UTS UNIVERSITY OF TECHNOLOGY SYDNEY

From British Nationality to Political Resistance: BN(O) Status and the Vision for a Hong Kong Crown Dependency

by Ka Hang Wong

Thesis submitted in fulfilment of the requirements for the degree of

Doctor of Philosophy (Communication)

under the supervision of Associate Professor Chongyi Feng
Professor Carolyn Cartier

University of Technology Sydney
Faculty of Arts and Social Sciences

March 2026

Certificate of Original Authorship

I, Ka Hang Wong, declare that this thesis is submitted in fulfilment of the requirements for the award of Doctor of Philosophy (Communication), in the School of Communication, Faculty of Arts and Social Sciences at the University of Technology Sydney.

This thesis is wholly my own work unless otherwise referenced or acknowledged. In addition, I certify that all information sources and literature used are indicated in the thesis.

This document has not been submitted for qualifications at any other academic institution.

This research was supported by an Australian Government Research Training Program (RTP) Scholarship doi.org/10.82133/C42F-K220.

Signature: Production Note: Signature removed prior to publication.

Date: March 3, 2026

Acknowledgments

I wish to express my sincere appreciation and deepest gratitude to Dr. Keiko Yasukawa, who acted as my principal supervisor for much of my candidature. I have known Keiko for over a decade, since commencing my initial teacher education in 2013. I am very lucky and grateful to have such a caring and supportive supervisor who provided detailed feedback on my work and offered her encouragement during our monthly meetings from a long distance on Zoom. It was Keiko's willingness to help during my application that led to my offer to study in this doctoral program on native speakerism, and later, teaching English in transnational higher education. I also wish to thank the Manager of the Academic Language and Learning Unit Associate Professor Caroline Havery, who acted as my co-supervisor for a significant period of my candidature. Caroline was equally supportive of this project. Both excellent supervisors diligently and tirelessly read my writing month after month and offered counsel and advice. Dr. Laurel Acton, my other co-supervisor and fellow English for Academic Purposes teacher at UTS College, also provided extensive support during the early stages of my study. Dr. Emily Edwards of the Academic Language and Learning Group provided valuable feedback during my Stage 1 assessment for the confirmation of candidature.

There are many others to acknowledge. Yuya Yanai, my fellow candidate in the School of Education, spent an afternoon with me sharing our research topics. It was a memorable time chatting in a café in Hung Hom, where I spent my childhood years. My fellow Hongkonger, Fievel Tong, whose thesis is focused on discourses and identity of adults with Down syndrome within the higher education context, generously shared his Stage 1 document with me so that I was able to get an idea of what was required for the confirmation of candidature. We shared our feelings about the political situation in Hong Kong and how we have grown emotionally attached to our homeland precisely because of the political repression in recent years.

My journey has moved from an English teaching inquiry into a critical discourse study, and finally, evolved into a history project about the British decolonisation of Hong Kong. I must thank Dr. Tim Laurie for helping to appoint a new panel during the final stage of my candidature. Thanks for your patience and kindness during those difficult

transitioning times. Associate Professor Chongyi Feng, an expert in the field of China Studies, generously gave me insightful advice that helped me develop many of the ideas on the topic. Thanks also to Professor Saba Bebawi for coming on board. Saba's expertise in critical discourse analysis has tremendously helped me with the analysis of metaphors presented in *Sheep Village*, a children illustrated series deemed seditious by the Hong Kong government. Additionally, I would like to thank Professor Carolyn Cartier and Associate Professor Jingqing Yang who both joined the panel and offered valuable feedback during my stage assessments. This journey has taken me through a steep learning curve in the world of publishing. What began in linguistics and English teaching grew to include not only peer-reviewed journals in my home discipline, but also commentary and op-ed pieces in political science and international relations—areas I never imagined I would one day be writing in.

I am thankful to the editors and anonymous peer reviewers who have given me enormous help and advice on my pieces. Together they help expose the crimes of the Chinese Communist government. I would also like to acknowledge forensic linguist Dr. Terry Royce for his editorial support, particularly in correcting grammatical errors. I have known Terry for several years and have found his workshops especially helpful.

Many others have supported my project in one way or another, by offering a listening ear, or by providing suggestions and advice on how I can tell the Hong Kong story well. The relentless struggles of pro-democracy politicians, activists, academics, and ordinary families—silenced, displaced, or persecuted—serve as a stark reminder of the necessity to preserve our truth and collective memory in the face of systematic repression and distortion. I especially wish to acknowledge the recently elected Hong Kong Parliament, whose determination to uphold democratic ideals shaped under British rule persists in the face of transnational repression and criminalisation under Xi Jinping's totalitarian government. Their work represents a commitment to political self-determination that anticipates forms of structural transformation beyond Chinese Communist governance in Hong Kong. The Parliament's vision, which anticipates the eventual overthrow of the Chinese government, embodies the ongoing struggle for Hong Kong's liberation. Our beloved Governor Chris Patten has

often reminded us that democratic values endure beyond repressive regimes. His words give rise to hope that the Chinese regime will one day be overthrown through the collective political will of Hongkongers, thereby facilitating the return of exiled Hongkongers upon its demise.

I also acknowledge challenges during my doctoral candidature, including a Stage 3 reassessment after an ethics consultation I initiated to clarify whether the research raised issues under the National Security Law. The consultation confirmed that the doctoral project fell outside the *National Statement on Ethical Conduct in Human Research* and therefore required no ethics approval. Upon completing my full thesis draft around late 2023, the assessment panel had assessed the thesis as satisfactory and ready for submission. Yet a subsequent school-level review required significant revisions and a reorientation of the project from an applied linguistics study to a political history thesis. This redirection reflected broader institutional caution surrounding seditious texts, particularly *Sheep Village*, the rationale for which was not always transparent. Following the abandonment of the previous thesis, the experience prompted deeper reflection on academic freedom, institutional processes, and the challenges of researching contested narratives.

The reorientation of my research, which followed the overturning of my Stage 3 satisfactory result and shift into a discipline outside my original training, led to divergent examiner reports during external examination. Despite these constraints, the examination process ultimately contributed to a more focused and historically grounded thesis. I remain deeply grateful to my principal supervisor, Associate Professor Chongyi Feng, whose principled stance, guidance, and belief in my work helped me persevere through a difficult and, at times, disheartening experience. I sincerely appreciate Dr. Belinda Middleweek, whose utmost support and advocacy following my transfer into the new discipline was invaluable during my submission stage in early 2025. This thesis is the product not only of academic inquiry but also of resilience in the face of institutional pressures, and it would not have been possible without the support of committed scholars, fellow candidates, and friends.

Dedication 奉獻

This thesis is firstly dedicated to my parents, who made that courageous decision to emigrate to Australia, the lucky country that gave me the best education in the world I could ever have received. I am forever indebted to you for your courage and sacrifice.

More importantly, this thesis is dedicated to my fellow Hongkongers—both those in our homeland and those exiled in the United Kingdom and elsewhere—for your brave and relentless fight for our freedom and democracy against a brutal totalitarian government that has invaded our home. Your "David and Goliath battle" against provocations from the Chinese Communist Party and the Hong Kong Communist regime has inspired this doctoral project. Many unnamed heroes have suffered in their quest for freedom. Many pro-democracy politicians, activists, and even scholars have been persecuted for speaking the inconvenient truth. Many ordinary families have made the painful decision to leave our beloved homeland. The collective bravery of Hongkongers keeps our common history and hope alive, wherever we are in the world. Your voice will never be forgotten.

This thesis would not have been made possible without the comrades' heroic and selfless acts that help us preserve our unique Hongkonger identity in the years to come. May glory be to Hong Kong!

這篇論文首先獻給我父母，你們做出了移民到澳洲的勇敢決定，這個幸運的國家為我提供了世界上最好的教育，我永遠感謝你們的勇氣和犧牲。

更重要的是，本論文獻給香港人，無論是在香港的，還是被迫流亡英國及世界各地的，感謝你們勇敢而堅定地為我們的自由與民主，對抗入侵我們家園的殘暴極權政權。香港人對抗中共與港共政權挑釁的「以弱勝強之戰」，啟發了這個博士計畫。許多無名英雄在追求自由的過程中遭受了苦難，許多民主派政客、活動人士甚至學者都因說出令人難以忽視的真相而受到迫害，許多普通家庭做出了離開我們深愛的家園的痛苦決定。無論我們身在何處，香港人的集體勇敢讓我們共同的歷史和希望永遠存在，香港人的聲音永遠不會被忘記。

如果沒有手足的英勇和無私的行為，幫助我們在未來的歲月裡保持我們獨特的香港人身份，這篇論文就不可能完成的。願榮光歸香港!

Disclaimer

Every effort has been made to contact copyright owners of materials used in this thesis (see Appendices for requests). In all cases, the extracts and quotes are solely used for the purpose of criticism or review under the *Copyright Act 1968* (Cth) (s 41).

Copyright permission was sought from the Public Opinion Research Institute (PORI) and the Education Bureau (EDB) (see Appendix) to reproduce their materials into the thesis. PORI has given permission to use the *Strength of Identity* chart (see Figure 1.1). However, the EDB has strict terms regarding copyright and does not allow duplication of their materials unless it is used for the teaching of Citizenship and Social Development. Thus, it was necessary to remove Figures 3.1 and 3.2 from the published online copy of this thesis.

Please contact me at kahang.a.wong@student.uts.edu.au if you believe the material has been used without appropriate permission.

Research Outputs

Conference presentations

Wong, K. H. (2025, July 4). *The irony of Thatcher's political miscalculation: A critical discourse historiographical analysis of British nationality classes in Hong Kong* [Conference presentation]. Society for Hong Kong Studies Annual Conference, Hong Kong.

Wong, K. H. (2025, December 9). *Transnational repression: The case of Hong Kong* [Conference presentation]. Asia Pacific Research Group, University of Technology Sydney, Australia.

Internet publications

Wong, K. H. (2025, May 31). Opinion – A passport to power: June 4th and the making of Hong Kong's loyalist class. *E-International Relations*. https://www.e-ir.info/2025/05/31/opinion-a-passport-to-power-june-4th-and-the-making-of-hong-kongs-loyalist-class/

Wong, K. H. (2025, June 10). Opinion – Joshua Wong and Hong Kong's right to self-determination. *E-International Relations*. https://www.e-ir.info/2025/06/10/opinion-joshua-wong-and-hong-kongs-right-to-self-determination/

Wong, K. H. (2025, June 18). Opinion – Why Britain should back a Hong Kong Government-in-Exile. *E-International Relations*. https://www.e-ir.info/2025/06/18/opinion-why-britain-should-back-a-hong-kong-government-in-exile/

Wong, K. H. (2025, August 22). Overseas bounties, patriotic education and suppression: How the National Security Law is changing Hong Kong. *The Conversation*. https://doi.org/10.64628/AA.p7eqsw56g

Wong, K. H. (2025, September 5). Five years on, the National Security Law exposes the Joint Declaration's deception. *CAS Commentary Board*. https://doi.org/10.52698/LCFO2938

Wong, K. H. (2025, September 23). Opinion – When political fear trumps rights: Same-sex couples in Hong Kong. *E-International Relations*. https://www.e-ir.info/2025/09/23/opinion-when-political-fear-trumps-rights-same-sex-couples-in-hong-kong/

Wong, K. H. (2025, September 30). Is patriotism just obedience? Hong Kong under the National Security Law. *E-International Relations*. https://www.e-ir.info/2025/09/30/is-patriotism-just-obedience-hong-kong-under-the-national-security-law/ *

***Short listed as part of the 2025 E-International Relations Article Award**

Wong, K. H. (2025, October 4). Opinion – How China is keeping a British political prisoner in Hong Kong. *E-International Relations*. https://www.e-ir.info/2025/10/04/opinion-how-china-is-keeping-a-british-political-prisoner-in-hong-kong/

Wong, K. H. (2026, February 10). Jimmy Lai's Conviction Signals the End of Free Political Speech in Hong Kong. *CAS Commentary Board*. https://doi.org/10.52698/HVWP2767

Peer-reviewed journal articles

Wong, K. H. (2024). From mass protests to national security: A critical analysis of Carrie Lam's political responses during the 2019 Hong Kong protests. *Journal of Postcolonial Linguistics*, *10*, 1-25. https://iacpl.net/jopol/issues/journal-of-postcolonial-linguistics-10-2024/from-mass-protests-to-national-security/

Wong, K. H. (2025). A Critical EAP perspective on "Glory to Hong Kong": Language, identity, and resistance. *English Language Teaching Educational Journal*, *8*(2), 92–104. https://doi.org/10.12928/eltej.v8i2.14037

Wong, K. H. (2025). Discursive sovereignty: How China constructs Hong Kong as an "internal affair". *Journal of Pragmatics Research*, *8*(1), 116–137. https://doi.org/10.18326/jopr.v8i1.116-137

Wong, K. H. (2025). Liberate Hong Kong? Language, agency, and imagining political futures. *Teaching English as a Foreign Language Journal*, *4*(2), 84-96. https://doi.org/10.12928/tefl.v4i2.1705

Publications in progress

Wong, K. H. (Under review). Discursive shifts in Hong Kong self-determination and their implications for English Language Teaching. *Global Perspectives in English Language Teaching and Learning*.

Wong, K. H. (Under review). The irony of Thatcher's political miscalculation: A critical discourse historiographical analysis of British nationality classes in Hong Kong. *CADAAD Journal.*

Wong, K. H. (Under review). Political resistance in Sheep Village: The politics of metaphors and their pedagogical implications. *English Language Teaching Educational Journal*.

Wong, K. H. (Under review). Regulating speech: A comparative analysis of Australia's racial vilification offence and Hong Kong's National Security Law. *Journal of Pragmatics Research*.

