencies (239,724 registered electors, excluding 3,473,792 electors of the District Council second functional constituency) (see 2016 Legislative Council Elections Official Website) it seems that the protests and collective civic action during the 2014 Umbrella Movement have had a substantial impact on Hong Kong's citizens. Besides the unusually high voter turnout, the election of several former Umbrella activists, informal representatives along with members of pro-democratic parties into LegCo supports the argument that the dynamic between non-electoral representatives and protest audiences influences and expands representative practices beyond traditional forms. Newly elected legislative council members include student leader and informal representative Nathan Law, Youngspiration's (newly formed party consisting of former occupy/umbrella activists) Yau Wai-ching and Sixtus Leung Chung-hang as well as the pan-democratic Civic Party's Dennis Kwok Wing-hang and Claudia Mo Man-ching (see *EAC Report on the 2016 Legislative Council General Elections* pp. 197-201 & *South China Morning Post* Report on 2016 Legislative Council Elections). The majority of these candidates would be barred, deterred or driven out of office due to their connections and support to the 2014 and 2019 protest movements, with some of them going into exile and taking up the role of informal representatives lobbying international actors for help while others were arrested (and imprisoned) under the regulations of the 2020 National Security Law.

The proposal for an amendment of the Fugitive Offenders Ordinance law, essentially ensuring that Hong Kong's inhabitants could be tried in Mainland (and Taiwanese) courts, unearthed a "deep-held fear of generations of Hong Kong people who fled from chaos in China in the past century and have an abiding distrust of the systems in the mother country" culminating in an unprecedented wave of protests which "challenged the system of governance" in HKSAR (see Purbrick 2019, pp. 481-482). With the government's refusal to acknowledge citizens' concerns and critiques regarding the bill, pushing for a reading and passage of the amendment law in LegCo, public resistance expanded. Initiating a civil disobedience campaign, the Anti-Extradition Movement organized a public, non-violent march on June 9 2019 (known as the peaceful million march) mobilizing a million Hong Kongers to advocate for the withdrawal of the amendment bill. Seemingly unfazed by the large-scale civil society opposition, the SAR's government planned a second reading of the bill (in hope of an immediate passage) on June 12. But "in an echo of the 2014 Occupy sit-ins" (Chan, Lai & Kellogg 2023, p. 18) anti-extradition activists surrounded the Legislative Council building, effectively hindering staff and LegCo members from entering the building (thus postponing the reading of the bill) Later that day a group of frontline protestors attempted to break into the LegCo building with the Hong Kong Police Force responding by displaying an unwarranted use of violence (including tear gas, pepper spray and rubber bullets) in the

entire protest area targeting both radical activists and the largely peaceful protestors (see Chan, Lai & Kellogg 2023, p. 18 and Summers 2021a p. 131).

Albeit the government's retreat in the form of an initial indefinite suspension of the bill and (in the face of the continuous uncivil resistance campaigns by the Water Revolution) eventual withdrawal of the proposed amendment, the people of Hong Kong did not trust their electoral representatives consequently fueling a drive for further collective civic action. In the wake of the familiar pattern of previous protests, the Hong Kong Police Force's decision to encounter protestors with violence only increased public support for the movement and illustrated the need for continuing to protest, leading to the path of uncivil resistance (see Chan, Lai & Kellogg 2023 p. 18; Purbrick 2019 p. 484 and Summers 2021a p. 131). The failure of Hong Kong's government and electoral representatives to listen to the protestors demands and excluding activists, supporters and members of the Anti-Extradition Movement in the representative as well as decision-making process due to "violence or incivility [being] prematurely taken as a basis for refusing to recognize actors as potential discursive interlocutors" (Smith 2020, p. 17) undoubtedly steered the movement's decision to engage in uncivil disobedience. With HKSAR's political system being undermined by CCP-approved representatives, locals felt that their chance of presenting their ideas and affecting their representatives decisions revolved around collective contestation practices. However, protestors had their work cut out for them as their choice of employing UD to advocate for a more democratic system is constantly met with suppression by both local and mainland governments. As Shum (2021, p. 195) correctly observes it is "ironic, to say the least, that the Chinese Communist Party, which had come to power on the backs of the masses in China, had so neglected the masses in Hong Kong".

The massive protest waves during the 2019 Water Revolution are grounded in the movement's decision to turn to uncivil disobedience, the (albeit leaderless) aid of the Umbrella Movement's student leaders (who continued in their role as advocates and informal representatives) and encouraging activists and supporters to join in the movement's decision-making process; at the same time giving them freedom "to say whatever they want in chants, placards, and graffiti, many of which feature satire and profanity about the movement" (see Delmas 2020a). A significant example of the Anti-Extradition movement's use of uncivil disobedience are the re-claiming and vandalizing of public space (and property) in form of protest posters and graffities ranging from protest slogans, the famous five demands, critique of the PRC's repressive regime, Hong Kong Police Force's disproportionate use of force to messages of solidarity, support or motivation to continue the resistance. As Richards (2020, p. 80) points out, these collective civic actions of covering the city's buildings with protest posters or graffities – despite the government's efforts to repaint or remove those messages – benefits the movement not only by providing incentives for integrating "individual[s] into the collective resistance movement" but also through the temporary recapture of public space therefore declaring "that the city belongs to the people, not the government".

