

Policing the Others: Cultural Studies of Police Work in Relation to Human Rights Politics in Hong Kong

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Abstract

In contributing to the “reinvention of Cultural Studies” (Grossberg, 2006, p. 8), this paper makes an attempt in building up the linkage between human rights and Cultural Studies by analyzing the alleged human rights violation by police towards ethnic minorities in Hong Kong. This study focuses on the controversial Limbu Case, in which a Nepalese man named Dil Bahadur Limbu was shot dead by a police constable in Hong Kong on March 17, 2009 (court case codes: CCDI 298/2009, HCAL 85/2010, DCPI 570/2012). By conducting a court case analysis in conjunction with cultural theory and legal theory, this study employs critical race theory to decode the discourses of racialization and public order often found in racially biased cases of police abuse. Other than a combined cultural-legal analysis, this paper engages with the media representations of encounters between police officers and ethnic minorities in Hong Kong, especially the local newspaper portrayals of crime-related incidents in which South Asians are depicted to be involved in. The cultural-legal and representational analyses allow us to look into the highly-technical discourses in the legal system as well as to deconstruct representations in shaping the public discourse.

Keywords: Police, Race and ethnicity, Human rights, Hong Kong

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Problematizing Human Rights and Police

Human rights, as a notion which relates to every one of us in today's world, in many ways shields us from the exploitation of human dignity, inequality, and abuse of freedom. However, why is the discussion of human rights in relation to police significant in particular? Police, as known as the law enforcement, are the ones who act as the bridge between the criminal justice system and the people (Greene, 2010). For instance, if police arrest people arbitrarily, which suspends the arrestees' freedom of movement, the rights of the innocent civilians will be taken away. Therefore, given that police officers are granted more power in carrying out their tasks when compared to the civilians, doubts sometimes arise to question if there is a case of police abuse of power which endangers the civilians' enjoyment of rights.

By all accounts, criminologists, especially those with a legal and frontline police work experience background, have made attempts to outline the complexity, contradiction and blind spot in relation to the discussion of police and legality (e.g. Brown, 1927; Greene, 2010; Kleinig, 1998; McAdams, Dharmapala, & Garoupa, 2015; Skolnick, 2011). Although most of them do not address the politics between police and human rights directly, the groundwork done by these scholars provides us a spectacle to look into the setting of the tension when one makes a claim of police abuse of power which endangers the rights of civilians. While many works look into the cases of police abuse of power and the violation of due process, Skolnick (2011) makes an attempt to offer a more fundamental understanding of the relationship between police and law. He puts forward that there is a dilemma between rule of law and social order in police work. The rule of law which Skolnick (2011) refers to is, in general, the spirit of due process, impartiality, fairness and aims not to convict innocent people in the context of policing. It is contended that if police do not adhere to the principle of legality, the difficulties faced by them will be increased (Skolnick, 2011). It is because the law does not only serve as an instrument for the police to maintain the preferred public order, the law itself also does define the work of the police. As being called as "law enforcement", police power is granted by law and the police have to act in accordance to law, which offers them the authority to impose law by arresting the people who act against the law. In other words, police serve the law and at the same time their authority is given by law (in a technical aspect). Therefore, police have to be answerable to the law and their actions are expected to be within the law. It would be illegitimate for them to enforce the law while they act beyond the law. To put it in another way, police are required to maintain the social order under the condition that they are restrained by law, and civilians being under the protection of individuals' rights.

In the design of criminal law, one can discern the tension between the goal of social order and the constraint for law enforcement. It is in our knowledge that criminal law contains a collection of laws which aims to maintain the social order. This collection of law is known as the substantive part of the criminal law, while there is another part of the criminal law which monitors the conduct of the state agents in "processing citizens who are suspected, accused, or found guilty of crime" (Skolnick, 2011, p. 6). For that reason, the design of the criminal law suggests that the goal of social order maintenance is required to be achieved under the condition that civilians' rights and liberties being protected (Alexander & Ferzan, 2009; Cross, 2010; Skolnick, 2011). The contradiction faced by police—to exercise their extra power and at the same time restraining themselves is inserted by the lawmakers who observed the contradictory nature of law enforcement. In our everyday life, we always say the police function to maintain "law and order" of a community, creating an impression that law and order are coherent concepts in its nature—that through policing, the two concepts

