

# The fourth wave? A critical reflection on the *tongzhi* movement in Hong Kong

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## Introduction

In this chapter, we take a close look at the *tongzhi* movement in Hong Kong. *Tongzhi*, which literally means ‘common will’, is an adaptation of the Chinese term ‘comrade’. The term has been widely used in the context of political parties in both the Republican period and the People’s Republic of China. It has been re-appropriated as a synonym for lesbian, gay, bisexual, and transgender (or LGBT) in Hong Kong and has become very popular for LGBT self-identification in Hong Kong, Taiwan, and China since the 1990s (Kong 2011: 14).

As a former British colony, Hong Kong’s *tongzhi* movement has its own distinctive path different from Taiwan or China due to its colonial governance, religious influences, and the adaptation of Chinese families in such an environment. To date, there are many defining moments of *tongzhi* history in Hong Kong that are worthy of note. These include the initial criminalisation of ‘buggery’ (a generic term that includes male sodomy) in 1842 when the British took over Hong Kong; the apparent suicide of police inspector John MacLennan in 1980 that triggered the subsequent 10 years of public and legal debate over whether male homosexual conduct should be decriminalised; the arrival of AIDS in 1984 along with its alleged association with gay men; the decriminalisation of male homosexual conduct in 1991; the mushrooming of *tongzhi* organisations and the emergence of a substantial *tongzhi* consumption infrastructure, including bars, clubs, saunas, massage parlours, cafes, and bookshops since the 1990s; the equalisation of age of consent (from the age of 21 to the age of 16, as for heterosexuals) in 2005; International Day against Homophobia (IDAHO) marches since 2005; pride parades since 2008, and the inclusion of same-sex partners in a domestic violence ordinance in 2009. How can we understand the *tongzhi* movement in Hong Kong? What kind of history are we making? Who is the ‘we’ in this history? How can we understand the dynamics of the *tongzhi* movement in the context of the wider social, political, economic, and cultural changes in Hong Kong society?

This chapter offers a brief account of the different waves of the *tongzhi* movement in Hong Kong, highlighting key factors such as the development of the notion of sexual citizenship, the sites of governance (especially the government, the family, and religion), and internal schisms in defining and shaping the contours of the movement. We categorise the Hong Kong *tongzhi* movement into different waves, each emerging anew while maintaining traces from the former waves.

## Sexual citizenship, sites of governance, and internal schisms

Early discussions of citizenship in Europe and North America usually rested on the assumption of a unified notion of the citizen, which implicitly used the middle-class, white, heterosexual man as the prototype (Marshall 1950). This narrow understanding of citizenship has been criticised for its failure to address the patterned inequalities and exclusions of the underclass, racial minorities, women, LGBT, migrants, and many others. Sexual citizenship joins the debate to challenge the idea of an ‘ideal’ citizen which usually assumes an individual ‘whose sexual behaviour conforms to traditional gender norms, who links sex to intimacy, love, monogamy, and preferably marriage, and who restricts sex to private acts that exhibit romantic or caring qualities’ (Seidman 2005: 237). Richardson (2000: 107–8) offers the most comprehensive theorisation of sexual citizenship which is expressed in terms of three rights: conduct-based rights (‘rights to various forms of sexual practices in personal relationships’), identity-based rights (‘rights through self-definition and the development of individual identities’), and relationship-based rights (‘rights within social institutions: public validation of various forms of sexual relations’). It is in terms of this theorisation that we can see a global trend towards the construction of sexual citizenship: from homosexuality as a deviant type (pathology and social control), to sexual identity (coming out and identity building) to sexual citizenship (citizenship building and rights-based movements). Bearing in mind Hong Kong’s colonial history and its present status as one of the ‘special administrative regions’ in China, we would like to trace the ‘making of *tongzhi* citizenship’ in Hong Kong: from homosexuality as deviance in the 1970s and 1980s, to identity building in the 1990s, to citizenship building since the 2000s.

We recognise that the *tongzhi* movement, like other social movements, should be understood in specific socio-historical contexts. The dynamic of the *tongzhi* movement is best comprehended as a dual process: How do multiple fluid and complex forms of domination – heteronormativity, patriarchy, sexism, racism, nationalism – actively administer, regulate, and reify sexuality on the systemic, the community, and the individual levels? How do sexual identities, cultures, and communities shape the social matrix and cultural life of a society? In other words, the sites of domination that construct our identities, desires and practices are also the potential sites of resistance to challenge, protest, and confront hegemonic sexual norms.

We identify three key sites of dominance (and thus resistance) that constrain as well as enable the development of *tongzhi* identities and politics in Hong Kong. The first site is the Hong Kong government. From 1842 to 1997, Hong Kong was a British colony. The colonial government promoted ‘law and order’ as the ideology of governance and constructed colonial subjects with minimal civil, political, and social rights. Hong Kong entered a new era in 1997, when it became a Special Administrative Region (SAR) of China. The HKSAR government seeks to transform Hong Kong into ‘Asia’s world city’ within the grandiose framework of ‘one country, two systems’. However, the people of Hong Kong cannot elect their own chief executive and the timetable for the establishment of universal suffrage has not yet been confirmed. Unlike citizens of liberal democracies, Hong Kong people, *tongzhi* or not, have only been able to attain partial citizenship, whether under colonial rule or the present SAR administration. With such a specific socio-political context, we are interested in understanding the role of the government in governing (homo-)sexuality and the kind of sexual citizenship Hong Kong *tongzhi* are making or remaking.