List of Figures and Tables

List of Acronyms

BDTC	British Dependent Territories Citizens
BN(O)	British National (Overseas)
BNSS	British Nationality Selection Scheme
CCP	Chinese Communist Party
CDA	Critical discourse analysis
CDCSS	Crown Dependency Citizenship Selection Scheme
CDH	Critical discourse historiographical approach
CFA	Court of Final Appeal
HKSAR	Hong Kong Special Administrative Region
PRC	People's Republic of China
NPCSC	Standing Committee of the National People's Congress

Abstract

On June 30, 2020, the Chinese government imposed the National Security Law in Hong Kong following prolonged protests. The Chinese imposition violated the agreements on freedoms and autonomy stated in the 1984 Sino-British Joint Declaration. To redress this violation, the British government has offered British National (Overseas) (BN(O)) passport holders of Hong Kong a bespoke visa route to British citizenship.

The purpose of this study was to provide a historical analysis of BN(O) status and how it evolved from being a token of British nationality into a tool of political resistance against a totalitarian party-state's assault on Hong Kong. Through examination of the documents, the study discovered that under the *British Nationality Act 1981* (UK), the British government took a racial demarcation policy and divided British nationality into classes to prevent mass emigration to the United Kingdom. The study found BN(O) status was regarded as a political compromise. On the one hand, it offered its holders some kind of connection with the United Kingdom beyond the handover; on the other, it reflected the British domestic pressures of an imagined "White Britain" community.

Britain sees China's violation of the Joint Declaration as just cause for retracting its 1984 agreement to hand over its people to the totalitarian party-state in 1997. This retraction is achieved by extending the rights of BN(O)s and opening the door to them to live in Britain from January 31, 2021. The study finds that the BN(O) offer serves two distinct purposes. First, the offer attracts capital and talent in the post-Brexit era while minimising public expenditure due to the "no recourse to public funds" clause of the visa. Second, the BN(O) scheme is a delayed fulfilment of British responsibility towards Hongkongers.

Drawing parallels with Tibetan history, this thesis suggests that the British government could address its unfulfilled promise of universal suffrage for Hongkongers by supporting a government-in-exile and granting land as a self-governing Crown Dependency. It draws synergy between contemporary discussions on a new Hong Kong and the concept of a global representative platform for Hongkongers to make the argument.

Contents

Introduction

Nationality, Identity, and Sovereignty Tensions in Hong Kong

On June 30, 2020, China imposed a National Security Law in Hong Kong. The imposition suppresses Hong Kong's freedoms and autonomy promised in the *Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong*, commonly known as the 1984 Sino-British Joint Declaration. In response to the political repression, the United Kingdom offers holders of British National (Overseas) (BN(O)) status a pathway to British citizenship. China then accuses the United Kingdom of breaching the memorandum appended to the Joint Declaration. In response, it no longer recognises the BN(O) passport as a form of identity in Hong Kong. This controversy encapsulates the broader conflict between the United Kingdom and China regarding Hong Kong's sovereignty, autonomy, and identity.

Understanding Hongkongers' nationality status is central to grappling with the city's contested identity, sovereignty, and political future. At the heart of this contestation is the complex interplay between British and Chinese claims, which continues to shape questions of citizenship, allegiance, and political belonging. The imposition of Chinese nationality, the emergence of British National (Overseas) (BN(O)) status, and the resulting ambiguities surrounding dual nationality have created enduring tension between legal classification and lived political realities. These issues illuminate the ways in which Hongkongers navigate overlapping frameworks of authority, loyalty, and identity, revealing how political and historical structures continue to shape contemporary debates.

The nationality debates during the Sino-British negotiations (1982–84) provide a critical lens for understanding these tensions. In 1981, the *British Nationality Act* reclassified Hongkongers as British Dependent Territories Citizens (BDTC). Anticipating the 1997 handover, the United Kingdom created BN(O) status in 1986, granting British nationality without right of abode in the United Kingdom, while confirming permanent residency in Hong Kong. The creation of BN(O) status reflected the British government's attempt to manage the collective anxiety of the people of

Hong Kong ahead of the handover. China, however, refused to recognise these statuses, declaring that all Hong Kong compatriots would automatically become Chinese, thereby imposing nationality rather than offering choice. This unilateral assertion presupposes the legitimacy of Chinese sovereignty over Hong Kong, even as no international court has definitively adjudicated the territory's status. The resulting dual or multiple nationality scenarios—common among middle-class families who emigrated and later returned—further complicate Hongkongers' political and personal identities.

After the Tiananmen Square massacre in 1989, the demand for British citizenship among Hong Kong elites was fragmented and politically uneven rather than universal. Pro-Beijing business elites, whose commercial interests were increasingly tied to mainland China, generally did not press London for British citizenship, as doing so would have conflicted with their accommodationist posture towards Beijing. Likewise, prominent pro-democracy figures and other leaders of the liberal opposition prioritised political reform and the preservation of Hong Kong's autonomy over exit strategies, and many were reluctant to be seen as abandoning the territory through emigration. As a result, there was no unified or public elite demand for British citizenship on behalf of the Hong Kong population as a whole.

By contrast, those who most actively sought British citizenship in the aftermath of the Tiananmen Square massacre were members of the colonial administrative and professional class, including senior civil servants, disciplined services personnel, and technocratic elites whose loyalty and career trajectories were embedded within British colonial governance structures. These actors, often described retrospectively as "pro-British forces", were not a mass political movement and were largely silent in the public sphere, but they were highly visible to the British government as indispensable stabilising agents during the transition period. Their concerns centred on personal security, institutional continuity, and the maintenance of confidence in colonial administration rather than overt political mobilisation.

The British Nationality Selection Scheme (BNSS), introduced in 1990, must therefore be understood less as a response to popular or elite demand, and more as a unilateral

policy decision taken by the Thatcher government to secure a limited group deemed vital to Hong Kong's economic and administrative stability. The selection criteria privileged individuals whose professional capital could reassure markets and sustain governance during the final years of British rule, rather than reflecting any principled commitment to collective responsibility for Hong Kong's population. The restriction of the scheme to 50,000 principal applicants thus reveals a conscious political choice to manage imperial withdrawal through selective incorporation rather than universal protection.

This selective approach also exposed the moral and political limits of British responsibility at the time. While it was legally possible for the United Kingdom to extend citizenship more broadly to Hong Kong residents, the Thatcher government declined to do so, prioritising domestic political constraints and immigration anxieties over the obligations implied by decades of colonial rule. The BNSS therefore represented not benevolent generosity, but a compromise that insulated British interests while leaving the majority of Hongkongers excluded from meaningful citizenship rights.

In this light, the post-2019 expansion of BN(O) rights in the form of a citizenship pathway marks a significant departure from the logic underpinning the BNSS. Unlike the earlier scheme, the 2021 policy responded to overwhelming and openly articulated public demand, catalysed by the erosion of civil liberties under the National Security Law. More importantly, it functioned as a retrospective correction of an earlier failure: an implicit acknowledgement that Britain's earlier refusal to extend citizenship collectively was a historical mistake rather than an inevitability. The BN(O) pathway thus reconfigures British responsibility not as selective reward for loyalty or utility, but as recognition of a broader civic and moral obligation owed to Hongkongers as a people.

These overlapping national claims and their legal and practical implications have profound consequences for Hongkongers' understanding of loyalty, citizenship, and patriotism. The BN(O) passport maintains a symbolic link to Britain, while China's reinterpretation of "love for the motherland and Hong Kong" enmeshes national

identity with political obedience. This tension has helped shape the political conflicts and civic activism that continue to define Hong Kong's contested sovereignty and complex identity.

BN(O) Status

BN(O) is a class of British nationality offered to the people of Hong Kong under the *Hong Kong (British Nationality) Order 1986* (UK). The United Kingdom's memorandum attached to the Joint Declaration states that BN(O) status was established after the 1984 Sino-British Joint Declaration to allow Hong Kong Chinese residents to maintain ties with the United Kingdom after 1997 (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984d). BN(O) status was not automatically acquired, and the people of Hong Kong had to register for the status before July 1, 1997. After the handover date on July 1, 1997, it is no longer possible to register for BN(O) status even if an applicant had been qualified for it before the handover date.

A holder of a BN(O) passport can receive consular support from the United Kingdom while overseas but is not granted the right to reside in Britain. They are subject to immigration control on entry to the United Kingdom (GOV.UK, n.d.-a). However, an observation entry that the BN(O) passport holder possesses a Hong Kong permanent identity card is noted in the passport (GOV.UK, 2022, Immigration and nationality observations section). According to the Chinese memorandum, holders of this passport cannot receive British consular assistance on Chinese soil (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984d).

Since January 31, 2021, however, the United Kingdom government has offered BN(O)s and their immediate family members the right to live, work, and study in the United Kingdom through a bespoke BNO visa (GOV.UK, n.d.-b). It should be noted that after the BN(O) announcement on July 1, 2020, and before its implementation on January 31, 2021, BN(O)s were able to come to the United Kingdom on a "leave outside the rules" basis and then apply for the BNO visa once it became available (Walsh, 2020). Following five years of residence in the United Kingdom, BN(O)s are

able to apply for settlement, and after a further year, full British citizenship. There is no recourse to public funds for this visa.

It should be clarified that BN(O) status, and its passport, do not entitle BN(O)s to an automatic right of abode in the United Kingdom, as noted above. However, the BN(O) route has made it possible for Hongkongers to settle in the United Kingdom permanently and apply for British citizenship. The BNO visa is open to Hongkongers who hold BN(O) status and are aged 18 and older (GOV.UK., n.d.-b). Hongkongers born on or after July 1, 1997, and have either parent holding BN(O) status, can also apply independently (GOV.UK., n.d.-b). Pre-handover former British Dependent Territories Citizens (BDTCs) who did not register for BN(O) status are not qualified for the BNO visa, even if they have a parent with BN(O) status.

According to GOV.UK (n.d.-b), there are several requirements for this visa. The applicant's permanent home must be in Hong Kong, the United Kingdom, Channel Islands, or Isle of Man. Family members of the main applicant can also apply together with the applicant. The BNO visa itself is valid for a length of either 2.5 years or 5 years, and the applicant can extend the visa once they are in the United Kingdom as many times as they wish. Although the BNO visa does not allow access to public funds, Hongkongers can still obtain governmental benefits from the United Kingdom under exceptional financial difficulties. On application for the BNO visa, BN(O)s need to pay an application fee and a healthcare surcharge so that they can use the National Health Service, and provide proof that they can afford housing and support themselves for six months. They will also need to produce proof of their permanent home in Hong Kong by showing documents such as utility bills, payslips, and bank statements; their relationship with family members by showing their marriage certificate, birth certificate, or proof of the same residential address; and their good health by providing a tuberculosis clearance certificate. Although the Hong Kong Special Administrative Region (HKSAR) has derecognised the BN(O) passport (Government of the Hong Kong Special Administrative Region, 2021b), Hongkongers could still leave the HKSAR and travel to the United Kingdom using their HKSAR passport (GOV.UK.,

n.d.-b). A total of 166,300 BN(O)s have arrived in the United Kingdom as of the end of June 2025 (GOV.UK, 2025, British National Overseas (BN(O) route section).

Research Questions and Central Arguments

This historical study chronicles how BN(O) status has evolved from being a token of British nationality into a tool for political resistance against China's encroachment into the freedoms and autonomy of Hong Kong. The following overarching research questions guide this study:

1. What were the key political factors leading to the British government's creation of BN(O) status, and what have been the effects on the Hong Kong polity and on Hong Kong citizens?
2. To what extent has the creation of the BN(O) and subsequent related visa schemes been shaped by domestic political interests within the United Kingdom?
3. What effects has the BN(O) scheme had on the ongoing political relationship between the United Kingdom and Hong Kong?
4. In light of historical commitments, what options exist for the United Kingdom to support political autonomy for Hongkongers in practice?

In this historical study, I make three main arguments. First, the British government, on the one hand, originally granted BN(O) status to Hongkongers as a political compromise because of uncertainty about Hong Kong's future; but on the other, they reflected the British domestic pressures of an imagined "White Britain" community. By not providing BN(O)s a pathway to settlement in the United Kingdom, the original BN(O) status provided reassurance to both groups of people under British jurisdiction: Hongkongers, who desired protection from the British Empire following the handover of sovereignty; and the British public, that the Chinese would not come and live in the United Kingdom. Second, the new BN(O) scheme is the United Kingdom's post-Brexit strategy that serves a dual purpose. It has allowed the United Kingdom to strategically attract capital and skilled talents to the United Kingdom, addressing the United Kingdom's post-Brexit economic needs while minimising public spending through the BNO visa's "no recourse to public funds" clause. Simultaneously, the

BN(O) route is a delayed fulfilment of the United Kingdom's moral responsibility to Hongkongers, who were promised their rights and freedoms after the handover. Third, the relationship between the United Kingdom and Hongkongers can be seen as one of a "lost parental bond" that has been fractured by the decolonisation of Hong Kong but now rekindled through the BN(O) scheme. I argue that Hong Kong's identity remains deeply influenced by values rooted in British colonial governance, such as the rule of law, individual freedoms, and democratic principles. These shared values have been a key factor in garnering bipartisan support in the British parliament ahead of the introduction of the bespoke BN(O) route, which offers a pathway for Hongkongers to eventually attain full British citizenship.

Building on these arguments, I suggest that the British government could correct its historical mistake of overestimating China's willingness and ability to abide by its promises. One way to do this is by supporting a Hong Kong Government-in-Exile on British soil, specifically through granting a piece of land to Hongkongers as a Crown Dependency. While the BN(O) policy has partially corrected China's violation of the Joint Declaration by guaranteeing the freedoms of Hongkongers, the policy has not yet fulfilled the promise of political autonomy under the treaty. A Crown Dependency for Hongkongers could therefore be a possibility to honour this commitment.