can be proliferated together. Yet, the two parts of criminal law shows us the tension between law and order, that the criminal law functions to balance the two concepts. Moreover, to achieve either one of the concepts, the other one can be ignored (Skolnick, 2011). To achieve a preferred order from the perspective of the state, the “law” (or rule of law) is not necessarily an important instrument. In another way around, the respect of rule of law or legality does not necessarily bring us social order. In some states where the law enforcement and governments showing full respect to the spirit of rule of law does not guarantee them a preferred order. In view of this, the discussion of law and order, therefore, has to be articulated to the discourse of rights—how can the order be maintained however at the same time in respect of people’s rights? In addition to this, does it mean that the goal of achieving order with the instrument of law enforcement in its nature exploiting human rights?ⁱ

As a result, given that the role of the police is to enforce laws in order to preserve social order, the observed violation of human rights is constructed into a reasonable act in which it serves the convenience of the maintenance of social order. It is also because of this, when there is an alleged case of police abuse of power which assaults civilians’ human rights, there is always an obscurity in claiming there is actually a human rights assault. Rather, it is always claimed by the pro-police side that the cases of alleged human rights violation by police are merely “tough forms of policing” which are required to handle specific parties or individuals (Uildriks & van Reenen, 2001). Yet, the deterrent effect of the questionable police practices is doubtful, in which statistics and previous studies are unable to show that an increase in the number of cases of questionable police handling suspects or civilians would result in a decrease in crime rates (Bayley, 2002). Moreover, Bayley (2002) argues that the form of policing which contains seemingly human rights violations in many ways does no good to the legitimacy and the accountability of a police force, in which he points out that the root of crime has little to do with law enforcement but it is the social policy which creates social problems and as a result making people to violate the laws. In other words, no matter how hard police try, from his point of view, crimes cannot be reduced no matter how hard the law enforcement tries to make an impact via a so-called tougher law enforcement.

In the context of police, it appears that “human” rights, as rights which supposedly enjoyed by all “humans”, can compromise when it encounters the consideration of public order. It is the temporary balance, or “temporary stabilities” (Grossberg, 2010, p. 41), which leads to the case of someone who is with a darker skin like Dil Bahadur Limbu was shot dead by a police officer. In which, I believe that a mixture of cultural-legal and representational approach can help us to make a step closer to understand the very unique conjuncture.

The Limbu Case

The Limbu Case is chosen to demonstrate the intertwined contestation between human rights, police practice, and race and ethnicity in Hong Kong. The incident triggered a hitherto largest number of ethnic minorities to go onto the street and to protest in Hong Kong (Lai, 2017). It was an afternoon on March 17, 2009, a woman complained about a man urinating on a hillside in Ho Man Tin, opposite to the estate Lok Man Sun Chuen there. It was reported that a police constable arrived at the scene on his own shortly after the complaint was made and met the man he was looking for, which was Dil Bahadur Limbu (Lo, 2009b). Then, the police constable stopped Limbu and tried to check his identity but it was told that Limbu said he did not have an identity card and attempted to leave (Lee, 2009a; Lo, 2009b). The police officer did not let Limbu go and it was disclosed that Limbu punched the officer so that he could escape from the hillside (Lo, 2009b). After that, the police constable claimed that he tried to

use his pepper spray to subdue Limbu but he failed and the whole bottle of spray was used up (however, in the coroner's inquest, it was found that half of the bottle of pepper spray had not been ejected), while Limbu picked up a wooden chair nearby and attempted to hit the officer (Lee, 2009b; Lo, 2009b). It was therefore reported that the policeman was forced to step back and fell on the ground when Limbu kept using the weapon to beat him (Lo, 2009b). At the same time, the baton of the police officer was dropped so the police lost his two weapons: the baton and the pepper spray. After that, the officer pulled his gun and fired two shots, the first missed and the second one got into Limbu's head (Lo, 2009a, 2009b; Lung, 2009). The police officer and Limbu were sent to the hospital. While the police constable had his arm and back injured, Limbu died six hours after being taken to the hospital (Lo, 2009a, 2009b; Lung, 2009).