The second site is the family. Following Ong (1993) and Ho (2004), we argue that the Chinese family in Hong Kong could be seen as a tool of state governance, which has become a self-regulating and self-reliance mechanism which turns people away from the government for support, welfare needs, and resources, and thus shifts the site of governance from the state to the family. Moreover, the family also serves as a powerful site where heteronormativity is installed

and the closeting of homosexuality is enforced. Our question is how the development of the *tongzhi* movement works alongside the parameters of the family institution.

The third site of governance is religion, in particular, evangelical activism. About 10 per cent of the population is Protestant Christian (480,000) and Catholic (363,000) in Hong Kong. Local churches, congregations, and dioceses have been providing services such as education, medical and social services, accounting for 40 per cent, 30 per cent and 60 per cent respectively, to the society (Wong, 2013: 343–44). Protestantism and Catholicism provide particular views on how we should live and homosexuality is usually seen as deviant, a sinful act, and an unhealthy lifestyle. Since 1997, a few highly vocal evangelical activist groups have been established which strongly oppose homosexuality and reject any homosexual rights claims. How does the *tongzhi* movement respond to this moralistic and religious opposing voice? Moreover, it should be noted that the government, the family, and evangelical activists are not three separate sites of governance but have sometimes established subtle strategic alliances, which we call ‘the trinity of governance’ that shapes sexual morality in Hong Kong.

Finally, we will also look at the internal schisms of the *tongzhi* movement. The *tongzhi* community in Hong Kong, like other queer communities, is a highly diversified community, stratified along the lines of class, age, race and ethnicity, sexual identity, and gender. The *tongzhi* movement should not be seen as a unified movement. Some LGBT in Hong Kong may not even identify themselves as *tongzhi*. Although differences create internal conflicts, they also maintain the dynamism of the movement and encourage growth and change.

### **The first wave (1979–91): Colonialism, the decriminalisation of male homosexual conduct, and the creation of the ‘homosexual’ type**

It is generally argued that male homosexuality was reasonably tolerated in ancient and Imperial China (Hinsch 1990; Samshasha 1997). However, the colonial government made buggery a crime in Hong Kong in 1842. In English law, buggery is a generic term for both sodomy (between two men or between a man and a woman) and bestiality (between a man or a woman and an animal) (Lethbridge 1976: 300–306). Hong Kong followed English law closely. The death penalty for buggery, for example, was abolished in 1861 in England and in 1865 in Hong Kong; the Criminal Law Amendment Act of 1885, dealing with acts of ‘gross indecency’ between males, was made into law in Hong Kong in 1901. The colonial government, however, did not follow suit with the UK’s Sexual Offences Act of 1967, which decriminalised male homosexual conduct in private. It is believed that homosexuality was not even perceived as a social problem by the population before the 1980s and thus the government had no intention of changing the law as such a move would have been considered too ‘liberal’ and ‘radical’. Chinese homosexuals were highly discreet under British rule, and the few more ‘visible’ and ‘outrageous’ homosexuals were mainly Europeans who were usually sent back home, with their contracts not renewed, or encouraged to resign (Lethbridge 1976: 306–10). It should be noted that male rather than female homosexual conduct was the main concern in all these legal changes.

The majority of the Hong Kong population (over 90 per cent) is Chinese. Ho (2004) argues that the colonial government employed various means to depoliticise Hong Kong in response to the influx of refugees and immigrants from China since 1949. One of the strategies was to block major access to civil rights and prioritise economic development which only granted civil rights that related exclusively to market rights. Moreover, the colonial government treated social welfare as a residual concept, with the underlying principle of charity and benevolence. Hong Kong Chinese thus sought help from their families, voluntary agencies, or the market, rather than from the government, to satisfy their welfare needs. Under British rule, with the

conditions of *laissez-faire* capitalism and a high land-price policy, Hong Kong Chinese families developed extraordinary discipline for hard work, fierce competition, and tight control over family members in order to improve family livelihood and wealth, which is famously characterised by Lau (1982) as ‘utilitarianistic familism’. Ong (1993: 753–62), however argues that this ‘utilitarianistic familism’ is actually a colonial product which she calls ‘family biopower’. It is this family biopower that shifted the site of governance from the state to the family. Moreover, ‘family biopolitics’ not only encoded a series of family practices and ideologies that regulated economic, productive, and hardworking Chinese bodies, but also disciplined healthy, reproductive, and heterosexual bodies: the disciplined father, the sacrificing mother, the filial son, and the dutiful daughter in post-war Hong Kong. This largely explains why most Hong Kong *tongzhi*, especially the first *tongzhi* generation (those who were born before the 1950s), were highly discreet and always worked within the parameters of the family institution. They mainly found others in public spaces (public toilets, railway stations, streets) or in a few bars or clubs with substantial gay clientele (e.g., Disco Disco, Wally Matilda, Dateline) (Kong 2012).

