

From #MeToo to #ProtestToo: How a Feminist Movement Converged with a Pro-democracy Protest in Hong Kong

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The #MeToo movement in Hong Kong emerged in late 2017, subsequently converged with the Anti-Extradition Law protest in 2019, and evolved into the #ProtestToo campaign against police violence and sexual assault. This essay traces the development of the #MeToo movement and analyzes the collaboration among the government, civil society, and the media in fostering the movement to combat sexual violence. It argues that whether the collaborative model succeeds or fails depends upon sociocultural and political circumstances: the failure of existing measures in preventing, investigating, and prosecuting the alleged sexual assaults inflicted on protesters in 2019 reveals how a shift to authoritarian governance may cripple the established anti-sexual violence collaboration.

#MeToo IN HONG KONG

Hong Kong's first #MeToo case happened in November 2017, when the award-winning hurdler Vera Lui revealed on Facebook that she had been sexually assaulted at age 13 by her former coach. Chief Executive Carrie Lam quickly ordered the police commissioner to investigate the case and arrested Lui's coach, who was later charged with indecent assault but found not guilty. Following Lui's revelation, actresses, politicians, and ordinary people opened up about their experiences of being sexually assaulted. Some survivors even took collective action to hold their perpetrators accountable. For instance, survivors organized the #ChurchToo campaign to expose the sexual assaults perpetrated by priests and staff from several churches and Christian organizations.

Nevertheless, the #MeToo movement also faced backlash. Opponents criticized #MeToo for undermining the principle of presumption of innocence upheld by the territory's common law system, which resonated with the critiques of due process and fairness in the West (Wexler 2019). Some commentators also criticized the movement as a misuse of freedom of expression through social media that could result in widespread false

accusation. The antagonism was further strengthened by the revival of a rightist agenda and anti-feminist sentiment amid the increased encroachment of the Chinese government (Choi, Lai, and Pang 2020).

Despite these challenges, the #MeToo movement has successfully pressured the government to take steps to improve existing anti-sexual harassment (anti-SH) policy. For example, Hong Kong's Equal Opportunities Commission (EOC) conducted a territory-wide study of sexual harassment of university students in 2018 and found that nearly one-quarter (23%) of students reported having been sexually harassed (EOC 2019b). The EOC also provided training sessions and workshops in different sectors, including religious and educational organizations, to promote anti-SH policy. Substantial progress was achieved in the sports sector. The number of National Sports Associations (NSAs) with an anti-SH policy increased from 13% in 2014 to 52% in 2018; 84% of the NSAs with an anti-SH policy have developed a code of ethics for coaches, and more NSAs have implemented multiple preventive measures to prevent sexual harassment (EOC 2019a, 7).

TACKLING SEXUAL VIOLENCE: A COLLABORATIVE APPROACH

There is a long tradition of collaboration among the government, civil society, and the media in developing anti-sexual violence policy in Hong Kong. This collaborative model also operated to drive the #MeToo movement forward. The government is responsible for penalizing and preventing sexual offenses through the criminal justice system and anti-SH policy measures, while civil society and the media take an active role in supporting survivors, advocating for anti-sexual violence policy, and raising public awareness.

Government

In Hong Kong, sexual assault can be a criminal and/or a civil offense. Under the criminal justice system, Part 12 of the Crimes Ordinance (Cap. 200) stipulates the definitions and sentences for different forms of sexual and related offenses, such as rape (Section 118) and indecent assault (Section 122). Victims can report to the Hong Kong Police Force (HKPF), which is responsible for investigation and making arrests; prosecutions are then processed by the Department of Justice (DOJ). The HKPF and the DOJ can investigate and prosecute even if

the victim does not report to the police. For civil litigation, the Sex Discrimination Ordinance (SDO) prohibits sexual harassment in workplaces, educational establishments, and during the provision of goods, services, and facilities (Peterson 2005). Victims can take their case directly to the District Court or file a complaint with the EOC and seek legal assistance. The EOC is a statutory body founded in 1996 to implement antidiscrimination legislation. It is responsible for investigating complaints of harassment and discrimination based on sex, family status, disability, and race, including sexual harassment under the SDO. Upon receiving a complaint, the EOC facilitates a conciliation or provides free legal services to the aggrieved persons for civil litigation.