Three courts were heard regarding the Limbu Case, namely the coroner's court (CCDI298/2009), high court (HCAL85/2010) and district court (DCPI570/2012). In this paper, the coroner's court case, which came with a lawful killing verdict will be analyzed. The jury came up with a verdict that Limbu was lawfully killed by police constable Hui, while they dismissed the other two options: a manslaughter and an open verdict. In the coroner's inquest, it was guided by the coroner that in arriving at a verdict of lawful killing, the jury must be sure that the police officer truly held the belief that he was facing an imminent danger and had to open fire in order to preserve his life or that of other individuals; and, the use of force must be proportionate and necessary. The concept of lawful killing can be made reference to Article 8 of Cap. 212 Offences against the Person Ordinance (OAPO), it states that there is an option as "excusable homicide", that "No punishment shall be incurred by any person who kills another by misfortune or in his own defence, or lawfully in any other manner." Jackson (2003, p. 560) puts it with different wording, that "in the lawful exercise of rights of self-defence or crime prevention, or as a matter of necessity, or as a lawful means of disciplining and correcting..." that a lawful killing verdict should stand. For this reason, to arrive at a verdict of lawful killing, the jury in the coroner inquest has to believe that police constable Hui truly "held the belief that he was facing an imminent danger and had to open fire in order to preserve his life or that of other individuals or that of others", and the firing was proportionate and necessary.

The Right to Life

Hence, being the deceased, Limbu's right to life was taken away by the police officer. In one of the most respected documents, the Universal Declaration of Human Rights (hereafter UDHR), the right to life is stated to be protected. Under UDHR Article 3, it defines the very basic right of the "human". The UDHR states it in a very plain and simple way (in terms of legal writing), which it writes "Everyone has the right to life, liberty and security of person". In addition to the UDHR, being one of the two sons of the UDHR, the International Covenant on Civil and Political Rights (hereafter ICCPR) Article 6ⁱⁱ further elaborates the spirit stated in the UDHR Article 3.

On a local level, the right to life is protected by local laws. The constitution of Hong Kong, the Hong Kong Basic Law Article 28ⁱⁱⁱ and the Hong Kong Bill of Rights Ordinance Article 2^{iv} cover the right to life of the Hong Kong residents. Since the right to life is granted, the Limbu case led to a coroner's inquest in order to look into whether the death of Limbu was an "arbitrary deprivation" of life.

Hong Kong Basic Law Article 28:

The freedom of the person of Hong Kong residents shall be inviolable.

No Hong Kong resident shall be subjected to arbitrary or unlawful arrest, detention or imprisonment. Arbitrary or unlawful search of the body of any resident or deprivation or restriction of the freedom of the person shall be prohibited. Torture of any resident or arbitrary or unlawful deprivation of the life of any resident shall be prohibited.

Yet, by looking closer to the legal writing of these articles which aim to safeguard the right to life, it is found that the right to life is put in black and white in a “negative” way. Rights can be categorized into positive rights and negative rights. While positive rights require the states to take measures actively to grant its citizens’ rights, negative rights do not require the states to do anything actively to guarantee its citizens’ negative rights (David, 2014; Piper, 2006). The right to life as a negative right, which means that the state does not have to do anything actively to safeguard that of the citizens. Also, the wording “no one”, instead of drafting “everyone” in the article imposes a condition and a state of exception for the right to life. To put it in another way, the right to life of the citizens cannot be taken away “arbitrarily” as referred to the articles but rather, it can be taken away in a non-arbitrary and well-reasoned way in the judiciary.

As a consequence, the right to life is not a definite right, that it is granted in any situation. Corresponding to this, there is such a category of lawful killing, which is the verdict arrived by the jury in the coroner inquest of the Limbu Case. A killing to be categorized as a lawful killing when it is “in the lawful exercise of rights of self-defense or crime prevention, or as a matter of necessity, or as a lawful means of disciplining and correcting” (Jackson, 2003, p. 560). The act described as a lawful killing, therefore, is done for the purpose of self-defense or crime prevention, which aims to discipline and correct, and the act of lawful killing is seen as a right here, to be exercised by someone. To take someone’s life under the definition of lawful killing is not merely an act but it is actually an exercise of rights.