Public debate about homosexuality suddenly came to the surface when the Scottish police inspector John MacLennan, who was employed by the colonial police force at the time, was charged with acts of gross indecency and then committed suicide in his apartment in 1980. Some observers, however, suggested that his death was a murder resulting from a police cover-up, which raised media attention and brought into question the justice and integrity of the colonial government. The colonial government responded by appointing a Commission of Inquiry to investigate the case, and charging the Law Reform Committee of Hong Kong with reviewing laws governing homosexual conduct. The Commission of Inquiry concluded that the case was one of suicide in 1981, with the Law Reform Committee publishing a report in 1983 recommending that male homosexual conduct should be decriminalised (Ho 1997: ch. 1; Chan 2007: 38–45).

If the Stonewall Riot in New York in 1969 signified a formal beginning of the LGBT movement in the US, the MacLennan Incident in Hong Kong in 1980 shared the same significance in paving the way for the *tongzhi* movement in Hong Kong. The incident was an opportunity for different social sectors to examine the prevalence of homosexuality and evaluate the appropriateness of existing laws governing homosexual conduct (Wong 2004: 200).

This decriminalisation of male homosexual conduct debate involved three main issues: whether homosexuality was scientifically proven to be normal, whether homosexuality was a ‘Western’ disease not found in traditional Chinese (family) culture, and whether homosexual activity was a human rights issue. The debate involved many parties. Among the most visible was the Joint Committee on Homosexual Law, an anti-decriminalisation alliance formed in 1983 by Choi Yuen-wan, an evangelical medical doctor, and made up of 31 pressure groups consisting mainly of social workers, teachers, and church leaders. A loosely structured alliance arguing for decriminalisation was also formed, consisting of a group of academics, journalists, progressive thinkers, the Hong Kong Human Rights Commission, and a few gay men (Ho 1997: Ch. 3). Religion (particularly Protestantism and Catholicism) and Chinese tradition (in the name of the Chinese family) were two major weapons used by members of the anti-decriminalisation coalition to present their arguments, while the pro-decriminalisation alliance used the language of democracy and human rights to advance their own arguments. After a decade-long debate, a law decriminalising male homosexual conduct was passed in 1991. The final move to decriminalisation was believed to have been a response to the newly introduced Bill of Rights and the urgent need to speed up legal and democratic reforms in the aftermath of the 1989 June Fourth Incident in China (also known as the Tiananmen Square

Massacre), rather than an endorsement of gay rights or recognition of gay lifestyles by the government (Ho 1997: 75–80; Chan 2007: 39).

The 1980s thus marked the first wave of the Hong Kong *tongzhi* movement. The relevant parties focused on the conduct-based claim that consenting male homosexual adults should have the right to have sex in private. It should be noted that very few gay men came out in the debate to fight for their own rights. So the coming out of *tongzhi* identity was almost absent from this process and the right for gay men to engage in consensual sex in private was the primary concern. The first wave of Hong Kong *tongzhi* movement was thereby a movement without *tongzhi* identity and symbolised the politics of privatisation which confined *tongzhi* rights to the sphere of ‘private individual rights’ rather than ‘human rights’ (Kong 2011: 50).

### **The second wave (1991–97): Governance-in-transition, *tongzhi* identity, community building, and assimilationist *tongzhi* politics**

Once the long debate over the decriminalisation of male homosexual conduct was over, the original legal debate was transformed into arguments about various social and moral disputes. Different parties, including the government, church people, social workers, teachers, lawyers, doctors, cultural workers, journalists and so on, whether pro- or anti-gay, contributed to policing a range of binary divisions: normality versus abnormality, heterosexuality versus homosexuality, masculinity versus femininity, Chinese tradition versus Western culture, and so on. The result was a separation between the straight dominant culture and the gay subculture, in the context of which a distinctive social type of ‘homosexual’ was generated. It is this ‘homosexual’ type that led to the development of homosexual identities in Hong Kong, including *gei* (gay), *geilo* (gay man), *memba* (a Cantonese derivative of the English term ‘member’ used exclusively by Hong Kong gay men for self-identification), *les* (lesbian), *TB* (tomboy), *TBG* (tomboy girl), *tungzi/tongzhi*, and others (Ho 1997; Kong 2011).