The 2019 pro-democracy activists essentially utilized protest posters and graffiti during their disobedience campaigns as they appear more moderate in comparison to the movement's other uncivil disobedience strategies (see Smith 2020, p. 16). One of the most prominent slogans covering posters and graffiti during the protests was 沒有暴徒只有暴政 (*There are no rioters, just tyranny*) (see *Hong Kong Free Press*: 2019 Protests Glossary). Demonstrators used this slogan to counteract HKSAR government's framing of them as rioters. Figures 12-14 (see ANTIELAB Poster Search Engine provided by *Hong Kong Free Press*) exhibit anti-extradition protestors' engagement in what Scheuerman (2021a, p. 96) calls disruptive property damage (i.e. the property demonstrators' intend to damage has direct symbolic significance, the disruption or obstruction of a particular target aimed at a "practice protestors view as unjust or illegitimate, with the targeted property seen as essential to the disputed practice"). Akin to Delmas' playbook of principled disobedience (including both CD and UD), the Anti-Extradition Movement started their resistance by organizing and conducting a civil march on July 1. Having learned from the failure of the 2014 Umbrella Movement, "which emulated the liberal, Rawlsian conception of civil disobedience" (Delmas 2021, p. 221), protestors who participated in the million march turned to acts of uncivil unrest once their march reached the Legislative Council building. In what would be later known as the storming of LegCo, activists broke into their formal representatives' building, "vandalising and causing significant destruction to property" (Richards 2020, p.83) by spray-painting the movements' slogans (such as 沒有暴徒只有暴政 *There are no rioters, just tyranny*, seen in Figures 13 and 14), destroying furniture and portraits and waving the British and colonial Hong Kong flag.



Figure 12 - Poster Search Engine #沒有暴徒只有暴政 1

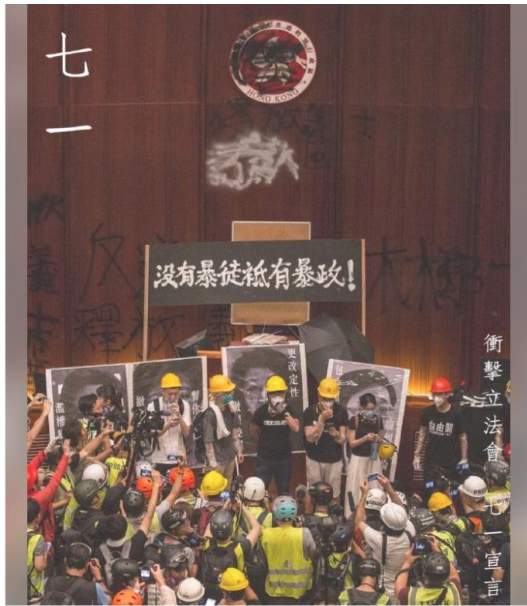


Figure 13 - Poster Search Engine #沒有暴徒只有暴政 2

By situating their contestation practice in LegCo the activists speak “directly to legislators and the CE [Chief Executive]” (Richards 2020, p.83). The act of spraying protest slogans, demanding more democratic governance and egalitarian representation, in public space and particularly in a building reserved for formal representatives with decision-making capabilities in the empowered space reflects protestors deliberate “resort to breaches of decorum in order to draw attention to their action and cause” (Delmas 2021, p. 218). While the police eventually dispersed the occupation and destruction of the building by using tear gas, the fact remains that Hong Kongers took on the formal representative process by representing their opinions and ideas themselves in an act of collective uncivil disobedience at the heart of electoral representation (i.e. the Legislative Council building). Therefore, members of the Water Revolution practiced systematic and shape-shifting representation as their collective action regarding democratic rights, freedoms and representation occurred “throughout social, including personal and group, lives as well as in more conventionally political contexts” (Saward 2014, p. 732).



Figure 14 - Poster Search Engine #沒有暴徒只有暴政 3

As Delmas accurately describes, the Anti-Extradition Movement's choice of strategically utilizing uncivil unrest to achieve their goals has been essential to the success of the protests in the form of "lower[ing] the barrier to mass participation and increase[ing] support" (2021, pp. 221-222) along with the use of "defensive force to limit the impact of police violence on crowds"(see Delmas 2020a). The fluid and dynamic nature of the protests (i.e. "be like water" tactics"), the non-hierarchical and egalitarian decision-making structure, the broad array of cross-society supporters as well activists' diverse roles in the movement have led to a comprehensive display of uncivil disobedience techniques. The slogan 和勇不分 和勇同心 和勇一家 (*no differentiation between peaceful and valiant protesters*) captures activists and citizens supporting the Water Revolution by cultivating "different protest strategies to be united, to avoid a reoccurrence of what happened towards the end of the 2014 Umbrella Movement" (see *Hong Kong Free Press*: 2019 Protests Glossary).