The Court

In assessing the Limbu Case, the coroner guided the jury to arrive at one of the three verdicts, namely a lawful killing, a manslaughter and an open verdict. The jury thus had to carry out an exercise of necessity test and proportionality test, in which to look into whether the use of force by police constable Hui was necessary and proportionate during he confronted Limbu.

However, it is found that the way the coroner guided the jury was differently from other killing cases. Below is quoted from the summing up of the inquest:

“Therefore, you must bear in mind that you have to judge police constable Hui’s action based on what he believed the danger was. You also have to remember that you cannot expect a person to precisely measure the level of force to be applied when he is situated in an intense moment when he needs to protect himself. If the attack faced by him is more serious, his position would be more hard-pressed. If you determine that the person being attacked believes or might truly believe that he has to protect himself, and his act does not exceed what he truly and instinctively believes what he has to do, then these would be a very strong evidence—in showing that his use of

force is reasonable in terms of proportionality.” (Summing up of CCDI298/2009, p.5, emphasis added) (translated by the author)^v

In this quoted passage, the coroner required the jury to imagine the death of Limbu from the perspective of the police constable. Unlike other killing cases, it is discerned that the coroner put an emphasis on the notion of danger, which he assumed that the situation faced by the police constable was a dangerous one. Therefore, the coroner asked the jury to bear in mind that it was an extreme situation and that when a person is in such a situation, an inaccurate measurement of the level of force can be excused, as he put “you cannot expect a person precisely measure the level of force to be applied when he is situated in an intense moment when he needs to protect himself”. That is, the situation is unimaginable for everyone except for the police constable himself. If the coroner guided the jury in such a logic, what was the reference point for the jury to judge whether the police constable’s decision of shooting and the death of the deceased were in all a case of lawful killing? How is one expected to imagine the situation of another person, while one is told that the imagined situation is, in fact, unimaginable because it is an extremely dangerous situation, which means to imagine the unimaginable? It is for this reason, that the jury at the end decided not to dismiss the possibility that the firing was proportionate and necessary, and in other words, the death of Limbu was a “proportionate and necessary death”.

The logic of hyper dangerous work environment of police officers legitimates a decision of shooting as if a shooting is proportionate and necessary. James Fyfe’s (2015) notion of “split-second syndrome” offers us a critical understanding of the logic of arriving a judgment that “the decision of opening fire by police officers is reasonable”. The split-second syndrome reveals the commonly asserted nature of police versus civilians confrontations, namely “urgent, involuntary and public relationship between police officers and clients”, and these altogether create a high potential for violence (Fyfe, 2015, p. 525). In particular, police officers are usually situated in an urgent setting and are exposed to potential dangers, in which the police officers are involuntary in the sense that they are being called to the scene and they have no choice at all. Moreover, the public relationship between police officers and civilians always creates an antagonistic atmosphere for the confrontation, which leads to a high possibility of using violence. These factors in contributing to a nature of police work are contended to explain the use of violence by police officers.

However, looking into the reasoning of police shooting cases, the split-second syndrome uncovers the assumptions being held behind supporting the decision of police shooting. According to Fyfe (2015), there are mainly three assumptions held in such a legitimizing process:

1. Every case is a unique case and as a result, there are no comparable situations.
2. Due to the stresses and emergence, one should expect a high chance of inappropriate decisions
3. So long as a citizen has, no matter intentionally or otherwise provoked a police officer at the instant, he, rather than the police officer should be viewed as the cause of any injuries or damages”

The logic debunked by the split-second syndrome offers us an understanding of the Limbu Shooting Case. The meaning-making process of understanding shooting case is that the uniqueness of the situation has to be stressed and only police constable Hui should be held accountable for the decision of firing. Therefore, police officers in this sense are posited to a

vulnerable position in their everyday work, yet they are granted more power, which includes the use of deadly force, and are expected to protect the civilians. Since the state agents help us maintaining the public order, we are asked to understand the challenges faced by police officers, in which they risk their safety to protect us from dangers by throwing themselves into dangers. In terms of rights, the police officer's right to life is contested with the right to life of the deceased. And since the police officer has a feeling of being in danger, he can take someone's life, in which he did not intend to take someone's life but the deadly force used by him had the possibility of taking one's life for the "exercise of rights of self-defence or crime prevention, or as a matter of necessity" as accordance to the Article 8 of the Cap. 212 OAPO and Jackson (2003). All in all, the decision of shooting, given the assumption that police officers are always in extreme situations and the uniqueness of situations, the decision of shooting is thus an incontestable decision in this logic.