A Brief Historiographical Overview (1950-Present)

What is now known as the former British colony of Hong Kong consisted of three main parts: Hong Kong Island, Kowloon, and the New Territories. Hong Kong is now a Special Administrative Region of China, having had its sovereignty transferred to China in 1997. China ceded Hong Kong Island to Great Britain in 1842, and Kowloon in 1860, and leased the New Territories to Great Britain for 99 years until June 30, 1997 (Flowerdew, 2017). In the years before the New Territories lease expired, the British and Chinese governments agreed that the whole of Hong Kong would be reverted to Chinese rule after 1997. The terms of agreement were negotiated in a document known as the Sino-British Joint Declaration. This Declaration was signed between the two countries in 1984. Except for foreign affairs and defence, the HKSAR is to retain its own system of government and a high degree of autonomy that would

remain unchanged for fifty years after 1997. This arrangement has now become known as “one country, two systems”, the concept of which was first put forward by the then paramount leader of China Deng Xiaoping.

The border between Hong Kong and the Chinese mainland was open before 1950, and Chinese could move freely between it. In 1949, the People’s Republic of China (PRC) was established by the CCP as the Kuomintang government defected to Taiwan. With the new China, territorial border control came into place in 1950 (Y. C. Lo, 2020; J. C. Ho, 2023). Thus, there was a demarcation between the socialist and capitalist camps separated by a “bamboo curtain”. Between the 1950s to 1970s, the British Hong Kong government put into place immigration and registration systems (Fong, 2020). This “bamboo curtain” transformed Hong Kong from a place of sojourn to one of a settled community (Fong, 2020; J. C. Ho, 2023; L. Lee, 2007). In line with decolonisation in other parts of Asia, Hong Kong began a process of informal devolution that resulted in breaking free from the United Kingdom (Goodstadt, 2005). This devolution included an independent budget, the freedom to set its own commercial policies, the autonomy to manage its own external trade affairs, and the right to control its own foreign reserves.

At the time, Hong Kong’s population consisted of mainly Chinese immigrants from the mainland. From 1950 to 1980, illegal immigrants were allowed to stay under a “touch base” policy as long as they found jobs or were reunited with their families (Y. C. Lo, 2020). The identity of Hongkongers was far from being established at the time, however. The government put in place community participation focusing on public cleanliness. Meanwhile, Hong Kong’s rapid industrialisation reshaped Hong Kong into an educated and wealthier society that was distinctively different from that of the Chinese mainland (Fong, 2020; L. Lee, 2007; Y. C. Lo, 2020). The population of Hong Kong-born baby boomers began to exceed those who had come to Hong Kong as refugees, and people began to take pride in their Hong Kong identity that was separate from that of China (Fong, 2020). According to Fong, Hong Kong’s television, movies, and pop songs all helped shape a distinctively Hong Kong cultural identity

throughout this period and beyond. Civil society activism focused on local issues such as the community and work.

Under the colonial government, living conditions had improved by the 1970s as a result of rapid economic growth and the provision of public housing. The first generation of post-war baby boomers born in Hong Kong was now able to escape dreadful poverty and rose into new middle-class comfort (L. Lee, 2007). The school curriculum did not include lessons on modern China, and knowledge about the political situation on the mainland at the time was primarily gained through the print media. Thus, the depoliticised curriculum under the colonial government contributed to a distinctive Hong Kong identity (L. Lee, 2007; Morris & Vickers, 2015). By 1980, the "touch base" policy ceased, and illegal immigrants would be repatriated to the Chinese mainland if they were found in Hong Kong (Y. C. Lo, 2020). This reminded the Hong Kong Chinese that they were different from their counterparts on the Chinese mainland, and the Hong Kong identity began to take shape.

Fong (2020) calls the result of these developments the "stateless nation of Hong Kong". The autonomous institutions provided the foundation for the formation of a stateless nation, which is an emerging concept of a political community that desires self-government, but lacks a state of its own (Fong, 2020; J. C. Ho, 2023). A stateless nation within a totalitarian party-state that expands its territories through a process of assimilation of the nations is a unique concept in the academic literature. Fong thus defines Hong Kong as a stateless nation within a nationless state. He argues that the formation of the Hong Kong stateless nation was attributed to the separate development paths since 1950 when the "bamboo curtain" drew the dividing line between Hong Kong's and China's society.

Fong (2020) also explains the notion of a stateless nation with three defining characteristics—a civic-based nation, the right to claim self-government, and territorial autonomy under the state. First, a nation can be civic-based rather than ethnically defined. When people voluntarily come together based on a set of common values, institutions, and social interaction patterns, they could be called a nation. Although a stateless nation has its own institutions, it does not have a military

force of its own. While Fong presents Hong Kong as a stateless nation with a territorial boundary within the nationless state of China, his concept has been extended by the slogan “Hong Kong is not a place; Hong Kong is its people” following the exile. W. C. Ho’s (2023) study of BN(O)s in the United Kingdom found that BN(O)s express the same kind of sentiments. Hongkongers in Britain (n.d.) also communicate the same idea on its website. Unlike the Chinese mainland, the stateless nation of Hong Kong is not bound by Chinese ethnicity but by a civic identity (J. C. Ho, 2023; Fong, 2020; Mathews, 2020). That is why residents of other ethnicities in Hong Kong could also call themselves Hongkongers (Mathews, 2020). Related to the notion of a civic-based nation is the separation of the notions of the nation and the state. Fong argues that the concept of a nation should be separated from that of the state, and the community of a nation should have the right to claim self-government. Finally, Fong states that by giving territorial autonomy, the state can provide a new manifestation of self-determination for the stateless nation, arguing that self-determination is not necessarily the same as separatism.

Hongkongers were also represented in the international arena. According to Fong (2020), the promotion of trade and investment is an important feature of a stateless nation. This was manifested in Hong Kong in three aspects—entering into bilateral agreements with other states, joining international intergovernmental organisations, and setting up Economic and Trade Offices in different parts of the world. It is worth noting that the formation of the stateless nation of Hong Kong was not intentionally engineered by either Britain or China, but by “an interplay of multiple factors” (Fong, 2020, p. 1074), including the British decolonisation process in the twentieth century and Deng Xiaoping’s idea of a “one country, two systems” model. In effect, the United Kingdom handed over to China an emerging stateless nation now known as Hongkongers (Fong, 2020).

As a result of the different sociopolitical realities of Hong Kong, British Prime Minister Margaret Thatcher went to China in 1982 to begin talks with China about the future of Hong Kong. After twenty-two rounds of talks, the Sino-British Joint Declaration was signed on December 19, 1984. In the decade or so after the signing, tens of thousands

of Hong Kong people emigrated to countries such as Canada and Australia (Ching, 2018; Chuang, 1990; J. K. H. Tse & Waters, 2013; K. C. Wong & Yan, 2022). For many Hong Kong middle-class families, the main factor for transnational migration was not so much economic but to "avoid political uncertainty" (K. C. Wong & Yan, 2022, p. 471). In the 1990s, the United Kingdom granted full British citizenship to 50,000 personnel, along with their immediate family, who were considered important to Hong Kong's future. This was offered in response to the 1989 Tiananmen massacre. Full British citizenship was offered through the BNSS not to encourage emigration to the United Kingdom, but as an offer of insurance policy that they could exit Hong Kong should the political situation turn tumultuous (Chuang, 1990). The ordinary people of Hong Kong, however, were given a choice to register for BN(O) status that gave them British consular assistance, but without the right to reside in the United Kingdom. The British government did not offer a route for ordinary Hongkongers of BN(O) status to settle in the United Kingdom until 2020.

Thus, popular destinations for emigration at the time did not include the United Kingdom. During the post-declaration era, parents often felt that their children's developmental needs were better met in the West (K. C. Wong & Yan, 2022). The emigrants acquired foreign citizenship for themselves and their immediate families, and many have since returned to Hong Kong (Ching, 2018; Kuah, 1996; Sussman, 2012; K. C. Wong & Yan, 2023). The acquisition of foreign nationalities was likened to taking out an insurance policy (Ching, 2018; Chuang, 1990). The returned Hong Kong people who now have foreign passports are able to re-emigrate to their adopted countries should the political situation become tumultuous.

Political uncertainty in Hong Kong after the handover has caused many people in Hong Kong to consider emigration again (K. C. Wong & Yan, 2022). These political events included the anti-national education movement in 2012, the Umbrella Movement in 2014, and more recently the direct intervention of the central government following the 2019 Hong Kong protests. The current emigration wave is facilitated by the changed BN(O) status, and BN(O)s of Hong Kong are now able to apply for the BNO visa that allows them to live, work and, study in Britain for up to

five years. Although the new generation of Hongkongers born after 1997 would not have British nationality of any kind, they and their dependents are still able to apply for the BNO visa and emigrate to the United Kingdom through a connection with a parent who has BN(O) status (GOV.UK, n.d.-b).

Thus, the context that situates the strained relations between China and the United Kingdom is the change in the status of BN(O) passport holders of Hong Kong. To understand this context more comprehensively, it will be helpful to briefly review the intention of the little-known Sino-British Joint Declaration relating to nationality and travel documents. The Joint Declaration set out the agreement on the transfer of sovereignty from the United Kingdom to the PRC in 1997 and how the HKSAR will be governed after that. Section XIV of Annex I to the Joint Declaration states the following:

> For the purpose of travelling to and from the Hong Kong Special Administrative Region, residents of the Hong Kong Special Administrative Region may use travel documents issued by the Hong Kong Special Administrative Region Government, or by other competent authorities of the People's Republic of China, or of other states (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984b, section XIV, para. 3).

The first two travel documents in the section refer to what is now known as the HKSAR passport and the PRC passport, but the Joint Declaration also states that HKSAR residents can use "travel documents" issued by "other states". Although it is not explicitly clear what passport this refers to, the British memorandum states, in part, that:

> All persons who on 30 June 1997 are, by virtue of a connection with Hong Kong, British Dependent Territories Citizens (BDTCs) under the law in force in the United Kingdom will cease to be BDTCs with effect from 1 July 1997, but will be eligible to retain an appropriate status which, without conferring the right of abode in the United Kingdom, will entitle them to continue to use passports issued by the Government of the United Kingdom (Constitutional

and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984d, para. a).

The Chinese memorandum states the following:

> Under the Nationality Law of the People's Republic of China, all Hong Kong Chinese compatriots, whether they are holders of the 'British Dependent Territories Citizens' Passport' or not, are Chinese nationals.
>
> Taking account of the historical background of Hong Kong and its realities, the competent authorities of the Government of the People's Republic of China will, with effect from 1 July 1997, permit Chinese nationals in Hong Kong who were previously called 'British Dependent Territories Citizens' to use travel documents issued by the Government of the United Kingdom for the purpose of travelling to other states and regions.
>
> The above Chinese nationals will not be entitled to British consular protection in the Hong Kong Special Administrative Region and other parts of the People's Republic of China on account of their holding the above-mentioned British travel documents (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984d, para. 2-4).

Thus, the United Kingdom-issued "travel document" that does not offer the right of abode in the United Kingdom is now known as the BN(O) passport. This passport is the subject of the current controversy. In effect, Hong Kong people who had registered for BN(O) status before the change of sovereignty in 1997 would have two nationalities after the handover, one of which is the BN(O) that does not confer the right of abode in the United Kingdom, and the other being Chinese citizenship of the HKSAR. However, as stated in the Joint Declaration, under the nationality law of the PRC British nationality would not be recognised, and holders of the BN(O) passport cannot seek British consular protection on Chinese soil. This arrangement was accepted by the United Kingdom. It is worth noting that the original arrangement

may result in Hong Kong Chinese treating their passports simply as “travel documents” not connected to citizenship (Ching, 2018).

According to Ching (2018), the Chinese memorandum has resulted in the same Chinese Nationality Law meaning different things in different parts of China. Chinese Nationality Law states that “any Chinese national who has settled abroad and who has been naturalised as a foreign national or has acquired foreign nationality of his own free will shall automatically lose Chinese nationality” (Immigration Department of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China, 1980, Article 9). However, under the little-known document *Explanations of Some Questions by the Standing Committee of the National People’s Congress Concerning the Implementation of the Nationality Law of the People’s Republic of China in the Hong Kong Special Administrative Region* (referred to in the thesis as the 1996 Explanation), Hong Kong people who acquired British nationality will not lose their Chinese nationality unless they make a declaration of change in nationality (Immigration Department of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China, 1996, Article 5). This means that due to historical reasons, when the same principle of non-recognition of dual nationality is applied to the HKSAR, it does not have the same meaning as applied to the Chinese mainland, where citizens of the mainland will automatically lose their Chinese citizenship on account of their acquisition of foreign citizenship (Ching, 2018).

For the people of Hong Kong, despite holding foreign nationality, China only sees these foreign passports as “travel documents”, not as evidence of citizenship. These people remain Chinese nationals solely. Based on this non-recognition principle, although many Hong Kong Chinese emigrated to other countries such as Canada and Australia in the years following the signing of the Joint Declaration, in theory their Canadian and Australian citizenship are disregarded on Chinese soil as their naturalisation in these foreign countries have not been approved by China (Ching, 2018).

Asa result of the emigration wave towards the end of the colonial era, it is not unusual for many Hongkongers to hold two or more passports, having acquired foreign

citizenship in the years before the handover of sovereignty. To the Hongkonger, nationality is however not the relevant issue; the convenience of a travel document outweighs their sense of loyalty to their adopted country. For instance, many Hongkongers who have foreign passports still use their Chinese-issued "Home Return Permit" to travel to the Chinese mainland, not realising that in effect, the use of this permit to cross the mainland border means declaring themselves as Chinese nationals who enjoy no consular protection of their adopted country (Ching, 2018).