Figures 15 and 16 (see ANTIELAB Poster Search Engine provided by *Hong Kong Free Press*) echo the slogan's message and promote the use of principled disobedience (by allowing civilians participating in the movement a choice in their protest practice). Figure 16 in particular showcases the movement's successful application of the principled disobedience strategy by emphasizing both the CD-oriented marches and occupations of public sites (with protestors still adhering to the movements covert tactics by concealing their identities, trying to evade legal consequences) along with the more radical frontline protestors who engage in UD bearing the legal repercussions as well as acting as shields (for other members of the movement) to police violence. Delmas (2021, p. 221) summarizes the Anti-Extradition Movement's protest landscape as follows

The movement includes a flank of front-line activists who use defensive force against police violence. They set up roadblocks to slow down police vehicles, throw rocks and Molotov cocktails, and neutralize tear gas canisters to protect the crowds of protesters. They act covertly, concealing their hair and faces with hard hats, goggles, and gas masks; and evade law enforcement efforts. Hong Kong residents secretly provide food, equipment, rides home, medical aid, and funds to activists. Protesters' messages – in chants, placards, Lennon walls, and graffiti – feature offensive language and express crude anti-police and anti-Chinese sentiment.



Figure 15 – Poster Search Engine #和勇不分#和勇同心#和勇一家 1

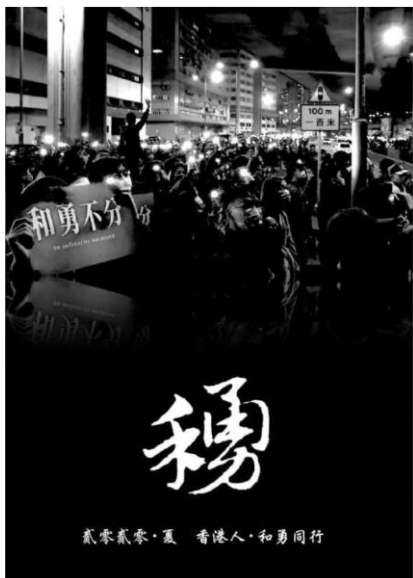


Figure 16 - Poster Search Engine #和勇不分#和勇同心#和勇一家 2

The violent clashes between Hong Kongers participating in the Water Revolution and the Hong Kong Police Force (sent to disperse the protests) are rooted in the HKSAR administration's dismissal of activists use of civil disobedience and failure to "uphold the conditions necessary for norms of civility to flourish" (trying to suppress public, non-evasive and non-violent marches, sit-ins or rallies; sometimes even meeting protestor's civility with police violence and arrests), consequently giving demonstrators the impression that they have no other choice than to make incivility their "default mode of conduct" (see Delmas 2021, p. 225). By embracing the dynamic nature of the movement (i.e. not distinguishing between peaceful and valiant protestors, continuing to act covertly and uncivilly, incorporating all protest communities in the decision-making, employing informal representatives to lobby international support) the pro-democracy advocates of the Anti-Extradition Movement create space(s) for democratization despite the CCP's inclination towards "repression and control" (Shum 2021, p. 151).

The final illustration of effects of disobedience on representation concerns Hong Kong's 2019 District Council Elections. Taking place in November 2019 – amidst the Water Revolution – the elections demonstrated the ability of protestors employing uncivil disobedience to affect the formal (electoral) representation process through a landslide victory of pro-democracy candidates (Hung 2022, p. 5). As previously mentioned, frontline activists and members of recent protest movements (priorly inhabiting the role of non-electoral representatives) successfully lobbied Hong Kong's (pro-democratic) parties and voters (in spite of their use of uncivil acts of resistance). These candidates utilized their experience in mobilizing cross-society communities to support or join in their pro-democracy movement to pull thousands of Hong Kongers to the polling stations. In a record-high 71.2% voter turnout rate (see 2019 District Council Election Website and *EAC Report on the 2019 District Council Ordinary Election* p. 189) citizens (who up until then supported or participated in the uncivil disobedient actions of the Water Revolution) made use of one of the core pillars of democratic systems – exercising their right to vote – to show their allegiance to the Anti-Extradition Movement and their demands for democracy, autonomy, equal rights and representation. In a landslide victory pan-democratic candidates gained control of 17 out of 18 district councils, with their overwhelming majority attaining “all 117 of the District Councilor seats in the chief executive election committee because of its winner-takes-all rule” (see *Hong Kong Free Press* 2019). The pan-democrats indicate winning 392 seats across the 17 district councils as a result of civil society endorsement of the 2019 protests (see *South China Morning Post* 2019).

The pro-democracy protestors (may) engage in actions that are considered as UD. Delmas' uncivil disobedience handbook provides potential avenues for activists and informal representatives to justify the use of such actions. These justifications include the pursuit of valuable goals, such as “rescuing or assisting people in need”. Furthermore, the use of violence can be seen as a means to further the realization of demands and goals (“including self-defense and defense of others”). The final aspect involves deliberately resorting to incivility to “draw attention to their action and cause” (see Delmas 2021, pp. 217-218). Notwithstanding the positive effects on representation and democratization through activists employing disobedience strategies (as illustrated in the aforementioned instances), the HKSAR (under pressure by Beijing) put a stop to any kind of disobedience. In June 2020 the NPCSC passed the National Security Law which “effectively outlaws comments criticizing the Hong Kong government by anyone anywhere” (Shum 2021, pp. 214-215). The National Security Law covered the offences of secession, subversion, terrorism and collusion with foreign countries/agents/organizations, effectively eroding the right of free speech by framing any opinion (and protest practice) on Hong Kong being autonomous or introducing democracy as a threat or danger to national security (see Shum 2021 p. 196 & Summers 2021a p. 149).