That said, the existing mechanisms have been criticized for being unfavorable to survivors in a number of respects. First, survivors often suffer from secondary victimization precipitated by the law enforcement and legal system, such as long waiting times, repeated interrogation, and the risk of identity exposure (Hung 2013). Prosecution and conviction rates have been relatively low. According to the Association Concerning Sexual Violence Against Women (ACSVAW), between 2000 and 2018, among the 1,818 cases that it reported to the police, fewer than half (722 cases) were brought to the DOJ, and only 350 and 221 cases were prosecuted and convicted, respectively (ACSVAW 2019a). The EOC is often criticized for prioritizing conciliation over legal action as an enforcement mechanism (Kapai 2009), rendering complainants powerless when conciliating with their harassers (Peterson 2005). Given that only a minority of cases can proceed to court with the support of EOC's legal services, the impact of antidiscrimination laws is limited. In addition, the EOC has little power to instruct the public and private sectors to implement anti-SH policy. For instance, in an EOC survey conducted in the business sector in 2013, the response rate was only 3% (EOC 2014). These structural constraints were part of the underlying factors that led to the #MeToo movement, since it is too difficult for victims to pursue justice under the current system.

Civil Society

For decades, scholars, activists, and nongovernmental organizations (NGOs) have played an indispensable part in tackling sexual violence through research, policy advocacy, and public education. In the 1980s,

activists and researchers launched the War-on-Rape campaign (Cheung 1987) to raise public awareness of sexual violence. Researchers have since developed a mature body of literature examining different forms of sexual violence, and prominent NGOs and feminist groups provide crisis support to survivors and advocate for policy changes. During the #MeToo movement, feminist scholars and concerned groups engaged in public debates to rebut rape myths and stereotypical criticisms, and they advised the government on adopting effective anti-sexual violence measures. They also collaborated with labor and Christian NGOs to promote an anti-sexual violence agenda across various domains. A survey was conducted for the first time within Christian organizations in 2018, showing at least 55 sexual harassment cases in churches, around half of which were allegedly committed by church leaders or pastors (Hong Kong Christian Council 2018).

Media

The #MeToo movement demonstrated the significance of an independent media and their function of monitoring the conduct of public and private institutions. In the United States, the *New York Times*'s investigation of Harvey Weinstein's case gave rise to a global movement (Kantor and Twohey 2019). Similarly, the Hong Kong media also uncovered a few notable cases of sexual assault. Through investigative reporting, the media uncovered and validated the accusations made by survivors and brought the cases to a social level that could arouse public attention to encourage a government response. While not all reports led to police investigation, some alleged harassers were arrested and eventually removed from their posts. Apart from investigation, the media also facilitated discussions among scholars, NGOs, critics, and stakeholders from different sectors, which are essential in educating the public and debunking misconceptions.

Through this collaborative effort, the #MeToo movement has successfully raised public awareness and helped to establish anti-SH measures in some sectors, but its impact was limited. First, no major policy reform has been made regarding the defects of the criminal justice system and the EOC's enforcement mechanism. Since Lui's case, very few #MeToo cases have been taken to court; even fewer harassers have been held accountable. Vulnerable communities, such as ethnic minorities, foreign domestic workers, and people with disabilities, have been neglected. Furthermore, the cultural backlash against the

movement is still unsettled, reinforcing gender biases in society. Yet, the unfulfilled #MeToo agenda later coalesced with the political demands in the 2019 pro-democracy protest and gave rise to the #ProtestToo campaign against sexual violence inflicted on political dissidents.

THE #ProtestToo CAMPAIGN

In 2019, the Hong Kong government proposed a controversial anti-extradition law that would allow fugitive transfers to mainland China, triggering mass protests in the territory. During the yearlong protest, the HKPF was criticized for using excessive force and committing serious violations of protesters' human rights, including arbitrary arrest, ill treatment, torture, and sexual assault (Amnesty International 2019). At a global level, scholars have observed a recent trend of violence against women in politics (VAWIP), which has significant implications for gender equality and democracy (Krook 2017; Kuperberg 2018). VAWIP refers to an act or threat of violence "resulting in physical, psychological, or symbolic harm or suffering to women involved in, or associated with, politics" (Kuperberg 2018, 686).

