



HOW XI JINPING THOUGHT GAVE HONG KONG ITS NATIONAL SECURITY LAW

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The anticipated adoption of the Hong Kong National Security Law embodies the growing influence of [Xi Jinping Thought on Diplomacy](#), bridging the intersection between China’s domestic actions and its increasingly assertive foreign policy. The law will have lasting implications in [empowering Beijing](#) to outlaw pro-democracy opposition, place additional limits on civil liberties, and dismantle the rule of law in Hong Kong.

On May 21, the National People’s Congress (NPC) introduced [a draft law](#) for debate under the title of Establishing and Improving the Legal System and Enforcement Mechanism of Hong Kong (henceforth the “National Security Law”). The NPC [stated](#) that delegates would review a plan to set up a legal framework and enforcement mechanism for safeguarding national security in Hong Kong.

The central government urged Hong Kong to accelerate its implementation of national security legislation, mindful of their prior [failed attempt](#) in 2003. Despite the existence of the [Emergency Regulations Ordinance](#) as an established precedent for maintaining public order in the city, Beijing has determined that its implementation of the law is necessary to [“prevent, stop, and punish”](#) threats to Chinese sovereignty in Hong Kong.

The draft law was shared with NPC delegates and presented publicly as a motion during the third session

of the 13th NPC on May 21, and [rubber stamped](#) on May 28. The law is presently undergoing the drafting process by Beijing, after which the Hong Kong government is expected to adopt it by promulgation over the coming months.

What is in the Law?

The National Security Law is predicated [upon several basic principles](#)—including safeguarding national security, upholding the principle of OCTS, protecting the rule of law, opposing external interference, and safeguarding the legitimate rights and interests of the Hong Kong people.

The draft contents of the law itself consist of an introduction and seven articles, most prominent being Articles 2, 4, and 6. Article 2 outlines Beijing’s opposition to foreign interference in Hong Kong’s internal affairs, a matter of growing relevance following the United States’ adoption of the [Hong Kong Human Rights and Democracy Act](#) in 2019.

Article 4 specifies that the Hong Kong government establish “enforcement mechanisms” to safeguard national security. This follows upon the [contention](#) of Beijing’s liaison office to Hong Kong in April that the central government held the authority to interfere in local affairs, despite it being a clear violation of the Basic Law.

Article 6 provides the central government with a “carte blanche,” affirming Beijing’s authority to establish and improve Hong Kong’s legal system and enforcement mechanisms, to punish any separatist or terrorist activities, and to enact the National Security Law under Annex III of the Basic Law.

The law was introduced owing to perceived national security risks by elements in the city opposed to Beijing’s [“one country, two systems”](#) (OCTS) principle, which is to be addressed in the creation of the [“national security bureau”](#)—coordinating with the local judiciary and law enforcement in protecting both the Constitution of the People’s Republic of China and Hong Kong’s Basic Law.

Impact of the Law

The law's [enactment](#) by the Hong Kong government will have irrevocable and permanent effects upon the city's autonomy and its international [reputation](#) as a free market system.

The law will serve as a "[master key](#)" in simplifying the process through which the central government may introduce, interpret and enforce new laws in the city. This will empower Beijing to harmonize Hong Kong's laws with the mainland's, and further erode the established governance framework of the OCTS principle which has guided the city since 1997.

The law will also facilitate the introduction and strengthening of oppressive systems which seek to corrode Hong Kong's identity, among them laws providing for "[national security education](#)" in schools, requiring educators to instill youths with patriotic values. This is furthered by the passage of the [National Anthem Law](#) on June 11, which provides that those whom offend the Chinese national anthem may be subject to three years imprisonment or a fine of HK\$50,000 (about US\$6,500).

Finally, the law will enable further restrictions on civil liberties—freedom of speech, expression, and the press. This has already been observed through the Hong Kong government's "creative" invoking of the [Emergency Regulations Ordinance](#) to ban the wearing of face masks, the arrest of reporters for "[loitering](#)," and in ruling that the use of a loudhailer [constitutes assault](#).

Xi Jinping Thought on Diplomacy

The escalation of Beijing's legal authority in Hong Kong represents the practical application of Xi Jinping Thought on Diplomacy (XJTD), evidenced through China's willingness to assert its status as a Great Power, to advance its interests against the [international community](#), to right [historical wrongs](#), and to reconceptualize its objective of peaceful reunification under [OCTS](#).

The [main points](#) of XJTD are predicated upon the desire for international relations to have "Chinese

characteristics," for Beijing to have a leadership role in international affairs, and for China's foreign policy to safeguard her sovereignty, security, and developmental interests. This leads to the conclusion that XJTD is directed toward challenging the existing international order, prioritizing China's [core national interests](#), and advancing Xi's image as China's new paramount leader.

China is well-aware of Hong Kong's stature as a global city, as a "global stage" within which events can give rise to international consequences. The former British colony exists as an opportunity for Beijing to showcase its resolve and assertiveness under the ideal of [Fen Fa You Wei](#) ("striving for achievement"), mindful of Hong Kong's colonial history and its symbolism as a stronghold of democracy and Western ideals in the region. The outcome of the Hong Kong situation will directly impact upon Xi's image and legacy as a paramount leader.

Beijing's assertive actions also represent a willingness to prioritize core national interests in rescinding unfavorable [international agreements](#), and disregarding international [human rights](#) standards. In focus is the [1984 Sino-British Joint Declaration](#), in which China agreed to preserve the city's sociopolitical status quo from reunification from 1997 until 2047, and how the National Security Law may prove incompatible with China's [international obligations](#) under the International Covenant on Civil and Political Rights. Furthermore, Beijing's actions indicate a revised conception of the OCTS principle and its implementation, from one of [peaceful reunification](#) to one of forceful reunification under Xi's tenure.

Summary

When the dragon is cornered, he is at his most dangerous. Beijing's intensifying control over Hong Kong embodies China's resurgent assertive foreign policy under Xi and XJTD, to reinforce China's newfound status as a global power and strike out in the face of significant [international criticism](#) surrounding Covid-19 and the evolving [trade war](#) with the US.

Despite the looming sociopolitical crisis expected to follow the National Security Law, the motivation of the Hong Kong people to unite and force change upon their government cannot be ignored. News of the law has already been met with strong opposition with [thousands](#) voicing their disapproval, and protests expected to [intensify](#) in the lead up to the 2020 Legislative Council Election and the National Security Law's formal implementation.

Adoption of the National Security Law represents the final nail in the coffin for Hong Kong's autonomy, and demonstrates the evolving nature of OCTS under XJTD. This raises questions of whether the former colony of Hong Kong will continue to retain its unique identity or devolve into just another mainland Chinese city.

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