In response to the introduction of the law pro-democratic parties and lawmakers resigned or dissolved their parties in protest; with members and supporters of the 2014 and 2019 movements being arrested and imprisoned many people decided to go into exile (while others decided to stay and continue their resistance to Beijing's repression), civil society groups were dismantled, pro-Hong Kong and pro-

democracy newspapers were raided and charged with offences under the new law (or forced to close) along with the Hong Kong Police Force issuing arrest warrants and bounties for exiled activists (including Nathan Law and Agnes Chow) (see *Hong Kong Free Press* 2023; Summers 2021a p. 152; *The Guardian* 2023a & 2023b).

Defenders Of Democracy: Hong Kong's Informal Representatives And Their International Allies

Whether they continued their resistance to Mainland China's aggressive repression policies by staying in the city or they fled into exile to lobby international actors in support of their fight for Hong Kong's democratization and autonomy, informal representatives such as Nathan Law, Alex Chow, Joshua Wong or Agnes Chow have been key to the triumph of the pro-democratic 2014 and 2019 protest movements. While the majority of Hong Kongers supported the activists by providing medical (nursing injured protesters who feared being arrested at local hospitals), financial (providing activists with equipment and supporting arrested members in paying legal fees) or material assistance (providing supplies such as masks, helmets, goggles, gloves, food; navigators tracking safe escape routes, providing safe house locations and tracking police force locations) (see Delmas 2021 pp. 221-222; *Faceless* 2022; Summers 2021a pp. 138-139), non-electoral representatives highlighted the CCP's aggressive mainlandization policy and elucidated (and justified) the protestors use of uncivil disobedience with the aim to "[educate] the international community on the shortcoming of China's Hong Kong policy (Chan & de Londras 2020, p. 189). The former student leaders employed their status as informal representatives of the 2014 and 2019 protest movements to lobby international actors such as the U.K., the U.S. and the EU in endorsing Hong Kong's self-governance (under the Basic Law and OCTS) and democratization.

Reacting to Beijing's repression policies, the American government chose to aid Hong Kongers resisting Chinese interference. Through the successful petitioning of informal representatives Nathan Law and Joshua Wong the U.S. government opposed the PRC's repression of pro-Hong Kong sentiments and opposed mainlandization policies with a counter-offensive focused on supporting democratic principles such as the freedom of speech and protection of human rights. The outburst of the pro-democracy protests in 2019 has compelled agents in the U.S.' empowered space to pass the *Hong Kong Human Rights and Democracy Act* which is "grounded in the determination to promote Hong Kong's prosperity, autonomy, and way of life" (U.S. Department of State 2023b). Including an annual review of Hong Kong's civil liberties and degree of autonomy this U.S. policy endorses Hong Kong's Pro-Democracy Movement (Carrai, Rudolph & Szonyi 2022, pp. 216-217).

Even though the CCP disregarded international support for Hong Kong – introducing the contested National Security Law in 2020 – American interest in Hong Kong's political landscape sustained as the U.S. administration continued voicing their support for HKSAR and installed sanctions against key personnel involved in the adoption of the National Security Law (Eichensehr 2021, p. 138). The latest Hong Kong Policy Act Report states Mainland China undertaking a wide array of actions which are

“inconsistent with the Basic Law and the PRC’s obligation pursuant to the Sino-British Joint Declaration of 1984 [...] to allow Hong Kong to enjoy a high degree of autonomy”, emphasizing Hong Kong government’s control over “the ability of Hong Kong voters to elect representatives of their choosing” in consequence elevating the representative role of the former student leaders (see U.S. Department of State 2023a).

Connected to Hong Kong through its colonial history, the United Kingdom has continually endorsed the city’s autonomy (as laid out in the Sino-British Joint Declaration and the Basic Law) as well as citizen’s call for egalitarian representation and democratic rights in the post-handover period. Britain’s ongoing interest in HKSAR’s affairs is reflected in the Foreign, Commonwealth & Development Office’s six-monthly reports on Hong Kong to the British Parliament (see Summers 2016, p. 4). The most recent report, covering the period from January 1 to June 30 2023, draws attention to the negative impact of the National Security Law and asserts the U.K.’s commitment to assist Hong Kong in “retaining its promised high degree of autonomy and protecting all rights and freedoms” (see Foreign, Commonwealth & Development Office 2023). The report concludes by describing Mainland China’s violations of rights and freedoms enshrined and protected by the Basic Law through the application of the National Security Law which “continues to suppress free speech, stifle opposition, and shrink the space for civil society” (Foreign, Commonwealth & Development Office 2023). Having granted asylum to Nathan Law – former student leader and member of LegCo, political prisoner and informal representative in exile – the British administration has further elevated Law’s status as informal representative. Having toured various universities, parliaments and international organizations across Britain, the United States and other European countries Nathan Law has effectively lobbied international actors by sharing his experience as activist and student leader along with petitioning Britain’s Foreign Secretary to enforce sanctions on Hong Kong and Chinese officials, thus influencing the U.K.’s Hong Kong policy (see Hong Kong Watch 2020 and Nathan Law’s official website).