In Hong Kong's case, the alleged sexual assaults were inflicted on protesters by the police, regardless of the gender of the protesters. Widely reported by the media, protesters accused the police of sexually abusing them in police stations, holding centers, and other protest locations. Unlike general sexual offenses, cases of sexual violence associated with politics are extremely difficult to pursue. At an individual level, victims tend not to report to the police, fearing unfair investigation and arrest. At a structural level, the two existing monitoring mechanisms are ineffective to inspect police misconduct. The Complaints Against Police Office is an internal unit of the HKPF, and its impartiality is highly doubted. The Independent Police Complaints Council (IPCC), which monitors and reviews the handling of complaints against the police, has been criticized for having no investigatory power and lacking independence. Worse still, an allegation is classified as "not pursuable" when the identity of the officer is unknown. This impeded many complaints because police often hid their identification during operations. It is also difficult for complainants to pursue their cases through civil litigation without knowing the identity of the police officer, not to mention the enormous financial and time cost. Moreover, the EOC responded passively despite receiving more than 300 inquiries related to sexual discrimination by the police.

During the #MeToo movement, the Hong Kong government reacted positively and collaborated with civil society to promote anti-SH measures. In contrast, during the 2019 protest, the government was reluctant to acknowledge or take action to investigate the alleged sexual offenses committed by the police. In August 2019, the Hong Kong Women's Coalition on Equal Opportunities organized the #ProtestToo demonstration to condemn police sexual violence and demand an independent commission of inquiry to conduct an impartial investigation. During the assembly, more than 30,000 people, including a considerable number of male participants, gathered to support the victims. Concurrently, the ACSVAW conducted a survey to document sexual victimization during the 2019 protest; half of the 67 respondents reported that the perpetrators were police officers (ACSVAW 2019b). In an effort of international advocacy, the coalition of feminist and human rights NGOs also urged the United Nations Special Rapporteur on Violence Against Women to visit Hong Kong to investigate gender-based violence committed by the HKPF against the protesters and to advise the Hong Kong government to establish an independent commission of inquiry to thoroughly investigate cases of human rights violation. Nevertheless, Chief Executive Carrie Lam rejected the demand for an independent inquiry after the IPCC released its report on the protest, which was criticized for being "biased" and downplaying the violence committed by the police (Amnesty International 2020). Despite its limitation, the #ProtestToo campaign was able to unite #MeToo supporters and the protesters, some of whom had been critical of the #MeToo movement. However, some feminists questioned the genuineness of the protesters' support, worrying that it might just be the protesters' strategy to denounce the police rather than a true pursuit of gender equality.

CONCLUSION

The success of the #MeToo movement in transforming political demands into substantive structural change depends on the collaboration of an accountable government, a strong civil society, and an independent media safeguarded by a democratic system. The Hong Kong case illustrates how the development of the #MeToo movement can be significantly affected by changing political circumstances. Despite a decades-long social consensus, an anti-sexual violence agenda would no longer be upheld by the government if it were considered a direct political challenge to its authority. The increasingly authoritarian

governance may cripple the collaborative effort in tackling sexual violence established since the colonial era. With the passage of the National Security Law in 2020 and the subsequent crackdown on the political opposition and the arrest of journalists, it is anticipated that the territory's rule of law and freedom will further deteriorate. The tightened political control not only threatens civil society and weakens its capacity to advocate for progressive policy reform, it also undermines the watchdog role of the media and impedes independent journalism. In this light, it would be a setback both for democracy and for gender equality in Hong Kong.

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Beyond #WithYou: The New Generation of Feminists and the #MeToo Movement in South Korea

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The #MeToo movement has shaken Korea over the last two years (Hasunuma and Shin 2019). Prosecutor Seo Ji-hyun's¹ public testimony in January 2018 charged a former Ministry of Justice official with sexual harassment and catalyzed the #MeToo movement. Hundreds of Korean women came forward and spoke up about being sexually abused by powerful men. Social media platforms were flooded with hashtags such as #WithYou to support the movement and to express solidarity with victims of sexual violence. Women have taken to the streets for months demanding government action to prevent and punish sexual violence.

Many high-profile men have been accused of sexual violations and stepped down. In 2020, the mayors of Korea's two largest cities were inculpated, and the ruling party suffered a crushing defeat in the subsequent by-election. The magnitude and influence of the #MeToo movement in Korea is unprecedented.

This article answers why the Korean #MeToo movement is so powerful and influential. It argues that the #MeToo movement is strong when the victim or perpetrator is a famous figure, when powerful figures are continuously accused in a short period of time, and when there is social sympathy and support for the victim. Among these factors, the article emphasizes the third factor, that young generation of Korean women are the driving force behind the #MeToo movement. Their demands made it possible for the movement to extend beyond the mere denunciation of

1. I use the order of family name first, followed by first name, according to the Korean custom.