The roots of today's debate over BN(O) status lie in the *British Nationality Act 1981* (UK). Scholarly analysis of this legislation remains relatively scarce. As noted by Mark (2020), the Thatcher administration's notion of "Britishness" was shaped by a vision of a racially homogenous Britain that prioritised lineage and ethnicity. At that time, people of Hong Kong were seen as lacking meaningful ties to Britain, and racial bias against them was widespread. The 1981 Act eliminated the automatic right of colonial subjects—previously classified as Citizens of the United Kingdom and Colonies (CUKC)—to move to and reside in Britain. It also divided British nationality into three new categories, placing Hong Kong residents under the class of British Dependent Territories Citizens (BDTC) (Benson, 2023; Mark, 2020).

The 1981 Act, coming into effect around the same time as Thatcher's diplomatic visit to China in late 1982, triggered deep anxieties among Hong Kong's elite regarding their place within the British world. According to Mark (2020), this legislation undermined the sense of British identity among Hongkongers. The gradual erosion of links to the United Kingdom gave rise to a shared crisis of identity ("A Matter of Identity", 1981, as cited in Mark, 2020). For many in Hong Kong, this shift felt like a betrayal by Britain, bringing back painful memories of earlier exclusionary policies—such as the 1962 rule that had previously revoked the automatic right of colonial subjects to settle in the United Kingdom (Mark, 2020).

Tensions around racial inequality were intensified when the United Kingdom granted full citizenship rights to residents of Gibraltar and the Falkland Islands (Benson, 2023). Due to Gibraltar's status within the European Community, its inhabitants could access full citizenship through provisions in section 4 of the 1981 Act. Similarly, legislation

passed in 1983 extended these rights to the Falkland Islanders. These inclusive policies drew criticism from Hong Kong's unofficial legislators, who contended that ethnic Chinese residents were being unfairly marginalised and not afforded equal treatment (Mark, 2020). The backlash led to considerable political pressure, prompting the United Kingdom to amend the Nationality Act after the Joint Declaration, thereby enabling Hong Kong residents to preserve a legal affiliation with Britain beyond the 1997 handover (Benson, 2023; Mark, 2020). The *Hong Kong (British Nationality) Order 1986* (UK) created a new citizenship category known as British National (Overseas), or BN(O). Notably, BN(O) status was not inheritable. After its initial implementation, public and scholarly interest in the BN(O) issue largely subsided until the political crisis in 2019 brought it back into focus.

Distinctive identities of "Hong Kong Chinese" (Y. C. Lo, 2020), "Hongkongese" (L. Lee, 2007), or "Hongkonger" (Fong, 2020; Fong, 2022; J. C. Ho, 2023) began to emerge as the Hong Kong-born Chinese made Hong Kong their home. According to Y. C. Lo, the new identity distinguished the Hong Kong Chinese from the mainland Chinese, and the different political system on the Chinese mainland only reinforced this awakening identity (Y. C. Lo, 2020). The uncertainty of Hong Kong's future during the Sino-British negotiations and the 1989 crushing of the student movement in Beijing exacerbated the search for a Hong Kong identity (L. Lee, 2007). Paradoxically, Hongkongers identified with the student movement against the Chinese government (Lau, 1997). According to Lau, the sudden outpouring of sympathy and support in Hong Kong for the Chinese students was a "milestone in the formation of the local identity among the Hong Kong Chinese" (p. 21).

For a period after the handover, nationalistic sentiments towards the PRC were generally felt amongst the people of Hong Kong. Events that caused these nationalistic fervours amongst Hongkongers included the anti-Japanese protests in 2005, as well as the successful bidding of the 2008 Olympics (S. Lo, 2008). However, 2012 became the turning point when the HKSAR government attempted to introduce the Moral and National Education curriculum that glorified the CCP (Chow et al., 2020). According to Chow et al., the Hongkonger identity was reinforced, and the

people of Hong Kong became increasingly aware of the difference between the Hongkonger and Chinese identity. Following the 2014 Occupy movement was the emergence of localist groups, which attempted to separate themselves from the notion of the Chinese, strengthen the Hongkonger identity by focusing on local issues, and establish cultural autonomy by separating local history and culture from the Chinese (Chow et al., 2020). The book *香港城邦論* [*On the Hong Kong City-State*], a best-seller since 2011, influenced many radicals to advocate for Hong Kong independence (Hung, 2022). According to Hung, the localists had taken hold of the opposition movement by the time of the 2019 protests.

At the BN(O) route announcement, the values of the Hongkonger—freedom and autonomy—have been described as values that the United Kingdom shares and stands up for (GOV.UK, 2021). More recent surveys have found that the Hongkonger identity is widespread (Rühlig, 2020). By 2022, only two percent of young people surveyed in Hong Kong identified themselves as Chinese (K. Ng, 2022). Polls have consistently shown identification as a Hong Kong citizen scores the highest rating while a citizen of the PRC scores the lowest rating (PORI, 2022). The figures are similar in terms of those who have exiled to the United Kingdom, with an overwhelming 96 percent of respondents identifying themselves as Hongkonger or British Hongkonger (Yue, 2023). Thus, this thesis will use the term Hongkonger to describe the cultural identification of the people of Hong Kong. This cultural identification can be traced back to the democratic reforms in Hong Kong prior to the handover of government.

For most of Hong Kong's colonial history, the British did not allow a democratically elected government. The Governor was appointed by the British government, and the Hong Kong public only found out who their next Governor was upon announcement. Similarly, Hong Kong's legislature was appointed by the British. However, under the Joint Declaration, the Chinese promised the people of Hong Kong a democratically elected government (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984b, section I, para. 3). Although not a historian, John Flowerdew has made many notable contributions to understanding Hong Kong's

evolving political history, offering insights into the interplay between colonial and post-handover governance (e.g., Flowerdew, 1997a, 1997b, 1999, 2004a, 2004b, 2011, 2016, 2017; Flowerdew & Leong, 2007, 2010). Flowerdew's insights provide a valuable background for analysing the evolution of BN(O) status and the British decision to open the door to Hongkongers based on "shared values" (Yu, 2022).

In 1985, the then British Hong Kong government began a process of democratisation in accordance with what had been agreed to in the Joint Declaration (Flowerdew, 2016). According to Flowerdew, elections to the functional constituencies were introduced by the colonial government, and twelve legislators were democratically elected. Following the 1989 Tiananmen massacre, the number of democratically elected seats was increased. For the first time in 1991, the Hong Kong public could participate in the democratic elections of eighteen geographical seats.

However, it was Governor Chris Patten who introduced major democratic reforms to Hong Kong. Under Patten's governorship, the "core values" of Hong Kong were firmly set into place (Flowerdew, 1997a, 2016). These "core values" became known as the four bedrock principles of Hong Kong: a free market, freedom of the individual, rule of law, and importantly, democratic institutions. Patten's package, which was passed by 32 to 24 votes, lowered the voting age to 18, introduced individual voting that replaced corporate block voting in the functional constituencies, and created nine new functional constituencies that added 2.7 million people to the electoral roll (Purbrick, 2022). The 1995 Legislative Council election was the only fully elected legislature in Hong Kong's history (J. Wang, 2017). Patten's reforms were rolled back after July 1, 1997, but as will be demonstrated in the thesis, these "core values" of Hong Kong were carried over to the postcolonial era. More significantly, Patten encouraged the people of Hong Kong "to stand up and boldly defend their civil and political rights and interests, and not to submit passively to higher authority" (Baum, 1999, p. 25). Patten "provided the people of Hong Kong with a strong, durable legacy of emergent political pluralism and community activism" (Baum, 1999, p. 26). Hong Kong's identity and values were thus rooted in Patten's package following the Tiananmen massacre, and the current identity crisis connected to BN(O) status can

be traced back to Beijing's opposition to Hong Kong's democratic reforms under British sovereignty in the mid-1990s.

Approaches and Sources

The overarching research methodology of this historical study is documentary research (Blaxter et al., 2010; Grant, 2018). Documentary research is a broad term covering data contained in traditional documents as well as social media. Apart from the ease of access, "documents are excellent data to understand society" (Grant, 2018, p. 4). Instead of obtaining the data through traditional research methods such as semi-structured interviews and ethnographies, in documentary research the data are obtained through existing documents. Previous studies of ethnicity, nationality, and identity have adopted documentary analysis (e.g., Ching, 2018; Gu & Catalano, 2022; T. K. Tse, 2014; J. Wang, 2017) as rigorous methods of research in their studies. These studies include transition experiences in children's literature (Gu & Catalano, 2022) and Tibetan children's drawings about their identity (Phuntsog, 2020). These studies provide precedents and inform the methodology of this study. Websites of government departments, news sites, and social media were among some of the easily accessible avenues for obtaining data for this project. In addition, the recently declassified documents of the Thatcher administration have made access to historical and diplomatic documents possible. All documentary sources obtained for this project were publicly accessible.

The data were obtained from broad categories of document types by searching through the Internet:

- **Official and historical documents** such as government policies, treaties, legal documents, speeches, press releases and declassified documents (e.g., the Joint Declaration; the Basic Law; the National Security Law; and declassified documents of the Thatcher administration).
- **Media reports** (e.g., SCMP, Hong Kong Free Press) covering the relevant issues.
- **Documentaries and media interviews** on official YouTube channels (e.g., Acton Institute's documentary featuring Jimmy Lai).

With regard specifically to the events in Hong Kong leading up to the BN(O) offer from the United Kingdom, as a Hongkonger I had been exposed to them personally over a period of over forty years and they were reported in digital media. For instance, in the latter years of British colonial rule I lived through events such as the 1984 signing of the Sino-British Joint Declaration, the change in the British nationality class of Hongkongers, the registration process of BN(O) status, and the transfer of Hong Kong's sovereignty from the United Kingdom to China. Similarly, in the postcolonial era, I watched and read about the events on the Internet as they unfolded, particularly the political events related to the CCP's political repression of Hong Kong. They included the 2012 Moral and National Education policy, the Umbrella Movement of 2014, the 2019 Hong Kong protests, and finally, the BN(O) offer following the Chinese imposition of the National Security Law. At the beginning of this present project and throughout, data that I felt were relevant to the project dating back to the Thatcher administration up to the present day were searched and collected. The documents and videos were downloaded and information from websites was printed into PDF. Segments of videos that I felt could be used for analysis were transcribed manually. This autoethnographic approach shaped the way I analysed BN(O) status within a broader context of the British decolonisation of Hong Kong and has allowed me to offer an insider's perspective into understanding its significance.

Historical research is a method that "historians deploy in collecting, assessing, validating and interpreting evidence to gain knowledge of a past event or occurrence" (Fazal, 2023, p. 140). As the thesis revolves around discussing Hong Kong's history, a historical method for analysing historical events was appropriate. Lune and Berg (2009) define historical research as "a method for discovering, from records and other accounts, what happened during some past period" (p. 158). According to Lune and Berg, historical research involves analysing and interpreting the collected data "to seek implications or relationships of events from the past and their connections with the present" (p. 159). The collected data is evaluated "in terms of the beliefs, assumptions, habits, practices, and politics of the times and places in which the historical record was recorded" (p. 162). This process seeks "to assess the meaning

of the statements in the document or the possible meanings and/or intentions of some artefacts" (p. 164). Historical researchers reconstruct reasons for past decisions and actions by interpreting past human thinking that led to those decisions and actions (Lune & Berg, 2009). The historical method necessarily involves analysing and interpreting documents that "are produced in power-laden settings and have differential bearing on sections of population" (Fazel, 2023, p. 140). Fazel proposes a separation of documents of power and personal documents. The thesis uses both types of documents to understand the official truth and attitudes respectively.

Documents of power affect the lives and livelihoods of people as soon as it is implemented. For instance, by promulgating the National Security Law, the lives and livelihoods of the people of Hong Kong were changed immediately: civil society groups were disbanded, books were banned and taken off library shelves, and authorities sought to make the anthem "Glory to Hong Kong" illegal. The task of the historical researcher is therefore to read against-the-grain to "decode the mind of the state at various levels, to contrast the official truth as against that lived by communities, and to unravel the power-laden setting in which written records are authored, maintained and transmitted" (Fazel, 2023, p. 144). An example of such decoding is the BN(O) offer. While the BN(O) policy following the promulgation of the National Security Law is officially said to protect the freedoms enjoyed by Hongkongers, an examination of a Home Office assessment revealed that there is a large Net Present Social Value to be gained by this offer. This points to the political intention of the British government—to secure the capital and talents they need as a result of Covid-19 and Brexit.

Personal documents, on the other hand, include letters, speeches, and interviews. Personal documents "provide a rich source for a glimpse into the historicity of the event and the actor's role and reflections" (Fazel, 2023, p. 145). For instance, an examination of a 1985 letter written by the then British Home Secretary Douglas Hurd to the then Foreign Secretary Geoffrey Howe revealed the disgraceful efforts on the part of British politicians to deny British citizenship to Hongkongers. Thus, an

exploration of past events through examining the attitudes of the actors relies on these personal documents.