The decriminalisation Act had numerous effects in the 1990s: it not only protected gay men who engaged in private sexual acts, but also triggered the emergence of a range of ‘*tongzhi*-scapes’ in Hong Kong. These included the emergence of *tongzhi* groups such as the Hong Kong Ten Percent Club (1992 [1986]), the Association for the Welfare of Gays and Lesbians (1989), Horizons (1991), 97 *Tongzhi* Forum (1992), Satsanga (1993), Isvara (1994), XX Gathering (1994), Queer Sisters (1995), the Blessed Minority Christian Fellowship (1995), Lui Tung Yuen (1996), Freeman (1996), Joint Universities Queer Union (JUQU) (1997), and the Hong Kong *Tongzhi* Conference (1996, 1997, 1998). The rise of a pink economy was also enabled and ‘scenes’ such as bars, discos, saunas, fitness centres, shops, and guest houses proliferated. There was also an increase in the visibility of representations of *tongzhi* in mainstream media, including in films such as *Boy’s?* (directed by Hau Wing-Choi, 1996), *A Queer Story* (directed by Shukei, 1997), *Happy Together* (directed by Wong Kar-wai, 1997), and *Bishōnen* (directed by Yonfan, 1998). Specific *tongzhi* media also spread, such as the Hong Kong Lesbian and Gay Film Festival (also known as the Hong Kong *Tongzhi* Film Festival) (1989–), *tongzhi* magazines and newsletters such as *Tongzhi New Wave* (1988), *Contact Magazine* (1992) and plays such as *Scenes from a Men’s Changing Room* (directed by Edward Lam, 1991), books and novels written by gay writers Edward Lam, Michael Lam, Julian Lee, and Jimmy Ngai, and more academic texts including those by Samshasha, Chou Wah-shan, Anson Mak, and Yau Ching. Last, but not least, *tongzhi* cyberspace including websites and chat rooms (for instance, [www.gaystation.com](http://www.gaystation.com); [www.gayhk.com](http://www.gayhk.com)) emerged which provided an important means for *tongzhi* to engage and identify with one another through shared sexuality, language and values.

The 1990s in Hong Kong was overshadowed by the whole 1997 hand-over issue. The 1989 ‘June Fourth Incident’ in China is believed to have been a turning point that triggered the

colonial government to grant more civil and political rights to Hong Kong people, for instance the Bill of Rights was enacted (in 1991) and the Equal Opportunity Commission was established (in 1996). However, in terms of sexuality, the laws did not change much. In the 1994–95 legislative session a straight ex-Legislative Council member, Anna Wu, put forward a bill (Equal Opportunity Bill) containing provisions outlawing discrimination on the grounds of sex, family status, disability, race, ethnicity, sexual orientation, and so on, but this was strategically postponed (Chan 2007: 44–45). In June 1995, the Sex Discrimination Ordinance and the Disability Discrimination Ordinance were enacted and later bills protecting family status (1997) and race (2008), but sexual orientation was left untouched. A consultation paper entitled ‘Equal Opportunities: A Study on Discrimination on the Grounds of Sexual Orientation’ (Hong Kong Government 1996) reported that discrimination against homosexuals was widespread in Hong Kong, most notably in areas such as employment, accommodation, and social services. It concluded, however, that education rather than legislation would be more effective in combating discrimination.

The *tongzhi* movement in Hong Kong began to be more progressive in the 1990s with the building of *tongzhi* identity as the major concern. *Tongzhi* identity started to become more political and the movement had shifted from conduct-based claims to both identity-based claims and relationship-based claims. They sought the right to disclose sexual identity without being penalised, the right not to have to hide their sexual identity, the right to same-sex marriages or domestic partnerships, and the right to access social and legal benefits (Wong 2004: 201–2).

*Tongzhi* groups at that time were mainly self-help, service-oriented and community-based in nature with the aim of developing a positive self-identity (Kong 2011: 52). They tried hard to dissociate homosexuality from pathology, to downplay the ‘sexual’ aspects of *tongzhi* identity, and to stress the similarities between heterosexuals and homosexuals (Kong 2011: 53). These non-confrontational and assimilationist politics are best illustrated by the Chinese *Tongzhi* Conference 1996. The conference manifesto emphasised that confrontational politics in the West such as coming out and mass protests and parades ‘may not be the best way of achieving *tongzhi* liberation in the family-centred, community oriented Chinese societies which stresses [sic] the importance of social harmony’. *Tongzhi* have been seen as good citizens (‘productive and contributing members of society’), identified with the same ‘core’ values promoted by the Hong Kong government (such as ‘loving families, long-term partners, the success of the Hong Kong economy, the work ethic, and good *dim sum*’). Similar to assimilationist politics in the US (Bawer 1993; Sullivan 1995), this kind of non-confrontational identity politics, with its emphasis on normalisation, desexualisation, sameness, and respectability, defined the second wave of the *tongzhi* movement in Hong Kong.

Although the *tongzhi* movement has aimed at inclusion in the mainstream, internal schisms have started to grow inside the *tongzhi* community. For example, many Caucasian gay men in Hong Kong have had an economic and socially privileged position which is culturally seen in terms of sophistication, modernity, and cosmopolitanism. They assumed a more dominant role in the early stage of the *tongzhi* movement. The Hong Kong Ten Percent has been seen as a ‘local’ (read ‘Chinese’) and more grassroots *tongzhi* group, while Horizon is seen as a ‘global’ (read ‘European or American’) and middle-class inclined *tongzhi* group. Lesbians and other queer women have always felt excluded and dismissed in the gay-male-dominated *tongzhi* groups. Even the use of ‘*tongzhi*’ as a common identity had been accused of over-representing middle-class gay men (Mak and King 1997). The organisers of the 1998 *Tongzhi* Conference deliberately wanted to include lesbians in the organising committee but some lesbians and queer women felt that the invitation was tokenistic and simply a politically correct gesture (Loo 1999: 365–73).

This triggered anger and frustration that subsequently led many lesbians to move out of male-dominated *tongzhi* groups and set up their own exclusive women-only organisations.

