

# Party Media Hands down Death Sentence to Teachers' Union, The Hong Kong Rule of Law is Dead but not the Resistance

Saturday 14 August 2021, by [Borderless Movement](#) (Date first published: 12 August 2021).

Despite its rhetoric about upholding the rule of law, there is no entity more damaging to the rule of law than the CCP.

The Party's mouthpiece, the People's Daily, published a commentary accusing Hong Kong's largest trade union – the Professional Teachers' Union (PTU) – of encouraging “*anti-China activities that mess up Hong Kong*”, and thus of being a “*tumour that must be eradicated*”.

Heeding these trumped-up accusations by state media, the Education Department of the Hong Kong government announced that it would no longer recognise the PTU as a professional organisation and hinted that teachers should not be its members.

These moves, in the context of the National Security law in place for over a year, has already criminalised the oppositionists, and **forced the PTU into making the decision to disband itself** on 10<sup>th</sup> August, 2021. This is **a big defeat for both the Hong Kong civil society and the labour movement**, which has been one of the pillars of the Hong Kong democratic movement.

The Hong Kong government and the pro-Beijing camp have for a long time been attacking basic human rights and the rule of law in order to oust the opposition from elections or any public influence.

For quite a while, trumped-up charges by bloggers or writers that are Beijing supporters could immediately draw the attention of the law-enforcing departments, and even persecution, before any formal trial by a court.

Now with the weight of the People's Daily, this kind of extra-judicial persecution has taken to a new plane – the CCP might as well to replace the Basic Law and the Hong Kong laws with its media.

**Instead of rule of law, the CCP has a long tradition of “rule by the Party's media”.**

During the Great Leap Forward, Mao Zedong publicly scorned the rule of law. He said: “*the majority of people simply cannot be governed by the law. There are so many articles in the civil law and criminal law, who can remember them all? I participated in the drafting of the constitution, but neither can I remember them. We basically don't rely on those, we mainly rely on (party) resolutions and (party) meetings.*” Mao even said: “*We need the rule by people, not the rule of law. An editorial in the People's Daily would be implemented nation-wide, hence no need of any law.*”[1]

After Mao's death, the “*veteran cadres*” who were persecuted by Mao were “*liberated.*”

Their new leader Deng Xiaoping then rhetorically called for the rule of law. Yet very quickly he moved to ban the Beijing Spring, and then in 1989 repressed on the democratic movement.

The post-Deng era moved towards more arbitrary arrests.

With Xi coming to power, the practice of the so called “*red-line alert*” policy would soon be implemented nation-wide. Citizens are obliged not only to obey the law but also the “*red-lines*” suggested by any Party leader or its media which are subject to unilateral changes. It means in practice replacing the law with the arbitrary rule of the Party leaders.

A nation which upholds people's sovereignty in its constitution (including that of China) would

empower its citizens with the right to elect their government, but would have the obligation to abide by the laws made by their representatives.

We know too well that even with this regime of representative government, the political class tends to abuse their powers and citizens therefore also need to have the right of civil disobedience to protect themselves from arbitrary rule.

The CCP has turned everything upside down. Citizens are ruled over arbitrarily by Party officials, to the extent that they have to abide by whatever is said by the officials, even if it contradicts the law. Previously Hong Kong was protected from this appalling state of affair with its limited but real autonomy.

The imposition of the National Security law by Beijing last year has crushed Hong Kong's autonomy along with its rule of law. The forced disbandment of the PTU is the most recent casualty of the death of Hong Kong's autonomy under Beijing.

This form of persecution is very convenient for the regime. Going through the legal process of prosecution and throwing people in prison is both time-consuming and too visible, which opens up controversy.

Forcing the PTU to fold seemingly of its own accord by launching a Party media's attack would be much more effective. It expects that all other oppositional parties and strong civil associations will soon follow suit.

The decision of the PTU to disband itself should not lead us to believe that this is a way to avoid losing everything.

The next day the PTU announced its decision, the People's Daily warns the PTU sternly that its decision is merely trying to "*destroy the evidences (of its crime)*" so that it can avoid its responsibilities. It further calls upon the Hong Kong government to take actions to stop this from happening, and that its disbandment will not save it. This reveals that succumbing to the Party's mouthpiece would probably not save oppositionists.

We are now in a very grave situation. This by no means implies that **an early disbandment of opposition organisations is the only choice we have**. On the other hand, preparing for legal battles is still an option which should not given up lightly.

It is a fact that Hong Kong has fallen. It is also a fact that for now the relationship of forces is unfavorable for the Hong Kong people in the face of Beijing.

But there are still our faith in democracy, and our daily obligation of resistance. It is sad to see that even among democracy supporters there are people who easily succumb not only to the actions of the authority but also to its language. Some casually adopt their discourses of "*red line*", or take up the commentary of the Party's media as if it was the law. Let's boycott this kind of language from the Party, and reassert our commitment to basic democratic values and the rule of law, and cry out aloud: "*We have no obligation to listen to any Party's media! We must defend our autonomy! We are citizens not slaves!*"

[1] 1958年香港教师工会被解散 https://zhuanlan.zhihu.com/p/40781699

---

**P.S.**

<https://borderless-hk.com/2021/08/13/party-media-hands-down-death-sentence-to-teachers-union/>