In addition to the American and British administrations support of an autonomous and more democratic Hong Kong, the European Union has committed itself to assist the SAR in maintaining the OCTS principle and combating China’s repressive mechanisms. For example, the European Parliament and Council issue joint annual reports on HKSAR, the 2022 report (akin to the U.K. 2023 six-monthly report) particularly emphasizing the dire consequences of the National Security Law concerning civil and political rights, trials of pro-democracy activists and politicians as well as the restricted electoral process (see EEAS 2023). Moreover, the 24th EU-China Summit (taking place in Beijing on December 7 2023) saw EU officials echoing their concerns over “continued erosion of fundamental freedoms in Hong Kong, where China should honor its prior commitments” (see European Council 2023) following their resolution on Human Rights in Hong Kong containing (1) an appeal to the Hong Kong government to “immediately release and drop all charges against pro-democratic representatives and activists”, (2) the EU Parliament’s petition for the EU to introduce “targeted sanctions against all officials from Hong Kong and China responsible for the ongoing human rights crackdown in the city”, (3) denunciation of

Beijing's endeavors to target "their diaspora communities in the EU" and (4) the EU Parliament's call on Chinese officials to "repeal the National Security Law and to stop impeding the work of journalists" (see European Council 2023 & European Parliament 2023).

The cases displayed in this section showcase how analyzing protest movements' use of (uncivil) disobedience in hybrid or repressive regimes grant valuable insights into the expansion of representative practices by means of informal representation. From the classification of protest practices such as strikes, rallies, sit-ins and marches as civil disobedience (due to repressive governments' decision to denounce these practices as being contrary to the rule of law and threatening individuals partaking in these actions with legal consequences and police brutality), the use of more moderate and radical uncivil contestation practices (e.g. property damage, occupying government buildings, spraying protest graffiti on public buildings, promoting democracy and underlining their regime's repression, clashing violently with the police force, masking themselves during protest actions to evade legal consequences) and movement members taking up the role of informal representatives to guarantee the citizenry's perspective within the representative process – the study of social protest movements strategic use of principled disobedience met with their hybrid or repressive regimes' oppressive mechanisms (arresting people participating in any form of protest, threatening activists with life sentences and extinguishing any means for citizens to develop/discuss a political opinion, restricting access to the electoral process by ensuring that only candidates and voters they approve are able to participate) provides theorists, governments and citizens alike with a fresh take on how to embrace civilians' perspectives in political representation.

Conclusion

In recent years theories of political representation have developed substantially. The changing political and social landscape of the twenty-first century has emphasized the desire for diverse, inclusive and egalitarian representation. As the status quo of representation (Western-style representative democracy) is increasingly questioned by civilians, alternate modes such as informal representation gain traction. Embracing Pitkin's concept of 'making present again' and redirecting attention towards citizen perspectives, proponents of informal (non-electoral) representation propose new avenues for including broader interests and voices into the representative process. The realm of informal representation offers civilians alternative opportunities to communicate their viewpoint, from speaking up for oneself (Hayat 2022), assigning the role of representative to an individual (Salkin 2021) or informal representatives mirroring formal representatives' strategy of surrogate representation (individuals who are typically not seen as being able to speak for a specific community taking on the task of representing said group, Mansbridge 2003). The focus of this thesis centers on informal representation practices of representative claims (Saward 2009), cross-constituency mobilization and the positions of actors in the public and/or empowered space (Kuyper 2016) and representation outside of formal political institutions (Saward 2014).

In response to the growing dissatisfaction with electoral representatives (and the electoral process), instances of democratic decline, and the exclusion of members from silent or minority communities, civilians are increasingly turning to the act of protesting. Whether it be in liberal-democratic or hybrid, illiberal, repressive societies, social protest movements have served as a valuable ground for the citizenry to explore types of informal representation. With a focus on hybrid and repressive regimes, social protest movements' strategy of employing (civil and/or) uncivil disobedience as modes of contestation are utilized as unit of analysis. Repressive governments perceive public, non-violent, conscientious political acts (Rawls 1999) such as strikes, marches, rallies and sit-ins as being contrary to law and threatening public order (interpreting these protest practices as civil disobedience). With the covert, evasive, anonymous and deliberately offensive practice of uncivil disobedience (Delmas 2018) gaining heightened prominence, hybrid and repressive regimes often meet civilians using UD protest actions to make their voices heard with threatening legal consequences and police brutality.

By engaging in (uncivil) disobedience, protestors highlight the deficiencies of formal representation, simultaneously creating space for citizens in hybrid or repressive regimes to present their perspective. Civilians increasingly rely on informal representatives to explain and justify their use of disobedience, to lobby their interests in the empowered space (i.e. political arena where decisions are made) and to enhance the representative process by ensuring that people who are usually excluded or silenced by electoral representatives are included in representation. As uncivil disobedience (Delmas 2018, 2021) emerges as a potential tool for civil society to represent their interests and communicate criticisms, the

contestation practices of principled disobedience can provide citizens with a means opening and extending the representative process.