In the discussion of human rights, one cannot ignore the very notion of "human" in human rights. The famous notion of "the right to have rights" by Hannah Arendt (1986) reminds us of the making of the "natural man", who is being stripped of all other legal entitlements. Mr. Limbu, a born and raised ethnic Nepalese Hong Konger, however, with an unknown kind of status, where the right to life, the most fundamental right to enjoy any other right was being taken away.

Media Representations

In addition to doing a cultural-legal analysis, the media representations are also resources which provide us a part of the picture that how the conjuncture is formulated, to understand cases like the Limbu Case that a darker skinned person got killed by police take place in Hong Kong. In the portrayals of the Limbu Case, it is found that there are racialized depictions circulated in the mainstream media in Hong Kong. By putting forward racialization, it refers to assigning racial meanings to situations which race does not act as a basis or a determining condition of the event, or the process of appropriating fixed meanings to a specific race (Downing & Husband, 2005; Omi & Winant, 2015). For instance, there is a newspaper article published on the next day of Limbu's death, titled "The 'Curry Clan' Shows No Concern to Pepper Spray" (in Chinese 食咖喱一族當胡椒噴霧冇到). By drawing an association between the visible skin color of Limbu and curry, the newspaper article constructs the incident as a racial event. The article interviewed a police superintendent, who asserted that there are three types of people being immune to pepper spray, namely people with mental illness, drunk people and people who love eating spicy food ("The 'Curry Clan' Shows No Concern to Pepper Spray," 2009). Besides, the article interviewed a general practitioner who puts forward that South Asians' biological features resist the functions of pepper spray. These depictions take advantage of Limbu's race so as to construct a biological explanation for the escalation of force in the confrontation. This is exactly how racism was made into a mainstream discourse in the present days—through scientific knowledge, which in itself is a race project and creates a racial hierarchy.

Other than referring to the biological explanation, another newspaper article tries to correlate skin color and the public safety of the territory. An article titled "Human Snake Bombs Destroy the Public Safety of Hong Kong" (in Chinese 人蛇「炸彈」損港治安) can well demonstrate that. The article makes claims on the refugee issue in Hong Kong. The logic is to see all darker skinned people as refugees and jobless people, and therefore the burden of the city. The article does not look into the shooting case itself but to quickly identify Limbu as a refugee in the city and to put forward the concern of the presence of "refugees" in the

territory, which may the public order of Hong Kong at risk (Chiu, 2009). These discourses altogether try to legitimize the decision of shooting via racializing Limbu by drawing the audience's negative imaginations of the South Asians in Hong Kong to a seemingly close danger in the audiences' everyday life. These discourses create an othering effect against the South Asians like Limbu in Hong Kong. In media representations, the case is made into a racial case, which all sorts of racialization happening in the circulation of meanings, while whether race was a determining factor was never raised in the court. It displays us with a disconnection in the circulation of meanings between the legal sphere and the media sphere. It can be a deracialized event somewhere and while it can also be a racialized event somewhere else.

Therefore, the Limbu case, in my mind, can demonstrate how an anti-essentialist approach would fall into the trap of misreading the problem by defining a case as a racial case whenever this is an ethnic minority involved. Rather, it might be the temporary balance of law and order, plus the media construction altogether be the temporary stabilities, which make it understandable that what form of policing is it in Hong Kong which leads to similar cases that a darker skinned person got killed by police.

Conclusion

A great deal of energy has been invested in analyzing the fact of police violation of human rights. These efforts, of course, are valuable in providing us the picture of the landscape of policing in different places. However, I believe that we have to first understand the fundamental relationship between police and human rights (or "law and order"). Through looking into the Limbu Case from the perspective of Cultural Studies, one should refuse to fall into the anti-essentialist position automatically (for instance, seeing race as the problem whenever there is a racial minority involved). Rather, we should seek the "anti-anti-essentialist" position, to craft and update the context, which in other words, to study the conjuncture (Grossberg, 2010, p. 22). And in this paper, it is my hope that through offering an analysis with the tool of rights imagination, it can help us to make a step closer to understand what kind of policing in Hong Kong that leads to incidents like the killing of a darker skinned person Limbu, which at the end being regarded as a lawful killing. However, this, of course, requires a multidimensional methodological inquiry, which is yet to be done.