In addition to the historical analysis, I employed critical discourse analysis (CDA) as a tool to examine political speeches throughout Hong Kong's history. Alongside historical events, political speeches can inform understanding of the evolution of BN(O) status. Specifically, I relied on Flowerdew's (2017) historiographical approach to understanding discourses surrounding these historical events. Although many discourse theorists emphasise a historical dimension to interpreting discourse (e.g., Fairclough, 2015, Wodak & Fairclough, 2010), Flowerdew's critical discourse historiographical (CDH) approach—developed alongside Wodak's discourse historical approach (DHA)—contributes to the writing of history (Flowerdew, 2017). The difference, according to Flowerdew, is that CDH argues for a role in historiography, while DHA and CDH can both draw attention to "the importance of historical dimension of context" (Flowerdew, 2017, p. 470). According to Flowerdew (2017), historical texts and contested discourses can inform a CDH study based on "critical moments that are indicative of more broadly based developments in discourse and society" (p. 456). Throughout the thesis, I engage with scholarly literature to substantiate my arguments and develop my recommendations.

A Discussion of Terms

Many terms used in this thesis have their political and historical origins. Using some terms in certain social contexts could be problematic. For instance, in the international higher education context the use of the term "Chinese" to describe the identity of an international student from Hong Kong may cause offence to the Hong Kong student. However, the use of the term "Hongkonger" as an exclusively single identity to describe someone from Hong Kong could result in backlash from the Chinese student community (H. Chan, 2019). It is therefore necessary to clarify the meaning of some of these terms before proceeding.

The discussion begins with the term *Hongkonger*. The term Hongkonger refers to the civic-based identity of people who make Hong Kong their permanent place of abode. Although most of the population in Hong Kong is of Chinese descent, Hong Kong is

also a place of permanent residence for people from many other ethnicities. Thus, people of other ethnicities who live in Hong Kong could also call themselves Hongkongers when they share the common values and patterns of social interactions of Hong Kong (Mathews, 2020). For this thesis, the common values of Hong Kong refer to the four bedrock principles as defined by Chris Patten. There is no consensus as to when the term Hongkonger was adopted by the people in Hong Kong. As argued in this thesis, however, the Hongkonger identity has been strengthened since around 2012 when the people of Hong Kong became more consciously aware of their identity that is separate from the Chinese identity of the Chinese mainland. This dawning consciousness was due to a series of political events that began with the failed introduction of the Moral and National Education curriculum that was deemed to be brainwashing the Hong Kong youth (Chow et al., 2020; Lecours & Dupré, 2020). The word Hongkonger was added to the Oxford English Dictionary in March 2014 (Internet Archive, n.d.). Ironically, 2014 was the year when localism, self-determination, and Hong Kong independence claims began to take shape in Hong Kong.

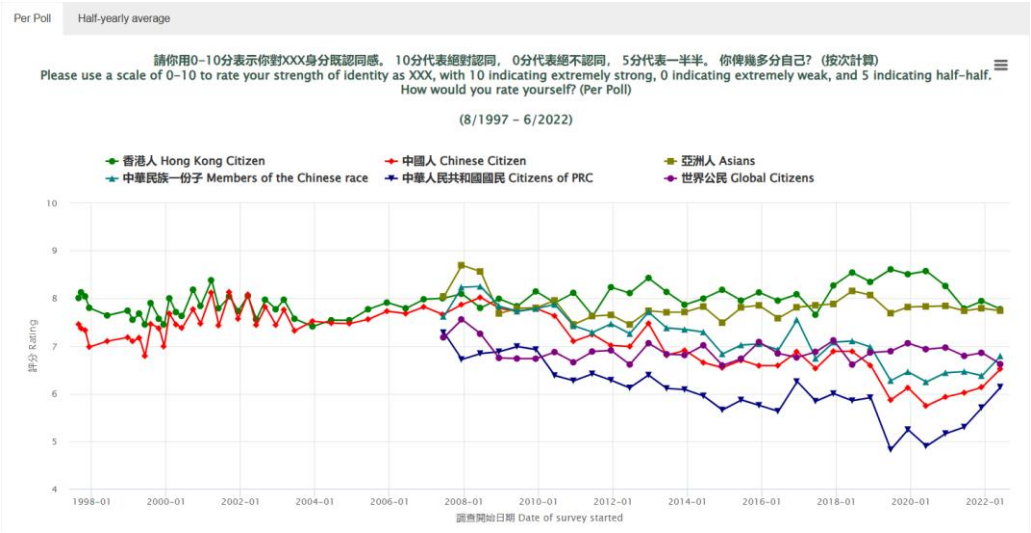
As presented in the thesis, localism serves to protect Hong Kong's unique culture, while self-determination is a United Nations principle that historically allowed colonised peoples to determine their political futures during the mid-twentieth-century decolonisation movement. In the context of late twentieth-century Hong Kong, China successfully requested the United Nations to remove Hong Kong from the list of non-self-governing territories, thereby eliminating formal United Nations recognition of the territory's right to self-determination. Instead, the principle of "Hong Kong people ruling Hong Kong" was adopted as a political compromise and later enshrined in the Sino-British Joint Declaration. The political party Demosistō was founded on this principle of self-determination. Hong Kong independence refers to the possibility of Hong Kong breaking away from China, which would be a potential outcome if a self-determination referendum were held.

The discussion now turns to the term *Chinese*. Defining the term Chinese is a sensitive task due to the vast array of cultural and political circumstances associated with the

term. In a political sense, the term Chinese refers to the citizens of the People's Republic of China. The PRC citizenship now includes the people of Hong Kong who became Chinese nationals after the handover of sovereignty in 1997 (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984d). In a cultural sense, the term refers to people who are of Chinese ethnicity. But as Shih (2011) notes, "being 'Chinese' is often merely a designation of nationality on one's passport, not an index to one's culture, ethnicity, or language" (p. 709). As discussed in the historiographical overview, although most Hongkongers are ethnically Han, they possess a distinct culture and language that differentiate them from the Han majority in mainland China. Despite this distinct identity, for a period following the handover, many Hongkongers identified themselves as both Chinese and Hongkongers (Kim & S. H. Ng, 2008).

Not surprisingly, Figure 1.1 shows that of all the years since the sovereignty handover that the ethnic identity poll has been conducted, the largest gap between identification as "香港人" [Hong Kong citizen] and "中国人" [Chinese citizen] occurred in June 2020, with scores of 8.57 and 5.74 respectively (PORI, 2022), just prior to the implementation of the National Security Law. This period followed the 2019 anti-extradition protests and a series of political developments, including arrests of pro-democracy activists and increased media suppression, which heightened public concerns about the erosion of Hong Kong's liberal values. The poll indicates that the strength of Hongkongers' identification as Chinese is heavily influenced by political events; when freedoms such as human rights, liberty, democracy, and the rule of law—values nurtured under British governance—are threatened, Hongkongers often resist the Chinese identity in a political sense. Compared with previous years, the June 2020 results represent the peak of this resistance, suggesting that identity formation in Hong Kong is not merely ethnic or cultural, but deeply responsive to political context, reflecting a broader struggle over competing narratives of civic and national belonging.

Figure 1.1 Strength of Identity—Combined Charts



Note. Hong Kong Public Opinion Research Institute. Reproduced with permission.

Third discussed is the term *British*. Defining the term British is an equally challenging task. Culturally, the term has historically referred to a White Britain myth that the Thatcher administration wanted to convey to her constituents (Mark, 2020). However, the term has evolved into encompassing the shared values between Hong Kong and Britain (Yu, 2022, 2023). The BN(O) emigrants have self-described themselves as "British Hongkongers" (Yue, 2023, p. 25). This self-description is not recognised "in official government documents that pertain to identity or ethnicity" (Yue, 2023, p. 25). However, the British Hongkonger identity is a position that Hongkongers have adopted. The adoption of the term *British Hongkonger* helps preserve the Hong Kong identity in Britain while fostering integration into their mother country. As argued in the thesis, Beijing's increasing influence in Hong Kong has resulted in the identity positioning of the Hongkonger. As the National Security Law effectively shuts down any form of opposition in Hong Kong, this Hongkonger identity is now being preserved by the Hong Kong exiles in the United Kingdom, for example through grassroots Hong Kong organisations in Britain.

Politically, the term *British* encompasses different classes of British nationality created as a result of the 1981 Act shortly after Thatcher's ascension to Prime Ministership. The term British could also refer to colonial Hong Kong by changing it

into an adjective before the place. Thus, the term *British Hong Kong* refers to the historical period of Hong Kong before its sovereignty was handed over to China in 1997. According to the Chinese memorandum, Hongkongers who obtain foreign nationalities will not have their citizenship recognised in China, including Hong Kong (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984d). Therefore, for historical and political reasons, the people of Hong Kong will not be recognised as British in a political sense on Chinese soil, even if they had acquired full British citizenship through the BN(O) route.

The terms *handover of sovereignty* or *transfer of sovereignty* [主权移交] are used in the thesis to describe the 1997 change of sovereignty event. Carrie Lam's government has removed any reference to the word "handover" from government websites, preferring to use terms such as "Hong Kong's return to the motherland" and "resumption of sovereignty" (Lum, 2018). On the contrary, the use of new terms to describe the handover is problematic in two important respects.

First, it is an attempt to rewrite history. As a British colony, Hong Kong was historically a part of the British Empire before the United Kingdom transferred its sovereignty over Hong Kong to the PRC in 1997. The former British colony of Hong Kong was a barren land ceded to the United Kingdom that began its civilisation (Rühlig, 2020). Hong Kong's entire history of civilisation therefore belonged to the British Empire that founded the city. Before the 1997 transfer, Hongkongers' mother country was the United Kingdom (Baum, 1999; Benson et al., 2024a, 2024b; K. Lee & K. Law, 2016). Hong Kong has long identified with the principles and values of the United Kingdom before the 1997 transfer of government. Had it not been for the imminent expiry of the New Territories lease, the British colony would have been a British territory perpetually. Thus, to describe the 1997 event as a "return" or "resumption" of sovereignty is incorrect as China did not have sovereign power over the British territory prior to July 1, 1997.

In the Joint Declaration, both governments viewed the 1997 handover event as a "transfer of government". Under Article 5 of the Joint Declaration and Articles 1 and

2 of its Annex II, both governments used the words “transfer of government” to describe the handover (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China, 1984a, Article 5; Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China, 1984c, Articles 1, 2). Thus, according to the Joint Declaration, the 1997 handover event was not a return of Hong Kong to a motherland that did not belong to Hong Kong but a transfer of government from the United Kingdom to the PRC. As the Sino-British negotiations did not involve Hongkongers, Hong Kong was forced to join a totalitarian party-state without the consent of its citizens.

The only time that the 1997 event was described as a resumption of sovereignty was a one-sided declaration by the Chinese government in Article 1 of the Joint Declaration (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China, 1984a, Article 1). As argued in the thesis, this unilateral declaration was due to China’s disagreement with the validity of the treaties that Hong Kong had ceded, leading to the use of the wording “resume” and “resumption” in the declaration. It was thus China that disregarded the legal treaties signed with Britain. While the United Kingdom agreed to the wording in the Joint Declaration, it was an agreement to accommodate China’s position for the purposes of a smooth transition (Chua, 1990; Langer, 2008). That is, the United Kingdom was not going to argue whether the treaties were valid for the purpose of maintaining peaceful relations with China during the transition period. Under Article 2 in the Joint Declaration, therefore, the United Kingdom acknowledged the Chinese position and declared that it would “restore” Hong Kong to the PRC (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China, 1984a, Article 2).

Second, using words such as “return” or “resumption” is disrespectful to the United Kingdom’s historic sovereignty over Hong Kong. The replacement of the term *handover of sovereignty* with new words perpetuates China’s hegemonic position

that insinuates the PRC had legitimate power over Hong Kong during British sovereignty and was entitled to have its sovereignty over Hong Kong restored. The change to the description of the 1997 event represents an attempt by Lam's government to create a myth that could manipulate Hongkongers into accepting this hegemonic public discourse in future years.

Thus, due to the problematic nature of the words "Hong Kong's return to the motherland" and "resumption of sovereignty", this thesis continues to use the terms *handover of sovereignty* or *transfer of sovereignty* [主权移交]. These have long been used by Hong Kong government officials to describe the 1997 event in the spirit of the Joint Declaration.

Significance

British decolonisation of Hong Kong in the form of a transfer of sovereignty from a democratic power to a totalitarian party-state is unique. This uniqueness could help explain Hongkongers' resistance to Chinese national identity and the British offer of the BN(O) route to British citizenship. This refuge has never been offered to any of the United Kingdom's former colonial subjects in the way the BN(O) scheme has operated. It is usually the case that the United Kingdom does not interfere in their former colonies once the territories have become independent. However, this would not be the case for the contested sovereignty over Hong Kong. The contestation over jurisdiction is perpetuated by BN(O) status granted to Hongkongers under the Sino-British Joint Declaration, resulting in a legal relationship between the British government and Hongkongers. The BN(O) scheme is, therefore, an exception to longstanding British immigration policy.

This study is therefore significant in several respects. First, the ambiguity and uniqueness of the situation have resulted in Hong Kong being largely absent in mainstream studies of British decolonisation. By providing a comprehensive historical account of BN(O) status and its evolution, this historical study offers new research into the complexity of postcolonial identities and statecraft. Second, this thesis sheds light on a historical British nationality law that has enduring implications for the current United Kingdom-China geopolitical tensions. Finally, this study contributes to

the ongoing debate about British responsibility towards Hong Kong. By framing the United Kingdom-Hong Kong relationship as a "lost parental bond", this study offers interpretation through the lens of a family to understand the motivation behind the BN(O) offer, particularly in the context of the post-Brexit political landscape.