Why should we study the relation between disobedience and representation? What do we learn about expanding traditional conceptualizations of representation by focusing on informal representation? In this thesis, I have attempted to answer these questions by studying the relation between informal representatives and constituencies utilizing disobedience during social protest movements. Through the case study of Hong Kong's most recent protest movements, I have explored how these dynamics extend practices in existing representation theory: (1) acts of (civil and) uncivil disobedience in the public space have the potential to affect representatives, (2) the dynamic and fluid nature of protest movements provide activists with the ability to switch between civil and uncivil disobedience to enhance their goals and (3) the dynamic between non-electoral representatives and protest audiences expands representative practices beyond electoral representation.

First, citizens participating in social protest movements' decision to engage in strikes, marches, rallies, occupations of public space, damaging public property through protest graffiti/posters/slogans, masking their identities to evade legal consequences – in spite of threats of violating the rule of law, imprisonment and police violence – mobilize a wide array of civil society actors, applying significant pressure on government officials to react. As can be observed in the Umbrella and Anti-Extradition Movement, protestors strategy of employing principled disobedience to make their opinions and criticisms heard can lead to formal representatives acknowledging their demands, sometimes even revoking repressive and undemocratic policies. Former student leaders turned informal representatives Nathan Law, Joshua Wong and Alex Chow – after being arrested and imprisoned several times and forced to go into exile after the implementation of the National Security Law – have continued their work to defend the disobedience campaigns of the 2014 and 2019 protest movements. In an effort to promote Hong Kong's fight against the repressive policies of both the HKSAR and PRC governments, these informal representatives lobbied international allies for support. As a result, the U.S. government introduced the *Hong Kong Human Rights and Democracy Act* and helped establishing the non-profit organization Hong Kong Democracy Council (with Alex Chow as board member and Nathan Law on the advisory board) which continue to put pressure on Mainland China to stop interfering in Hong Kong's democratic development.

Second, the non-hierarchical and egalitarian decision-making structure of protest movements allow activists to switch between civil and uncivil contestation practices. For example, the Anti-Extradition Movement's choice to employ a variety of disobedient actions (from more civilly-minded strikes and occupations of public space to vandalizing LegCo and public spaces with protest graffiti and posters) helped protestors in advancing (successfully) their goal of withdrawing the controversial Extradition law. Similarly, the 2014 Umbrella Revolution switched to acts of uncivil unrest (breaking into government offices and meeting police violence with equal force) during their otherwise civil

disobedience campaign to react to Hong Kong Police Force's excessive use of violence which aimed at suppressing the protests. Former student leader Nathan Law utilizes his experience as frontline activist and informal representative to clarify and justify the use of Hong Kongers disobedience campaigns. Together with the U.K. charity Hong Kong Watch, Law strives to bring attention to the situation in Hong Kong by "educat[ing] legislators, policy-makers and the media, and rais[ing] awareness among the wider public, about the violations of human rights, basic freedoms and the rule of law in Hong Kong, and advocate for actions to assist Hong Kongers" (see *Hong Kong Watch: About Hong Kong Watch*).

Third, the dynamic between informal representatives and protest audiences expands electoral representation by offering citizens with an alternate way of presenting their viewpoint(s), at the same time opening and extending the representative process to people who have previously been silent and/or excluded from the (electoral representative) process. Informal representatives who are active protest movement members are able to mobilize parts of civil society to their cause and are capable of justifying the employment of disobedience campaigns to formal political actors as well as civil society. For example, the use of CD/UD during Hong Kong protests has motivated informal representatives to run for office in district and legislative council elections, offering previously silent or excluded citizens electoral representatives who know their concerns, take their opinions seriously and who have been on the frontline with them. The District Council Elections in 2023 demonstrate long-term effects of the (uncivil) protests and the impact of the National Security Law. While voter turnout in Hong Kong has been at record-breaking highs during and after the Umbrella and Water Revolution (see aforementioned examples), HKSAR's government chose to restrict voting arrangements to what they called "patriots-only" elections, downplaying the "importance of voter turnout" (see *Hong Kong Free Press* 2023b).

In conclusion, in this thesis, I have proposed tentative steps towards expanding theories of representation by studying the relation between informal representation and audiences engaging in disobedience. This thesis explores the evolving landscape of political representation, particularly in the context of contemporary challenges to the traditional mode of electoral representation. The thesis argues that informal representation, in the context of social protest movements engaging in disobedience, offers an alternative and compelling avenue for citizens to make their perspectives present within the representative process. Drawing on the influential work of Delmas, Kuyper and Saward, the thesis delves into the relation between uncivil disobedience and informal representation and its impact on political representation in the context of repressive and hybrid political frameworks. The case study of Hong Kong's protest movements, the 2014 Umbrella Movement and 2019 Anti-Extradition Movement, serves as empirical ground to examine the intersection of disobedience, informal representation, and the transformation of political representation. The findings underline the inherent potential of informal representation and (uncivil) disobedience as influential factors in expanding the representative process. The Umbrella and Anti-Extradition Movement's interactions between informal representatives and activists reveal how an analysis based on incorporating the citizenry's perspective can expand our

understanding of political representation. Most importantly, the thesis recognizes the contextual variations in the effectiveness of disobedience strategies across different types of political systems.