### **The third wave (1997–the 2000s): Post-colonial administration, *tongzhi* citizenship building, and the emergence of the politics of difference**

If the *tongzhi* movement in the 1990s aimed at identity and community building, the movement in the 2000s has gradually moved on to building sexual citizenship. The HKSAR government actively promotes the family as a core value in Hong Kong society and as an essential part of ‘Chinese culture’. The first Chief Executive Tung Chee-hwa (1997–2005) said that ‘our society has always recognised the importance of the family’ (Hong Kong Special Administrative Region Government, 2001). The second Chief Executive, Donald Tsang Yam-kuen (2005–12), said that ‘Family harmony is the foundation of social harmony. The Government will continue to enhance family cohesion with effective policies’ (Hong Kong Special Administrative Region Government, 2006). The Family Council (2007) was therefore set up to promote ‘family core values as a main driver for social harmony’ (Family Council, 2012).

This harmonious family model has the monogamous heterosexual nuclear family as its prototype, which is not so much the continuation of traditional Chinese culture (as polygyny was the norm) but more of a Christian (especially evangelical) ideal. As Wong (2013) argues, since 1997, a new generation of evangelical Christians has taken up the mission to revive a strong Christian presence and monitor social development through the establishment of organisations such as The Society of Truth and Light (1997), Hong Kong Sex Culture Society (2001), Hong Kong Alliance for Family (2003), New Creation Association (2003), and Family Value Foundation of Hong Kong Limited (2007). These groups, which Wong calls ‘evangelical activism’, have a strong resemblance to the US Christian Right movement. In particular, they focus on sexuality as the central issue to advance their political agenda and emphasise the necessity to protect the dominance of the monogamous heterosexual nuclear family in order to restore social order and public morality. Moreover, while only 10 per cent of the general population is Protestant or Catholic, 75 per cent of the top administrative positions in the government are held by Christians. Hence, Wong argues that Protestantism and Catholicism have a certain influence over Hong Kong policy making (Wong, 2013).

It is under this ‘trinity of governance’ that we can see the struggle of the *tongzhi* movement in the 2000s. The Sexual Orientation Discrimination Ordinance (SODO) discussion (2005) could be regarded as the first major battle between evangelical activism and the *tongzhi* movement. In 2004, the SAR government started surveying the level of public acceptance of different sexual orientations. The Hong Kong Alliance for Family posted a four-page newspaper advertisement in the *Mingpao* newspaper, with nearly 10,000 signatures on 29 April 2005 calling for public opposition to the proposed legislation, as they worried that passing the law would promote an ‘unhealthy’ lifestyle and erode ‘family values’. As a result of strong opposition, the discussion was dropped, even though discrimination against *tongzhi* has been observed in different social arenas such as schools, workplaces, and churches, as documented in the report ‘Naked Truth: Report on Equal Rights of Hong Kong *Tongzhi*’ (2006), presented by four NGOs: The Hong Kong Christian Institute, Blessed Minority Christian Fellowship, Civil Rights for Sexual Diversities, and F’ Union. In the same year, the first International Day against Homophobia (IDAHO) event was launched not just to commemorate the date when the World Health Organisation removed homosexuality from its classified list of mental disorders in 1990 but also to respond to the evangelical activists’ opposition to equal protection for all.

The most significant legal challenge to laws concerning homosexual behaviour (conduct-based claim) was *Leung TC William Roy v Secretary for Justice* (2005), where the High Court found the unequal ages of consent for homosexuals (21) and heterosexuals (16) to be unconstitutional. The second Chief Executive Donald Tsang, himself a Catholic, publicly opposed the court's decision and made an appeal, though the Court of Appeal confirmed the High Court's decision in 2006.

In 2009 the Domestic and Cohabitation Relationships Violence Ordinance, a more relationship-based claim, was enacted to include same-sex couples in its scope of protection. The original domestic violence ordinance was first enacted in 1988 to provide civil remedies to protect heterosexuals – married or cohabiting – from partner abuse. In 2008, the government proposed to expand the scope of the legislation to include same-sex couples. Evangelical activists mobilised supporters (in the name of the pro-family movement) to encircle the Legislative Council and sent letters to schools to urge parents to lobby the government. They argued that such amendments, if passed, would be interpreted as recognising and promoting same-sex unions. The ordinance was finally enacted, but had its name changed from the 'Domestic Violence Ordinance' to the 'Domestic and Cohabitation Relationships Violence Ordinance', in order to make the distinction that cohabitation does not equal marriage, thereby indirectly disqualifying same-sex couples and relationships as valid family forms and valid intimate relationships.

The judicial review filed by W (*W v Registrar of Marriages*) in 2009 is worth noting, as this is the first legal challenge to the institutionalised injustice regarding relationship-based rights. 'W' was an individual born male who underwent sex reassignment surgery in a public hospital but was denied the right to marry her boyfriend. Although her name and gender on her identity card and academic records had been changed, the government refused to change the record on her birth certificate, which is the basic proof of identity necessary to register a marriage. The Court of First Instance denied her right to marry her boyfriend in 2010. Three points have to be highlighted in the judgment (HCAL 120/2009; *W v. Registrar of Marriages* 2010): (1) legal sex is defined biologically and at birth; (2) W's case might open possibilities for same-sex marriage; and (3) public consultation and legislation, instead of judicial intervention, is the preferred remedy. Subsequently, W filed an appeal in 2012 (CACV 266/2010; *W v. Registrar of Marriages* 2012) after struggling with a previous dismissal to do so. Finally, W won a landmark victory on 13 May 2013, when the Court of Final Appeal ruled that legal provisions forbidding her right to marry her boyfriend were unconstitutional and stated that one's sexual identity should not only be defined biologically at birth (FACV4/2012; *W v. Registrar of Marriages* 2013).