Structure of the Thesis

This thesis is divided into four "historical" chapters, focusing on the past and present, and one "future" chapter that will outline proposed developments. In Chapter 1, I provide an overview of the Sino-British Joint Declaration, particularly in relation to the agreements made between the two governments on the nationality of Hongkongers and the preservation of way of life in Hong Kong. I analyse these agreements with regard to how they affect the lives of Hongkongers today. In Chapter 2, I illustrate how the CCP has deceived Hongkongers. I argue that the ambiguity in the texts has now allowed Beijing to effectively take hegemonic control over Hong Kong. In this chapter, I show how the CCP distorts history in the post-National Security Law era, and how it is repeating its own tried-and-tested method of indoctrinating China's youth with a distorted history in the post-Tiananmen era. In Chapter 3, I account for how the CCP's failure to recognise Hong Kong's civic and political distinctiveness, which developed under British colonial governance, has led to today's predicament. I argue that the relationship between the United Kingdom and Hong Kong can be represented by a parent-child relationship, in which the parent in the relationship is now opening the door to the now adult-child who is in a dire situation because of the CCP's political repression. In Chapter 4, I examine how Hongkongers' identity has been affected by diplomatic-political events and changes to their nationality, and how the British identity of Hongkongers has been revived by the BN(O) policy. I analyse the public discourses about the situation in postcolonial Hong Kong, providing context to the BN(O) offer.

Finally, in Chapter 5, a "future-oriented chapter", I argue that while the British government has fulfilled its commitment to guaranteeing the rights and freedoms of Hongkongers by opening the door for them to live in Britain, it has not yet addressed the other major promise of universal suffrage elections. Drawing parallels with

Tibetan history, I suggest that the British government can support an elected government-in-exile and provide land as a Crown Dependency to Hongkongers. This proposal potentially provides a win-win situation for both Hongkongers, who were promised democratic governance and self-determination, and the United Kingdom, which is struggling economically in the post-Brexit era.

The political solution presented in Chapter 5 draws on Gilley's (2018) article "The Case for Colonialism", which argues that failed states can reinvite former colonisers to recolonise their regions or otherwise replicate colonial systems as far as possible. The BN(O) pathway demonstrates this very possibility of recolonisation, though in a reversed form, by reinviting millions of colonial subjects and their families to relocate to the metropole over time. The re-creation of a "parallel Hong Kong" through a proposed Crown Dependency could be seen as replication of Hong Kong's colonial systems in response to the totalitarian party-state's failure to honour the Joint Declaration.

Chapter 1: Paving the Way to the Handover: The British Nationality Act and the Sino-British Agreements

Overview of the Sino-British Joint Declaration

As the 1997 expiration of the New Territories lease approached, Hong Kong faced growing political uncertainty coupled with economic insecurity, threatening its position as a leading global financial centre. In response, Sino-British negotiations commenced following Prime Minister Margaret Thatcher's 1982 visit to China. While China maintained that its sovereignty over Hong Kong was non-negotiable, it acknowledged the unique sociopolitical conditions in the territory and committed to maintaining Hong Kong's social and economic framework unchanged for half a century after the handover. Although Britain initially sought to retain administrative control in exchange for recognising Chinese sovereignty, it ultimately conceded both sovereignty and administrative authority to China (Chua, 1990; C. L. Lim, 2022; Mark, 2020; Muskat, 2011; Summers, 2018). After two years of talks, the Sino-British Joint Declaration was signed on December 19, 1984, by Prime Minister Thatcher and Chinese Premier Zhao Ziyang, outlining the terms of the transfer and the post-handover governance of Hong Kong.

The Joint Declaration contains eight items of declarations, three annexes of elaborations, and an exchange of memoranda regarding nationality. Article 3 set forth the establishment of the HKSAR and rules for implementing the autonomous government after the transfer of sovereignty in twelve basic policies formulated by the PRC. As Article 3(1) of the Joint Declaration states that, Article 31 of the PRC Constitution authorises the creation of a Special Administrative Region (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984a, Article 3(1)). The Special Administrative Region is the cornerstone of Deng Xiaoping's "one country, two systems" formula. Under Article 3(12), China pledged to uphold Hong Kong's capitalist structure and lifestyle for a period of fifty years. This arrangement was granted as part of Britain relinquishing its legal claim over Hong Kong Island and the Kowloon Peninsula. Although China argued that the treaties were invalid on the

grounds that they were unequal, both sides ultimately agreed to set aside this disagreement in order to ensure a smooth handover (Chua, 1990).

Although China previously experimented with “one country, two systems” in Tibet without naming it, the HKSAR was the first official manifestation of this principle (Hung, 2022). The Joint Declaration addresses the basic policies pertaining to the governing of Hong Kong after the handover; however, it leaves many questions unanswered. For instance, why did the British government implement the *British Nationality Act 1981* (UK)? Was the Act designed to prevent the Hong Kong Chinese from settling in the United Kingdom prior to the handover? Was the policy decision pressured by its own ideological position, or was it due to the hegemonic claim on the Chinese nationality of Hongkongers by the Chinese government?

Unlike other former British colonies, Hong Kong was denied the right to self-determination due to two key events. First, in 1972, shortly after joining the United Nations, the PRC successfully lobbied for Hong Kong’s removal from the United Nations list of non-self-governing territories, effectively preventing it from pursuing independence. This made Hong Kong an exception among other colonies that gained independence under the *Declaration on the Granting of Independence to Colonial Countries and Peoples* (United Nations Human Rights, 1960). Second, the *British Nationality Act 1981* (UK) further cemented Hongkongers’ lack of autonomy by stripping them of the entitlement to enter and establish residence in the United Kingdom.

These factors affected the nationality of Hongkongers. They indicated to the people of Hong Kong that the only possible future for them was under the PRC’s sovereignty and Chinese citizenship after the handover. The current contention, therefore, stems from the violation of the agreements to maintain Hong Kong’s freedoms and autonomy for fifty years after the transfer, which had been a concession made by the Chinese in return for the transfer of sovereignty. The special status that the Special Administrative Region was supposed to enjoy, and the changing nature of BN(O) status, are thus the two areas of the controversy currently facing the signatories to the Joint Declaration.

The Agreements on Nationality, Right of Abode, Travel Documents, and Consular Protection

Nationality and associated agreements—such as right of abode, travel documents and consular protection—are set out in section XIV of Annex I to the Joint Declaration (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984b, section XIV) and in the exchange of memoranda (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984d). This section discusses these agreements.

The right of abode in Hong Kong is not connected to any type of nationality or citizenship. It only constitutes the right of those meeting the residency requirements to live and work in the HKSAR without restrictions. The right of abode in Hong Kong is conferred to three categories of people. The first is Chinese nationals who were born or have lived in Hong Kong for seven years or more, and children of these Chinese nationals born outside of Hong Kong. The right of abode is also granted to others who have lived in Hong Kong for a period of seven years or more and to their children if they are under 21 years of age, provided they have taken Hong Kong as their place of permanent residence. Lastly, it is offered to people who had the right of abode only in Hong Kong before the establishment of the HKSAR. At the time, much of the population of Hong Kong, being Hong Kong Chinese, would qualify for the first category of residency in Hong Kong. Foreign citizens, such as British citizens, who have lived in Hong Kong for seven years or more, would qualify for the second category.

Annex I to the Joint Declaration sets out that the PRC authorises the HKSAR to issue passports to Chinese nationals who hold permanent identity cards. It states that residents may also use "travel documents of other states" (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984b, section XIV, para. 3) to travel to and from Hong Kong. As discussed in the introductory chapter, one type of travel document noted in the Joint Declaration is now known as the BN(O) passport, that China only sees as a "travel document". Based on this agreement, it also means that

foreign passports held by Hongkongers from the first emigration wave prior to the handover, are deemed as “travel documents of other states” only and not citizenship.

When the Joint Declaration was signed, Hongkongers held passports issued by the Hong Kong government, though these did not provide a right of entry into the United Kingdom. In the United Kingdom memorandum, Hong Kong BDTC holders will lose their BDTC nationality on July 1, 1997 (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China, 1984d, para. a). The British memorandum also states that BDTCs would then be able to retain an appropriate status with passports issued by the United Kingdom that did not confer the right of abode in the United Kingdom: BN(O) status. This status could no longer be acquired after July 1, 1997. Unlike full British citizenship, it cannot be transferred to descendants. However, Hongkongers who acquired BN(O) status before 1997 as well as their children who are included in the parent’s passport would be able to renew and replace their passports at the British Consulate after 1997.

The British memorandum on nationality is based on the *British Nationality Act 1981* (UK) that had only been implemented the year before the formal signing of the Sino-British Joint Declaration. Prior to the Act, all British nationals held a common citizenship; they were Citizens of the United Kingdom and Colonies (CUKC). In the post-war era, Britain was in high demand for labour in Chinese restaurants. Thus, many rice farmers from the New Territories went to the United Kingdom to work as chefs and kitchen hands and later settled there along with their dependents (Baker, 1994). However, the *Commonwealth Immigrants Act 1962* (UK) restricted the right of entry for those who were not born in the United Kingdom or held passports issued by the Government of the United Kingdom. This meant that most Hong Kong Chinese no longer had an automatic right of entry to the United Kingdom after the 1962 Act was passed because their CUKC passports were issued by the colonial Hong Kong government. The *British Nationality Act 1981* (UK) separated CUKC into three classes—British Citizenship, British Dependent Territories Citizenship, and British Overseas Citizenship.

Under the 1981 Act, only people with full British citizenship are granted the right of entry to the United Kingdom. Hence, the 1981 Act ended the ambiguity of the right of abode issue. As Hongkongers were granted BDTC under the 1981 Act, it is not difficult to surmise that the timing of the Act immediately prior to the Sino-British negotiations in 1982 was designed to prevent large-scale emigration from Hong Kong to the United Kingdom in anticipation of the 1997 transfer of sovereignty.

However, the British position would not be complete without analysing the Chinese position that impacted how the British dealt with Hongkongers' nationality. The Chinese memorandum is similarly underpinned by China's own nationality law, the *Nationality Law of the People's Republic of China*, commonly known as Chinese Nationality Law. The Chinese memorandum states that all individuals from Hong Kong of Chinese descent are considered Chinese nationals, despite their holding BDTC passports (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984d, para. 2). However, it states that because of historical realities, China will permit Hongkongers who were previously BDTCs to use "travel documents" issued by the United Kingdom to travel to other countries, now known as the BN(O) passport, though they will not be entitled to British consular protection in the HKSAR or on the Chinese mainland (para. 3-4).

Chinese nationality is traditionally based on a "right of blood" principle (Chua, 1990). That is, children born to one or both parents who are Chinese nationals shall have Chinese nationality (Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1980). In general, the laws of the Chinese mainland do not apply to the HKSAR except for a handful of national laws appended to the *Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China* (Basic Law) (Ching, 2018). The Basic Law—a constitutional document—was drafted pursuant to the agreements set out in the Joint Declaration. Chinese Nationality Law is one of those national laws applied to the HKSAR. The *Explanations of Some Questions by the Standing Committee of the National People's Congress Concerning the Implementation of the Nationality Law of*

the People's Republic of China in the Hong Kong Special Administrative Region (the 1996 Explanations) also states that Chinese nationality is granted to Hong Kong people of Chinese descent (Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1996, Article 1). The Joint Declaration is less clear on the future nationality of Hongkongers not of Chinese descent who held BDTC passports. However, it is beyond the scope of this thesis to discuss the identity issues of British nationals of Hong Kong who are not of Chinese descent.

The 1980 Chinese Nationality Law was not the first nationality law of China. The Qing government enacted China's first nationality law (Ching, 2018; Chua, 1990). When the Kuomintang took power, they enacted two nationality laws, one in 1914 and another in 1929 (Chua, 1990). When the CCP replaced the Kuomintang government in 1949 and formed the PRC, the nationality law enacted by the Kuomintang in 1929 remained effective until 1980. The 1980 law incorporated an article stating that China does not recognise dual nationality. (Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1980, Article 3). It was this article that affected the Sino-British negotiations regarding nationality.

According to the 1996 Explanations, China treats Hongkongers who have acquired foreign citizenship as though they are Chinese nationals unless they declare a change in nationality to the Immigration Department. As far as China is concerned, Hongkongers' foreign citizenship is disregarded on Chinese soil. Thus, they are not afforded consular protection of their adopted country of citizenship while physically present in the HKSAR and Chinese mainland. Thus, while the Chinese mainlanders automatically lose their Chinese citizenship upon their acquisition of foreign citizenship, Chinese nationality is shackled to Hongkongers of Chinese descent even for those who have acquired foreign citizenship (Ching, 2018).

The Chinese position has since come to light in two notable cases after the handover. The first is the case of Patrick Tse [*Tse Patrick Yiu Hon v. HKSAR Passports Appeal Board and Another,* 2002] while the second is Hudson Timothy George Loh [*Hudson*

Timothy George Loh v. Director of Immigration and Another, 2017]. These cases concern Hongkongers of Chinese ethnicity born outside of Hong Kong and how the Chinese Nationality Law together with the 1996 Explanations are applied to determine whether the applicants of the judicial reviews are of Chinese nationality. Tse was born in Germany to parents of BDTC nationality in 1985, whereas Loh was born in Canada to parents of Canadian nationality in 2003.

The first case concerns a Hong Kong teenager of Chinese ethnicity, whose passport the HKSAR government had tried to cancel [*Tse Patrick Yiu Hon v. HKSAR Passports Appeal Board and Another,* 2002]. Tse was born in Germany to Hong Kong parents of Chinese ethnicity in 1985 and was at the time granted a BDTC passport following the registration of his birth at the Consulate offices in Germany. In 1990, his parents were naturalised as German nationals and they also applied for Tse to be naturalised. The point of contention is that Tse did not acquire his German nationality at birth but was naturalised some years later. Thus, according to the Chinese position, he was a Chinese national at the time of his birth because he registered as a BDTC at the Consulate and was granted a BDTC passport.