As the case of Hong Kong is quite unique, the findings should be regarded within this context. Evidently, this does not mean that all instances of protest movements utilizing some form of informal representation can be reduced to the case of (uncivil) disobedience only, nor that all forms of disobedience lead to political representation. In particular, my understanding of the relation between disobedience and representation is rooted in the specific cases of informal representatives who have actively participated in (uncivil) disobedient practices, as evidenced in the context of Hong Kong's social protest movements. As a result, this understanding does not include other forms of informal representation that are less focused on explaining and justifying disobedience and which may have different effects on representation. Further research should pay attention to different types of non-electoral representation (surrogacy, unrepresentative claims, types of informal representatives) and explore similar political frameworks (what type of hybrid, repressive, totalitarian regime do citizens operate in) where the analysis of relations between disobedience and representation can take place.

To that end, this thesis raises broader questions on the potential of disobedience and informal representation for expanding political representation, and how the use of disobedience affects representation at all. What kinds of disobedience and informal representation, and in what measure, are effective in mobilizing constituencies and enhancing political representation? How do informal representatives advance civilians perspectives; elucidate and justify protestors collective disobedient actions to the wider public and the formal political sphere? These questions are important at the theoretical and empirical level to examine potential impacts of informal representation and disobedience on political representation. Addressing these questions may also help us in developing a more comprehensive understanding of political representation in hybrid and repressive regimes.

The thesis emphasizes the need for further research to delve into the complex mechanisms behind interactions of citizens, informal representatives and governments. The findings extend beyond the boundaries of liberal-democratic systems, accentuating the relevance of concepts of representation in hybrid or repressive regimes. In sum, this thesis contributes valuable insights to the understanding of contemporary political representation by demonstrating how informal representation and (uncivil) disobedience can have substantial influence on the representative process.

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Appendix

A) Abstract (English)

In light of citizens questioning the value of electoral representation, people increasingly turn to social protest movements (centered on informal representation) as tools for articulating their perspective(s) within the representative process. While the use of civil disobedience within liberal-democratic societies has been the subject of manifold studies (see Bryan 2023, Celikates 2016, Scheuerman et al. 2020, Scheuerman 2021b), it remains unclear how in the context of hybrid and repressive regimes the practice of uncivil disobedience, along with its portrayal and justification through informal representatives, can affect representation.

This thesis seeks to address this question by building on Saward's (2009 and 2014) and Kuyper's (2016) work on non-electoral representation along with Delmas' (2018) theory on uncivil disobedience. Through a systemic analysis of the interplay between representatives and audiences, the thesis directs attention to the inherent potential that lies in studying protest practices incorporating civil/uncivil disobedience and informal representation. The Special Administrative Region Hong Kong serves as case study, with a special focus on the 2014 Umbrella Movement and 2019 Anti-Extradition Movement, offering insights into the effects of protest movements (engaging in disobedience) on non-electoral representation.

By evaluating civil and uncivil contestation methods (strikes, marches, rallies, occupation of public spaces, property damage, protest graffiti/posters) alongside the involvement of informal representatives aiding citizens in re-claiming public spaces, affecting policy-making in the empowered space and basing their role on deeper roots/wider interests claims the thesis accentuates the potential of expanding traditional representation practices. Directing attention to the ways in which disobedience can affect and act as representation, the thesis posits evidence on the value of studying the relation between disobedience and representation.

First, actions of civil and uncivil disobedience in public space(s) have the potential to affect representatives by mobilizing civil society and applying significant pressure on government representatives to react. Second, the structure of protest movements allow activists to switch between civil and uncivil contestation practices. Informal representatives aiding any protest movement member to participate in the decision-making process as well as the continuous assessment of consequences of deciding on civil or uncivil disobedience as cause of action allows for an egalitarian and democratic representative process. Third, the dynamic between non-electoral representatives and protest audiences expands electoral representation through presenting citizens with an opportunity to communicate their standpoints while opening and extending the representative process to people who have previously been silent and/or excluded from the process.

The case study results demonstrate some of the first evidence on how studying social protest movements (incorporating some form of disobedient action and informal representation) in hybrid and repressive regimes are valuable data sources to study the effects of non-electoral forms of representation. The successful use of (civil and/or) uncivil disobedience as protest strategy to make electoral representatives acknowledge the citizenry, fight repressive governments' democratic curtailment and foster diverse, egalitarian and democratic representation shows how expanding the units of analysis to include factors such as (1) different types of representation, (2) the strategic use of disobedience and (3) different political frameworks (outside of the liberal-democratic frame) deepen our understanding of representation.

The findings have valuable implications for a nuanced understanding of contemporary political representation. This thesis raises broader questions on the capability of disobedience and informal representation to expand traditional electoral representation, and how citizens strategic use of disobedience has the ability to affect representation. Further research should pay attention to long-term effects of protest movements' use of disobedience as a representative strategy and the contexts in which various types of non-electoral representation take place.

B) Abstract (German)

Dadurch, dass Bürger*innen den Wert elektoraler Repräsentation in Frage stellen, wenden sich immer mehr Einwohner*innen sozialen Protestbewegungen zu (die sich auf informelle Repräsentation konzentrieren) als Mittel zur Artikulation ihrer Sichtweise innerhalb des Repräsentationsprozesses. Während der Einsatz von zivilem Ungehorsam in liberal-demokratischen Gesellschaften Gegenstand zahlreicher Studien ist (siehe Bryan 2023, Celikates 2016, Scheuerman et al. 2020, Scheuerman 2021b), bleibt unklar, wie sich die Praxis des unzivilen Ungehorsams, sowie seine Darstellung und Rechtfertigung durch informelle Repräsentanten im Kontext hybrider und repressiver Regime auf Repräsentation auswirken kann.