ⁱ Police abuse of power is not a phenomenon confined to only a particular region. And similar to how police rationalize their "tough policing strategies" in other parts of the world, police officers in Hong Kong find the notion of human rights as an obstacle in their day-to-day duties. Allan Jiao (2007) in his work "The Police in Hong Kong" provides an overview of different aspects of the police force in Hong Kong. In the chapter "Rights and Obligations", it looks into the enactment of the Hong Kong Bill of Rights, and its impacts on policing in Hong Kong. In order to have an empirical aspect of the influence of the Hong Kong Bill of Rights on police work, Jiao (2007) interviewed some police officers. One of the officers says:

"Who need human rights? Criminals do. Do you need human rights? No, because you don't violate the law. Police deal with criminals, offenders... Citizens have rights and ask for explanations now. If arrest procedure is not right, offenders cannot be prosecuted." (p. 112)

The excerpt shows us an antagonistic attitude held by the officer towards people's right to claim rights. The claim of human rights is treated as an excuse of criminal activities and can be a way to escape from the punishment of the criminal justice system. Furthermore, the claim of rights also adds burdens on law enforcement that once an officer fails to follow due process, the suspect can be free from trials. It poses a worry that the spirit of legality might outweighs the goal of maintenance of social order which results in threatening the public safety.

ⁱⁱ ICCPR Article 6:

1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.
2. In countries which have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of the present Covenant and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgement rendered by a competent court.
3. When deprivation of life constitutes the crime of genocide, it is understood that nothing in this article shall authorize any State Party to the present Covenant to derogate in any way from any obligation assumed under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.
4. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.
5. Sentence of death shall not be imposed for crimes committed by persons below eighteen years of age and shall not be carried out on pregnant women.
6. Nothing in this article shall be invoked to delay or to prevent the abolition of capital punishment by any State Party to the present Covenant.

ⁱⁱⁱ Hong Kong Basic Law Article 28:

The freedom of the person of Hong Kong residents shall be inviolable.

No Hong Kong resident shall be subjected to arbitrary or unlawful arrest, detention or imprisonment. Arbitrary or unlawful search of the body of any resident or deprivation or restriction of the freedom of the person shall be prohibited. Torture of any resident or arbitrary or unlawful deprivation of the life of any resident shall be prohibited.

^{iv} Hong Kong Bill of Rights Ordinance Article 2:

Right to life

1. Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.
2. Sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime and not contrary to the provisions of this Bill of Rights and to the Convention on the Prevention and Punishment of the Crime of Genocide. This penalty can only be carried out pursuant to a final judgment rendered by a competent court.
3. When deprivation of life constitutes the crime of genocide, nothing in this article shall authorize the derogation in any way from any obligation assumed under the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide.
4. Anyone sentenced to death shall have the right to seek pardon or commutation of the sentence. Amnesty, pardon or commutation of the sentence of death may be granted in all cases.
5. Sentence of death shall not be imposed for crimes committed by persons below 18 years of age and shall not be carried out on pregnant women.
6. Nothing in this article shall be invoked to delay or to prevent the abolition of capital punishment in Hong Kong.

[cf. ICCPR Art. 6]

^v Original text in Chinese: 「所以你哋要謹記，你哋必須憑許警員真心相信佢有乜嘢危險，你判斷佢嘅行動。你哋亦要謹記唔可以期望一個人喺保護自己嘅激動時刻當中，仲可以精確咁樣衡量需要幾多武力才足以自衛，如果佢受到嘅襲擊係愈嚴重嘅，佢嘅處境就會變得係愈窘迫，如果你哋判斷受襲嘅人相信或者可能真心相信佢係必須保護自己嘅，而佢所做嘅亦唔超出佢真心和本能被認為係佢須要做嘅嘢，咁樣呢啲就係一個非常有力嘅證據，嚟顯示佢所用嘅武力喺程度上係合理嘅。」

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