Upon the transfer of sovereignty, the HKSAR government issued HKSAR passports to former BDTCs in accordance with the Joint Declaration. Tse's parents were granted a HKSAR passport, and Tse himself also acquired a HKSAR passport. Tse's passport was later cancelled by the HKSAR government on the grounds that Tse was born in Germany. Tse's legal representative filed an objection on the grounds that Tse was a Chinese national according to the 1996 Explanations and was entitled to a HKSAR passport. The Director of Immigration replied by saying that Article 1 of the 1996 Explanations states that only residents of Hong Kong of Chinese heritage born in Chinese territories (including Hong Kong) are Chinese nationals (see Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1996, Article 1). As Tse was born in Germany, he did not meet this criterion.

The applicant appealed to the Passports Appeal Board that upheld the Director's decision, and his case was dismissed. The applicant later applied for judicial review

that also upheld the Director's decision. The applicant then applied to the Court of Appeal. The Appeal Court referred to Article 5 of the Chinese Nationality Law:

> Any person born abroad whose parents are both Chinese nationals or one of whose parents is a Chinese national shall have Chinese nationality. But a person whose parents are both Chinese nationals and have both settled abroad, or one of whose parents is a Chinese national and has settled abroad, and who has acquired foreign nationality at birth shall not have Chinese nationality (Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1980, Article 5).

The Appeal Court ruled that Tse's parents are Chinese nationals as they had not declared to the authorities that they had changed their nationality. The 1996 Explanations state:

> If there is a change in the nationality of a Chinese national of the Hong Kong Special Administrative Region, he may, with valid documents in support, make a declaration at the authority of the Hong Kong Special Administrative Region responsible for nationality applications (Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1996, Article 5).

From the viewpoint of the Chinese position, Tse was born to parents who are Chinese nationals because his parents held BDTC nationality at the time of his birth. Accordingly, Tse shall have Chinese nationality, as Tse had not acquired any foreign nationality at birth even though he was born in Germany. Thus, he satisfied the requirement of Article 5 of the Chinese Nationality Law. Furthermore, as Tse had not made an application to have his nationality changed in accordance with Article 5 of the 1996 Explanations, Tse's naturalised German nationality did not affect his Chinese nationality. That is, from the Chinese position, Tse's naturalisation as a German national is disregarded. The Appeal Court ruled that the Director of Immigration could not cancel Tse's passport; the decision to cancel his passport was quashed and the trial judgement was set aside. The HKSAR government lost the case.

The second case concerns the Loh's. The Loh case concerns a minor, Hudson Timothy George Loh, who was born in Canada and acquired Canadian citizenship at birth [*Hudson Timothy George Loh v. Director of Immigration and Another,* 2017]. Loh's parents are both Canadians of Chinese descent. In fact, they were born in Canada. Shortly after his birth in 2003, Hudson Loh came to Hong Kong. He lived in Hong Kong continuously and received his education in Hong Kong. His parents became permanent residents of Hong Kong but are not Chinese nationals. Hudson also became a permanent resident of Hong Kong. When the father Mr Loh made an application for a HKSAR passport for his son Hudson in 2013, the application was refused. The Director of Immigration was of the view that Hudson was not a Chinese national, citing the same Article 5 of Chinese Nationality Law as the reason. The father appealed to the Appeal Board that dismissed the case. Mr Loh then applied for judicial review.

Mr Loh argued that Article 2 of the 1996 Explanations states that "all Hong Kong Chinese compatriots are Chinese nationals" (Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1996, Article 2). The court ruled that the legislative intent of Article 2 of the 1996 Explanations only applied to Hong Kong residents of Chinese descent who held BDTC or BN(O) passports before the transfer of sovereignty. The Explanations did not extend to a further class of people falling within the expression of "Hong Kong Chinese compatriots". The HKSAR government said that Hudson could naturalise as a Chinese national, but that he would lose his Canadian nationality under Chinese Nationality Law:

> Any person who applies for naturalisation as a Chinese national shall acquire Chinese nationality upon approval of his application; a person whose application for naturalisation as a Chinese national has been approved shall not retain foreign nationality (Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1980, Article 8).

Unlike the Tse case, the HKSAR government prevailed in the Loh case because both of Hudson's parents were of Canadian nationality, but not Chinese nationality, at the time of Hudson's birth in Canada, and Hudson himself acquired Canadian nationality at birth. Thus, Hudson was not a Chinese national at the time of his birth and is therefore not entitled to a HKSAR passport.

The Chinese position illustrates that; the British were left with little room for continuing the British nationality of Hongkongers in the form of BDTC for two reasons. First, the Chinese refused Thatcher's proposal to continue the British administration in Hong Kong beyond 1997 and insisted on both sovereignty and control over Hong Kong. As Hong Kong would no longer be a British Dependent Territory after July 1, 1997, it left the British with no room but to have BDTC status ceased after that date. Second, the Chinese position claimed the Chinese nationality of all Hongkongers of Chinese descent who held BDTC nationality before the handover. This means that, because of the non-recognition of dual citizenship, the British could not grant the people of Hong Kong any form of British citizenship (White, 1987). BN(O) status was thus offered to Hong Kong Chinese as some kind of connection with the United Kingdom after the handover. It should be emphasised here again that the original purpose of BN(O) status was the offer of a "travel document" that granted its holder Consulate protection outside of China (including Hong Kong) in times of need; however, it was not a pathway for Hongkongers to gain British citizenship. This is the argument the Chinese government now uses to accuse the British government of violating the British memorandum appended to the Sino-British Joint Declaration.

Beyond these mechanics, the Chinese authorities demonstrated a highly effective bargaining strategy during the negotiations. By clearly defining a set of non-negotiable red lines, Beijing constrained British options while maintaining the appearance of cooperative diplomacy. The British, negotiating the handover of a strategically and economically significant territory, faced domestic political pressures that led to Thatcher's personal decision not to grant full British citizenship to the people of Hong Kong. Through disciplined adherence to its objectives and skilful exploitation of these constraints, the PRC ensured that the final arrangements,

including BN(O) status, aligned closely with its long-term strategic goals without needing to micromanage the internal design of British policy. This illustrates that the CCP's negotiation strategy was not only principled in defending state interests but also highly successful in achieving its objectives.

Racial Demarcation of Nationality

As can be seen in the agreements, one of the most salient themes regarding nationality in the agreements is the lines drawn on race. The Chinese government declared that all Hongkongers of Chinese blood are Chinese nationals, irrespective of their BDTC status. The British government, on the other hand, is less straightforward. While the United Kingdom granted BDTCs of other British colonies the right of abode in the United Kingdom and full British citizenship, for instance, Falkland Island and Gibraltar, the British official position decided that the Hong Kong Chinese had no close connection to the United Kingdom (Mark, 2020).

As mentioned above, a factor that may have influenced the British position was the Chinese position. The British were in no position to grant full British citizenship because China had claimed the Chinese nationality of all Hongkongers and did not recognise dual citizenship. As this thesis will later show, the British also believed at the time that, had full British citizenship been blanket-granted to the Hong Kong Chinese, they would have moved to the United Kingdom in significant numbers, given their history of escaping the Communists, and so the British shut the door on the Hong Kong Chinese. Thus, by the time the agreements were finalised, China had secured a dominant position in the negotiations.

Under the Joint Declaration, elaborations from the PRC stated that all Hong Kong Chinese compatriots would be entitled to the HKSAR passport. The agreement by the signatory parties would have created insecurities and hostility amongst the Hong Kong Chinese. At the time, many Hong Kong Chinese and their parents had fled the Chinese mainland because of the political and economic turmoil created by the CCP. One could surmise that these people did not want to have Chinese nationality imposed on them.

Hongkongers were left with no choice. On the one hand, the PRC did not grant Hongkongers the freedom to choose their own nationality. On the other, the United Kingdom closed the door to Chinese immigration by tightening the definition of a British citizen. Many Hongkongers and their families who could afford to emigrate to Western countries such as Australia and Canada did so before the transfer of sovereignty. For most people, however, what was left was to submit to the Chinese sovereignty that would be imposed on them upon the transfer of government in 1997.

On closer examination of the 1996 Explanations, it is interesting to note that there is an emphasis on race. Chinese nationality is only granted to Hong Kong residents of *Chinese descent*. In contrast, the Chinese Nationality Law that underpins the Explanations is silent on the matter of ethnicity. Thus, in addition to what is laid down in the Chinese Nationality Law, Hongkongers must meet the criterion of Chinese ethnicity to be considered Chinese nationals.

The British position manifested racial discourses in an even more conspicuous fashion. Discourses of racial discrimination are revealed through closely examining declassified documents at the time of the Portuguese accession to the European Community, shortly after the Joint Declaration was signed. In a letter to Foreign Secretary Geoffrey Howe, the then Home Secretary Leon Brittan expressed concerns about the lack of different tiers of Portuguese citizenship that may lead to an unwanted problem on immigration:

> Chinese residents of Macau who have Portuguese nationality but otherwise no links with Portugal itself will enjoy the same rights under the Treaty of Rome as Continental Portuguese… There is here a very *unwelcome* potential immigration problem that would be created by any move by a substantial proportion of *those people* to emigrate to the United Kingdom… The favourable position of Macanese of Portuguese nationality as compared with Hong Kong BDTCs as regards rights of entry to the United Kingdom once Portugal accedes to the Community is a gift to our critics (Brittan, 1985, para. 1–2) [emphasis added].

In this extract, the Home Secretary constructs a myth portraying Chinese without close ties to the United Kingdom as "unwelcome" should they attempt to enter the country. Using the othering strategy, Brittan used the determiner "those people" to point to the Chinese as different from the British. Still using the othering strategy, it was also the position of the British government to resist immigration of the Hong Kong BDTCs at the time, as indicated by the pronouns "we", "our" and "ourselves" in the extract below:

> This will not satisfy our critics, and we may well find ourselves under pressure to find some way of treating Hong Kong BDTCs more favourably as regards right of entry to the United Kingdom than we would wish to do. Even if we resist this pressure, as I am sure that we should, our ability in practice to prevent large scale immigration will, it seems, now depend not merely on the integrity and efficiency of those issuing passports and entry certificates in Hong Kong but also on the honesty and competence of Portuguese officials in Macau (Brittan, 1985, para. 3).

Through examining another letter to Howe, Brittan's successor Douglas Hurd urged Howe to pressure the Portuguese counterpart to tighten the grant of Portuguese nationality to Macau residents, who may desire residence in the United Kingdom through their Portuguese passports. Hurd foregrounded the return of Macau to China as his justification for making this presupposition:

> With Macau perhaps returning to the control of China at the same time as Hong Kong it may well be that there will be many Macanese of Portuguese nationality who will decide that Europe rather than Macau is the place to be and if, as I understand it, they speak English, they will naturally seek to come here if the way is open for them to do so (Hurd, 1985, para. 3).

Still using the presupposition strategy, Hurd was worried that the people of Hong Kong might acquire the right to live in the United Kingdom by obtaining Portuguese passports, and that would result in an unattractive immigration impact to the United Kingdom:

> Moreover, Hong Kong BDTCs may try to obtain Portuguese passports by whatever means in order to gain a right of entry to the United Kingdom. What the net result on immigration from that quarter of the world will be is, of course, difficult to predict and indeed it may well be relatively small, but then again it may not, and in any event even low levels of immigration from there are unlikely to be attractive politically (Hurd, 1985, para. 3).

Unlike British nationality, the Portuguese Constitution did not distinguish holders of Portuguese nationality. Thus, the people of Macau had free access to Portugal with their passports. Using the presupposition strategy, Hurd feared that the Hong Kong Chinese would request the same:

> Surely it is clear that we may come under some pressure, because of the position of Portuguese nationals in Macau, to allow freer access to the United Kingdom to Hong Kong BDTCs than is presently permitted (Hurd, 1985, para. 4).

One thing that Hurd might have kept in mind was that Beijing was going to deliver the promises agreed in the Joint Declaration, signed in the year prior to the present issue of Portugal joining the European Community. Using the presupposition strategy, Hurd confirmed in the letter the negotiations that produced the Joint Declaration were designed to prevent large-scale emigration to the United Kingdom. Using the othering strategy, Hurd continued Brittan's myth that framed the Chinese as the Other, and that the British government should do all they could to prevent them from coming to the United Kingdom:

> Having succeeded in avoiding large scale immigration from Hong Kong *as a consequence of the negotiations*… we really should not drift into a position in which the unintended consequence of Portuguese accession is the potential immigration of large numbers… (Hurd, 1985, para. 5) [emphasis added].

The narratives of preventing the Chinese from the Far East arriving in the United Kingdom at the time are not surprising, as a "closed-door" immigration policy had been the government's approach since it was elected. Though not mentioning Hong

Kong specifically, Thatcher brought in the politics of fear during an interview on Granada TV's *World in Action* before she took power:

> ... people are really rather afraid that this country might be *rather swamped* by people with a different culture and, you know, the British character has done so much for democracy, for law and done so much throughout the world that if there is any fear that it might be swamped people are going to react and be rather hostile to those coming in (Thatcher, 1978, para. 4) [emphasis added].

The "rather swamped" interview later became infamous and underpinned the formulation of the party's manifesto and, upon gaining power, the 1981 Act. One way that politicians naturalise a myth they create is to constantly reiterate the same themes (Flowerdew, 2004b). Thus, in the same interview, Thatcher reiterated the theme of fear repeatedly. That is, the majority was frightened because it was being threatened by an increasing number of the minority. Thatcher asserted that there was a reason that people were drawn to the National Front. The TV interview, effectively setting out the Tory position on immigration, was a way for Thatcher to acknowledge those who might vote for the far-right National Front and persuade them to vote for Thatcher instead:

> In my view, that is one thing that is driving some people to the National Front. They do not agree with the objectives of the National Front, but they say that at least they are talking about some of the problems. Now, we are a big political party. If we do not want people to go to extremes, and I do not, we ourselves must talk about this problem and we must show that we are prepared to deal with it. We are a British nation with British characteristics. Every country can take some small minorities and in many ways they add to the richness and variety of this country. The moment the minority threatens to become a big one, people get frightened (Thatcher, 1978, para. 12).