Die vorliegende Masterarbeit versucht diese Frage zu beantworten indem sie auf Sawards (2009 und 2014) und Kuypers (2016) Arbeit über informelle Repräsentation sowie Delmas' (2018) Theorie zum unzivilen Ungehorsam aufbaut. Durch eine systemische Analyse des Zusammenspiels zwischen Repräsentanten und Bürger*innen lenkt diese Masterarbeit die Aufmerksamkeit auf das inhärente Potenzial der Analyse von Protestpraktiken, die zivilen/unzivilen Ungehorsam und informelle Repräsentation beinhalten. Die Sonderverwaltungszone Hongkong dient als Fallstudie, mit besonderem Fokus auf die Umbrella Bewegung (2014) und die Anti-Extradition Bewegung (2019), die Einblicke in die Auswirkungen von Protestbewegungen (die sich des Ungehorsams bedienen) auf informelle Repräsentation gibt.

Durch die Evaluation ziviler und unziviler Protestmethoden (Streiks, Märsche, Kundgebungen, Besetzung öffentlichem Raums, Sachbeschädigung, Protest-Graffiti/-Plakate) sowie der Beteiligung informeller Repräsentanten, die den Bürger*innen bei der Rückeroberung des öffentlichen Raums behilflich sind, Einfluss auf die Politikgestaltung im formellen politischen Raum nehmen und ihre Rolle auf tiefere deeper roots und wider interests stützen, wird in dieser Masterarbeit das Potenzial der Erweiterung traditioneller elektoraler Repräsentationspraktiken hervorgehoben. Die Masterarbeit lenkt die Aufmerksamkeit auf die Art und Weise, wie Ungehorsam Repräsentation beeinflussen und als solche fungieren kann, und liefert Belege dafür, wie wichtig es ist die Beziehung zwischen Ungehorsam und Repräsentation zu untersuchen.

Erstens haben Handlungen des zivilen und unzivilen Ungehorsams im öffentlichen Raum das Potenzial, Repräsentanten zu beeinflussen, indem sie die Zivilgesellschaft mobilisieren und erheblichen Druck auf Regierungsvertreter*innen ausüben, damit diese reagieren. Zweitens ermöglicht die Struktur von Protestbewegungen den Aktivisten, zwischen zivilen und unzivilen Protestpraktiken zu wechseln. Informelle Repräsentanten, die jedem Mitglied einer Protestbewegung ermöglichen, sich am Entscheidungsprozess zu beteiligen, sowie die kontinuierliche Abschätzung der Folgen von Entscheidungen für zivilen oder unzivilen Ungehorsam als Handlungsgrund, ermöglichen einen egalitären und demokratischen Repräsentationsprozess. Drittens erweitert die Dynamik zwischen nicht gewählten Repräsentanten und den Protestierenden die elektorale Repräsentation indem sie den Bürger*innen die Möglichkeit zur Kommunikation ihrer Perspektive bietet und den repräsentativen Prozess für Menschen öffnet und erweitert, die zuvor sich nicht geäußert haben und/oder vom Repräsentationsprozess ausgeschlossen waren.

Die Ergebnisse der Fallstudie zeigen einige der ersten Belege dafür, wie die Analyse sozialer Protestbewegungen (die eine Form von ungehorsamen Handeln und informeller Repräsentation beinhalten) in hybriden und repressiven Systemen wertvolle Datenquellen für die Untersuchung der Auswirkungen informeller Repräsentationsformen darstellen. Der erfolgreiche Einsatz von (zivilem und/oder) unzivilen Ungehorsam als Strategie bei Protesten, um gewählte Repräsentanten dazu zu bringen, der Bürgerschaft Gehör zu schenken, die demokratische Regression durch repressive Regierungen zu bekämpfen und eine vielfältige, egalitäre und demokratische Repräsentation zu fördern, zeigt, wie die Ausweitung der Analyseeinheiten auf Faktoren wie (1) unterschiedliche Arten der Repräsentation, (2) der strategische Einsatz von Ungehorsam sowie (3) unterschiedliche politische Rahmenbedingungen (außerhalb des liberal-demokratischen Rahmens) unser Verständnis von Repräsentation vertieft.

Die Ergebnisse haben wesentliche Auswirkungen auf ein nuanciertes Verständnis zeitgenössischer politischer Repräsentation. Diese Masterarbeit wirft weitergehende Fragen zur Fähigkeit von Ungehorsam und informeller Repräsentation auf, traditionelle elektorale Repräsentation zu erweitern, und wie der strategische Einsatz von Ungehorsam durch Bürger*innen politische Repräsentation

beeinflussen kann. Zukünftige Forschung sollte sich mit den langfristigen Auswirkungen von Protestbewegungen befassen, die Ungehorsam als Repräsentationsstrategie einsetzen, sowie mit den Kontexten, in denen verschiedene Arten informeller Repräsentation stattfindet.