In facing these external obstacles, what have been the major developments in *tongzhi* communities since 1997? New groups have been formed such as Rainbow of Hong Kong (1998), Rainbow Action (1998), Civil Rights for Sexual Diversities (1999), F' Union (1999), *Tongzhi* Community Joint Meeting (TCJM) (1999), Women's Coalition of HKSAR (2003), Nutong Xueshe (2005), Midnight Blue (2005), For My Colours (2008), and Gay Harmony (2009). They have been vocal and proactive in fighting for various *tongzhi* sexual citizenship rights. Moreover, the pink economy has expanded (for example, a local free gay magazine *Dim Sum* has a long list of venues and places at <http://dimsum-hk.com/>). The visibility of *tongzhi* in popular culture such as community online television channels, internet radio programmes, *tongzhi* websites (for instance, [www.gayhk.com](http://www.gayhk.com), [www.tt1069.com](http://www.tt1069.com), and <http://blur-f.freebbs.tw/index.php>) and *tongzhi* writings has increased (Kong 2011: 64–66; Tang 2012). Perhaps the most visible events are the two mass parades started in 2005 and 2008 respectively, namely the IDAHO – Hong Kong Parade and the Hong Kong Pride Parade.



The primary quest of IDAHO is to eliminate discrimination based on sexual orientation, which is reflected in the themes highlighted throughout the years, ‘Turn Fear to Love’ (2005), ‘Stand Up Against Prejudice’ (2006), ‘Legislation is the Best Education’ (2007), ‘Gender Diversity, No Discrimination’ (2008), ‘Stand Up for Your Rights’ (2009), ‘Religion, Homophobia and Transphobia’ (2010), ‘Born this Way’ (2011), and ‘What to Fear?’ (2012). The number of participants has steadily increased from 500 to 1,000, as reported by the organisers. A pride parade has been held every year since 2008, except in 2010, due to the organisers’ financial difficulties. Compared with IDAHO, whose principal agenda is to eliminate discrimination based on sexual orientation, the aim of the pride parade is to celebrate queer identity and pride, seek inclusion and justice, and challenge heteronormativity (Kong 2011: 59), which is reflected in its themes, e.g. ‘Queers are Ready’ (2008), ‘Be Proud Be Yourself’ (2009), ‘For Queer. For Love. For Equality’ (2011) and ‘Dare to Love’ (2012). Over the years, the number of participants has steadily increased from around 1,000 in 2008 to 4,000 in 2012, as reported by the organisers.

Both events are considered to be symmetrical and complementary as the former focuses on countering homophobia and transphobia while the latter emphasises taking pride in one’s sexual identity (Wong 2007: 607; Kong 2011: 57). They promote not so much an identity politics but rather a post-identity politics in bringing *tongzhi* and non-*tongzhi* together with different interests (Kong 2011: 58). Both events attract *tongzhi*-friendly groups (the Association for the Advancement of Feminism), human rights groups (Amnesty International), and the business sector (Community Business). A social group HKFS Social Movement Resource Centre even organised ‘straight supports *tongzhi*’ (2008–9) and ‘straights support grassroots *tongzhi*’



Figure 13.1 Hong Kong Pride Parade, 2011. Photograph by Travis Kong.

(2010), in the hope of connecting the *tongzhi* movement with a wider nexus of social movements. IDAHO and the pride parade have tended to reject the homogenising effects of identity politics, fashioning a kind of politics of difference to celebrate diversities and advance post-identity politics to draw wider audiences in civil society. This kind of coalition politics can be traced back to the early development of lesbian/queer women's NGOs which were closely related to the feminist organisations and movement in Hong Kong in the 1990s (King 2001). All these efforts have paved the way for the construction of *tongzhi* citizenship in Hong Kong.

As in the UK and the US, a politics of difference encourages diversity but also breeds divisions (Plummer 1999). In the early 2000s a more radical queer politics emerged whose aims are not to seek inclusion in the heteronormative mainstream culture or to perform as good and respectable citizens, but to stage more confrontational actions, with an 'in-your-face' attitude intended to attract media and public attention. For example, Rainbow Action engaged in a sham marriage in which two gay men (dressed as brides) married two lesbians (dressed as grooms) (2002). They staged a kiss-in action at the Hong Kong Catholic Cathedral of the Immaculate Conception Sunday mass to condemn the Roman Catholic Bishop Joseph Zhen for publishing two articles against same-sex marriage (2003). Most of these actions were largely disapproved of by either the general public or the *tongzhi* community as some would argue that they 'brought shame to the *tongzhi* community'. Through such actions, they have offered an alternative strategy of behaving 'badly' and transgressing limits, using strategies similar to US groups like ACT UP and Queer Nation and UK groups like OutRage.

## Discussion and conclusion: The fourth wave? 2012–

In this chapter, we have examined the complex interplay between the *tongzhi* movement and the wider society, highlighting struggles for sexual citizenship within three key sites of governance: the government, the family, and religion (in particular evangelical activism).

Using Richardson's (2000) theorisation of sexual rights, we have argued that local *tongzhi* have only achieved the status of partial citizens in terms of conduct-based, identity-based, and relationship-based rights claims. Concerning the conduct-based claims, the decriminalisation of male homosexual conduct in 1991 and the overturning of the unequal age of consent laws between homosexuals and heterosexuals in 2005 mean some recognition of the right of gay/bisexual men to participate in private and consensual sexual activity. However, the right of transgender people to sexual self-determination is still far from being achieved (Cheung 2010). Concerning the identity-based claims, although public gay bashing is rare in local history, the right to disclose sexual identities is still not legally protected. Concerning the relationship-based claims, the enactment of the Domestic and Cohabitation Relationships Violence Ordinance in 2009 does not signify the public validation of same-sex relationships. Given that there is no provision for same-sex marriages or civil partnerships, it is obvious that local LGBT are not entitled to access any social and legal benefits accruing from being married or partnered.

When we consider these three pillars of sexual rights we see that local *tongzhi* are restricted from being full Hong Kong citizens. However, such blockages of citizenship status brought by the 'trinity of governance' should not be seen as some totalising site of domination without any loopholes. For example, the establishment of the Equal Opportunities Commission (EOC) is crucial in promoting messages of equality, diversity, and a discrimination-free society. Lam Woon-kwong, the then chairperson of the EOC, has clearly stated that 'the EOC has all long

been advocating legislation to protect the LGBT community from discrimination based on sexual orientation and gender identity' (Equal Opportunities Commission 2012). The newly appointed chairperson Dr. Chow Yat-ngok said in a radio interview that he promised to make legislation to protect gay rights a top priority during his three-year term (*South China Morning Post* 1 April 2013). Moreover, the Boys' & Girls' Clubs Association of Hong Kong has formed a parents' group to help parents support their *tongzhi* children. Su Mei-zhi, who worked with the group as a journalist, gathered nine stories from this group and published a book entitled *Our Tongzhi Child* (2012). She argued that the tolerance of homosexuality could be reconciled with the traditional values of Chinese family (Wong 2007). Finally, the Protestant/Catholic community is not entirely monopolised by evangelical activist groups. The Society for Truth and Light has sometimes been labelled a 'moral Taliban' in the media (*The Encyclopedia of Virtual Communities in Hong Kong*, [www.evchk.wikia.com](http://www.evchk.wikia.com)) and even among the Christian community. In response to Rev. Lam Yi-lok from the Crossroad Community Baptist Church, who used biased analogies like cancer patients, drug addicts, and robbers to 'explain' homosexuality from his pulpit, some local churches issued a joint declaration and organised a press conference entitled 'Homosexuality is Not Sinful' to oppose any speeches and behaviours that stigmatised and demonised the *tongzhi* community. Bearing these examples in mind, we are not saying that the 'trinity of governance' in Hong Kong is weakening. Rather, these developments may point to the possibility of a post-identity politics that aims to establish alliances and coalitions among all parties.

The year 2012 was a critical year that witnessed the intensification of internal schisms and the revival of 'coming out' politics. The internal disputes among the *tongzhi* community have become more intense, seemingly resulting in the separation into two movement camps – the *Tongzhi* Community Joint Meeting (TCJM) and For My Colours (FMC). Their confrontation was triggered by the IDAHO 2012 where TCJM, as the Hong Kong rally organiser, invited Regina Ip Lau Suk-ye (chairperson of the New People's Party) to be one of the spokespersons. However, the coalition members of FMC criticized Ip for her poor record, alleging that she had disdained the core values of human rights, the rule of law and social justice, and had shown discrimination towards lower class people. From FMC's point of view, the *tongzhi* movement should not only target the rights of sexual minorities, but should be part of the wider civil society, embracing the values of democracy, equality, freedom, and fraternity, in order to align with other socially disadvantaged groups such as new immigrants, ethnic minorities, sex workers, disabled persons, and grassroots manual labourers. The controversy over Ip suggests an ideological spilt that defines the fourth wave of the *tongzhi* movement in Hong Kong, which is less between assimilationist and confrontational politics or between identity and post-identity politics but more to do with the role that *tongzhi* politics should play in the wider social justice movement. It is therefore a debate over whether the *tongzhi* movement should align itself with anti-globalisation, anti-capitalism, anti-consumerism, and anti-discrimination movements. Moreover, when we examine the title of the street forum organised by the FMC, this is, 'Who has stolen our *tongzhi* movement?', there are several questions worth asking: Who is the 'who'? Does it refer to the TCJM? Who is the 'our'? Does it refer to civil society, the general *tongzhi* community, or FMC? What has been stolen in the *tongzhi* movement? Does it refer to the agenda, leadership, resources or something else? The title seems to touch upon the ownership of the local *tongzhi* movement. Does it imply that our *tongzhi* movement has been lost and we need to look for a new one? So, what do we need in the *tongzhi* politics? How can alliances be possible and is it necessary to have such internal collaboration? Who is a *tongzhi* and who is not? All these questions have ultimately turned to the critical question: what kinds of *tongzhi* politics should we refashion? We speculate that the movement may shift from a minority identity-based

movement focusing exclusively on the rights and benefits of *tongzhi*, to a coalition of issue-based movements that call for alliances between different parties – *tongzhi* or not – under the broad umbrella of a democratic and social justice movement.

Although coming out is not a new tactic in *tongzhi* politics, three public figures, Anthony Wong Yiu-ming, Denise Ho Wan-see (also known as HOCC), and Raymond Chan Chi-chuen, who all publicly came out in 2012, and later set up a new group called Big Love Alliance, have generated a great stir in Hong Kong. In fact, the significance of their coming out is not a matter of personal disclosure but a symbol of public transgression to challenge the social morality and justice of our society. As an openly gay pop singer, Wong's activism is not limited to the rights of LGBT, but also touches upon other issues such as concerns over the death of disabled dissident Li Wang-yang in mainland China, and protest against the HKSAR government's implementation of moral and national education in primary schools in Hong Kong, which has been read as brainwashing and political indoctrination. Wong is therefore a symbolic figure who represents the transformation of a queer icon into an icon of social justice. HOCC recently came out at the Pride Parade 2012 and it is believed that she will follow Wong's style of activism. As the first and the only 'out' elected politician in Hong Kong and the entire Chinese-speaking world, Chan's coming out is of vital importance in attracting public attention, especially from the Protestant/Catholic and *tongzhi* community. After discovering Chan's gay identity, some conservative Christian groups immediately expressed worries about the possible advocacy of a *tongzhi* agenda. In contrast, *tongzhi* groups have pinned their hopes on a possible victory for *tongzhi* equality at the legislative level. We argue that Chan's provocative stance together with his openly gay identity may change the ecology of the local *tongzhi* movement, leading to a new wave of 'culture wars' between different parties (Wong 2013). Moreover, a new group called Hong Kong Scholars Alliance for Sexual and Gender Diversity (2013) has just been formed by a group of teachers and academics who are concerned with sexual and gender issues in Hong Kong. They are scholars who research sexuality and gender and/or self-identify as LGBT. The alliance aims to provide and facilitate education, research, training and support for sexual and gender diversity in order to build a more open and progressive society.

To conclude, no one wants to be a non- or partial citizen in society. In Hong Kong, the making of *tongzhi* citizenship is a socio-political process, which has been subsumed under the 'trinity of governance'. On 7 November 2012, Legislative Council elected member Cyd Ho raised a motion urging the government to launch a public consultation on enacting legislation to safeguard equal opportunities and basic rights for people of different sexual orientations, but the motion was rejected. This and other cases suggest that the government does not intend to take initiatives in implementing any policies concerning sexual rights. Evangelical activists, together with some parents and NGOs, have shared similar arguments to oppose any forms of legislation towards *tongzhi* equality. Apart from illustrating the constraining effects of such governance, this understanding of the fourth wave of *tongzhi* movement has presented us with a dual challenge. Firstly, the intensification of internal schisms among *tongzhi* groups has made the ideological divides become more visible. Even if no one group dominates the movement in the foreseeable future, we argue that the Hong Kong *tongzhi* movement seems to be moving towards a broader democratic and social justice movement. The *tongzhi* movement is therefore not just concerned with *tongzhi* issues, but with alliances with other minorities along the lines of such things as age, gender, race and ethnicity, occupation, and class. Secondly, the revival of 'coming out' politics brought by Wong, Chan, and HOCC represents a form of queer visibility that is not only in the media sector but also in the socio-political sector. Such transformations of queer icons, however, may lead to a societal backlash from conservative

religious communities. It is thus expected that increasing queer visibility in the political arena may pose new challenges for Hong Kong and the *tongzhi* movement.

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*Appendix 13.1* Chronology of major events in the Hong Kong *tongzhi* movement

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1842	'Buggery' was criminalised
1980	MacLennan Incident
1991	Decriminalisation of male homosexual conduct
1990s	The emergence of ' <i>tongzhi</i> -scapes'
1995	First attempt to pass Sexual Orientation Discrimination Ordinance (SODO) failed
1996	First Chinese <i>Tongzhi</i> Conference
2000s	The proliferation of ' <i>tongzhi</i> spaces'
2005	Second attempt to pass SODO failed
	Equalisation of age of consent between homosexuals and heterosexuals
	First IDAHO Hong Kong Parade
2008	First Pride Parade
2009	The enactment of Domestic and Cohabitation Relationships Violence Ordinance includes same-sex partners
	Transgender marriage in the case of 'W': rejected by The High Court
2012	The coming-out of three public figures: Anthony Wong, Raymond Chan, and Denise Ho. Chan is the first 'out' gay politician in Hong Kong and among the entire Chinese-speaking societies
	Public consultation on enacting legislation to safeguard equal opportunities and basic rights for people of different sexual orientations rejected
2013	Legal provisions that forbid transsexual marriage are ruled as unconstitutional by the Court of Final Appeal

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