Thus, fear politics was largely brought about by the far-right in the 1970s, but instead of ignoring people's worries, the mainstream Conservative Party reinforced the panic. Using the othering strategy, Thatcher was telling the public that the "British nation

with British characteristics" was under threat from the Other. There is evidence of the assumption made by Thatcher that her hearers shared this myth. All statements in the above extract are presented as statements of facts. There is a high degree of certainty and presupposition in Thatcher's statements that her audience would necessarily accept the assertions as facts. The verb tenses in the above extract are in the present tense to express universal truths. The obligation to "talk about this problem" and "deal with it" is strengthened by the use of deontic modal "must".

The 1979 election manifesto promised firm control of immigration and introduced a new British Nationality Act that was to define who was a British citizen:

> … firm immigration control for the future is essential if we are to achieve good community relations … we shall introduce a new British Nationality Act to define entitlement to British citizenship and to the right of abode in this country (Conservative Party, 1979, Chapter 4, Immigration and Race Relations section).

Once Thatcher was elected, the promise made in the manifesto paved the way for the passing of the *British Nationality Act 1981* (UK). The 1981 Act severely restricted the definition of a British citizen. Thus, it is not difficult to surmise that key considerations of the 1981 Act were two-fold. First, the Act was designed to minimise any obligations the United Kingdom government may have had to the people of Hong Kong by preventing the Hong Kong Chinese from having any chance of emigrating to Britain. Second, considerations were made in line with British public sentiments about immigration at the time. In any case, a move to grant all Hongkongers of British nationality the right of abode in the United Kingdom would likely have offended China. London was aiming for a smooth transfer at the time and had no wish to offend Beijing. London did, however, cause this offence to Beijing when the United Kingdom government announced the new BN(O) route.

The 1981 Act, together with China's request to delist Hong Kong from the United Nations' register of colonial territories a decade earlier, made certain that Chinese nationality was the only possible future for Hongkongers. That being the case, before

the BN(O) route offer, BN(O) status was only a token of British nationality designed to exclude its holders from emigrating to the United Kingdom.

There were, however, notable voices within the British political arena advocating for a different outcome than what the British memorandum stated. Among others, the voices of Murray MacLehose and Paddy Ashdown were the most prominent in advocating for an automatic grant of a right of abode to Hongkongers. Lord Wyatt of Weeford and Lord Walston were also dissenting voices that contributed to the debate.

Former Governor Murray MacLehose was arguably one of the most popular and respectable governors in Hong Kong's history due to his role in the social reforms of the 1970s that led to Hong Kong's economic successes. After returning to the United Kingdom, MacLehose said in a parliamentary debate on May 21, 1984:

> I think that people are more likely to stay in Hong Kong and not to leave if they have some assurance, first, that they will be free to leave, if leave they must, and, secondly, that Her Majesty's Government will do their best to ensure that the effective rights that holders of British Dependent Territories Citizens' passports now have will be no less after 1997 than they were before (*Hansard*, 21 May 1984 col. 105).

Here, the presupposition strategy can be seen. MacLehose presupposed that if the people of Hong Kong had some assurances about their future, they would stay in Hong Kong. In advocating for the "effective rights" of BDTC passport holders, MacLehose suggested that some form of British protection beyond 1997 would assure the people of Hong Kong that their future was secured as they could leave if the political situation turned turbulent. Thus, McLehose called for measures beyond what the British government wanted to offer Hongkongers—that is, BN(O) status that afforded no right of abode in the United Kingdom. Although McLehose did not explicitly state that full British citizenship should be granted, as a former Governor of Hong Kong he was an important voice that called for the British government to offer a haven to Hongkongers should the situation in Hong Kong deteriorate post-1997.

Shortly after the Joint Declaration had been signed, the dissenting voices continued. Another important critical voice at the time was that of Paddy Ashdown, another significant figure in British politics. In the context of Portugal joining the European Community, Ashdown had this to say about the British nationals in Hong Kong:

> The hon. Member for Warley, East (Mr. Faulds) mentioned in his excellent speech the contrary situation in Macao in the way in which the Portuguese are treating their people in similar circumstances. He said, and it is right to point out, that at exactly the same time as the people in Hong Kong may be apprehensive about the approach of 1997, they will be able to look 40 or 50 miles across the bay to 80,000 people who have the right to enter Britain which is denied to Britain's own nationals in Hong Kong. It is scarcely surprising that the issue is giving rise to strong feelings (*Hansard*, 16 January 1986 col 1290).

The framing strategy is noted here. Ashdown framed the British government as not living up to their moral responsibility of providing the right of abode to those who were British nationals, but instead, those who were not British nationals could enter the United Kingdom through a European Community passport. The “strong feelings” Ashdown referred to are likely to be the feelings of Hongkongers at the time that they had been discriminated against and abandoned by their country (Mark, 2020).

The Tiananmen massacre of 1989 caused the British to again debate whether to grant the right of abode to BDTCs. Lord Wyatt of Weeford claimed that granting the right of abode did not necessarily mean opening the door to mass immigration. Weeford made a plea for the United Kingdom to do more for the people of Hong Kong:

> My Lords, perhaps I may thank the noble Lord for his welcome indication that there will now be greater flexibility in granting passports with the right of abode to Hong Kong citizens. However, will he bear in mind that it is quite absurd to suppose that 3.2 million people would come here? They want those passports with the right of abode as an insurance against the Chinese turning nasty. Is the noble Lord aware that the possession of those passports will be a great bar to the Chinese turning nasty and that they may never be used at

> all? They are only an insurance policy. It is not an opening of the floodgates to mass immigration here (*Hansard*, 6 June 1989 col 750).

We can see from the speech that Lord Wyatt of Weeford used a rhetorical question to frame the granting of the right of abode to BDTCs as a reasonable and manageable proposal. In this context, Wyatt was referring to an earlier statement by Lord Glenarthur, who at the time was Minister of State for Foreign and Commonwealth Affairs, expressing a concern that an automatic grant of the right of abode to Hongkongers would lead to mass immigration into the United Kingdom. The framing strategy thus is used to argue that Glenarther's concern was overblown. The strategy is used to minimise any potential objections resulting from unfounded fears. Wyatt suggested that a blanket grant of a right of abode to Hongkongers would prevent the CCP from acting in ways that suppress the freedoms and autonomy promised to Hong Kong. Thus, instead of seeing the proposal as a threat to the United Kingdom economy, Wyatt framed the right of abode as a guarantee for the future stability of Hong Kong.

Wyatt's plea was supported and echoed by Lord Walston in the same debate:

> At the risk of perhaps speaking unduly frankly, I cannot help feeling that the statement that: "We share the desire of the House to do everything we can to enhance the security of the people of Hong Kong", verges on the hypocritical. They are not doing "everything we can". To do "everything we can" would be to grant the right of abode. The statement would perhaps be more accurate if it were to say that we share the desire to do quite a lot of things that we can, but not all of them (*Hansard*, 6 June 1989 col 750).

Here, the framing strategy can again be seen. Walston also referred to the earlier statement by Lord Glenarthur. By labelling the statement as hypocritical, Walston framed the words of the Minister as insincere and empty. By using the framing strategy, Walston sought to undermine the credibility of the statement, thus shaping the audience's perception of the sincerity of the speaker. He further proposed that doing "everything we can" meant granting the right of abode to all Hongkongers, echoing what Wyatt had said earlier.

The assertion that granting an automatic right of abode to Hongkongers would not lead to mass immigration was also supported by McLehose:

> With regard to the concern that I have expressed in your Lordships' House before, and which the noble Lord, Lord Wyatt, has expressed today, about reassuring the Hong Kong people about their future, about nationality or other arrangements in the United Kingdom, I ask the Minister to reconsider whether a home of last resort is not a rather different proposition from the issuing of British Nationality to 3½ million people (*Hansard*, 6 June 1989 col 751).

Using the framing strategy, McLehose framed the debate as one of offering a haven to Hongkongers as a last resort rather than an immigration debate. That is, the grant of British citizenship to 3.5 million Hongkongers would not necessarily mean all of them would immediately enter the United Kingdom. By asking the Minister to reconsider, McLehose framed Glenarthur as mistaken.

However, Thatcher herself continued to reject a position of moral responsibility to Hong Kong. She said to the House of Commons:

> Currently, 3.5 million people in Hong Kong hold British Dependent Territory citizens' passports. Since 1945 there have been 1.6 million immigrants to Britain from the New Commonwealth. I cite those figures to show the enormity of the task. Obviously, some people, especially those who have worked in certain positions for the British Crown, already have preference in securing British passports... it would not be right to suggest that 3.5 million people should automatically have the right of abode in this country (Hansard, 6 June 1989 col 16).

In the extract above, we can see that Thatcher foregrounded the issue, that if Britain granted all 3.5 million BDTCs full British citizenship, it would exceed the total number of immigrants in all the years since post-war. The presupposition can be seen in the extract, as Thatcher presupposed that the entire population of Hong Kong would immediately take up the offer and move to Britain. The United Kingdom later offered

a compromise: full British citizenship would be granted through the British Nationality Selection Scheme (BNSS) to 50,000 important people and their immediate families. However, the 1990 scheme was designed to keep these key personnel working for the prosperity of Hong Kong rather than to encourage emigration:

> It is obviously not an easy thing to select the people who are absolutely critical. Some of them who have worked for us in certain positions obviously select themselves. Others, it is a question of those who really, without whose services we could not keep either the prosperity going or the movement in or out and so on (Thatcher, 1990, para. 50).

From the above extract, the BNSS could be seen as a balanced strike between honouring the government's stance on immigration, an obligation under the Joint Declaration to keep the prosperity going until 1997, and the necessity of restoring confidence in Hong Kong after the Tiananmen incident. While the "second-class" BDTC, and its replacement, the BN(O), barred its holder the right of entry to the United Kingdom, the BNSS allowed those Hongkongers offered a full British passport to emigrate to the United Kingdom as a full British citizen. The scheme gave the holders of British citizenship the confidence to remain in Hong Kong with an exit path should the political situation become turbulent. Thus, the scheme was seen as an offer of an insurance policy to key personnel in Hong Kong without having the applicants and their families leave Hong Kong. In granting BN(O) status to the majority, and full British citizenship to a select few, the main strategy of the British government is revealed: to provide reassurance to Hongkongers of British protection, and to appease the British public that the United Kingdom would not be suddenly "swamped" with 3.5 million Hongkongers.

The Agreements on Freedoms and High Degree of Autonomy

The freedoms and autonomy were agreed upon by both countries under Article 3 of the Joint Declaration. Under Article 3(5), the rights and freedoms of Hong Kong, referred to as lifestyle, would remain unchanged for fifty years. The rights and freedoms enjoyed by Hongkongers are of the person, of speech, of the press, of assembly, of association, of travel, of movement, of correspondence, of strike, of

choice of occupation, of academic research and religious belief (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984a, Article 3(5)). With regard to autonomy, China declared in the main Joint Declaration text and its elaborations that the HKSAR shall enjoy a high degree of autonomy to manage its own affairs, and this declaration was agreed to by the United Kingdom. This autonomy is referred to as institutional autonomy consisting of executive, legislative, and judicative powers (Langer, 2008, Summers, 2018). The autonomy principle allows Hong Kong to reach economic agreements with other countries on its own, but foreign and defence affairs would be the responsibility of the national government of China. Under Article 3(4) in the Joint Declaration and Section I of its Annex I, China intended to grant a "high degree of autonomy" to Hongkongers through a locally elected government (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984a, Article 3(4); Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984b, Section I).

Under Articles 45 and 68 of the Basic Law codifying the above agreements, a guarantee of autonomy was an elected local government through the direct participation of citizens (Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2021a, Chapter IV, Article 45, p. 71; Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2021a, Chapter IV, Article 68, p. 79). This is referred to as the personal aspect of autonomy (Langer, 2008). In the absence of a strong government, some form of intervention by Beijing was likely. Thus, the promise of such autonomy in the Basic Law addressed Hongkongers' concerns that Beijing might interfere with Hong Kong's governance. It promised that elections by universal suffrage of both the Chief Executive and the Legislative Council would be introduced, along with the basic rights and freedoms declared by China in the Joint Declaration. Given the right to independence was not possible for Hong Kong, the Joint Declaration—and later the Basic Law—was the better of the two evils. Either Hong Kong was handed over to China with no

agreements, or sovereignty would be transferred to the PRC with some form of guarantee of freedom and autonomy.

However, the promise of autonomy was not only limited to an autonomously elected government. Autonomy was entrusted to the future Hong Kong government to design and implement security legislation on its own. It should be noted that the Joint Declaration does not contain the words “national security”, but security concerns were addressed by the Basic Law. Article 23 was added by the drafting committee following the 1989 Tiananmen student movement (Summers, 2018). It mandates the future HKSAR government to implement a security legislation for Hong Kong. For twenty-three years before the National Security Law was imposed on Hong Kong, the local government failed to implement this constitutional duty.

Article 23 states that the HKSAR:

> Shall enact laws on its own to prohibit any act of treason, secession, sedition, subversion against the Central People's Government, or theft of state secrets, to prohibit foreign political organizations or bodies from conducting political activities in the Region, and to prohibit political organizations or bodies of the Region from establishing ties with foreign political organizations or bodies (Government of the Hong Kong Special Administrative Region of the People’s Republic of China, 2021a, Chapter II, Article 23, p. 65).

The Tung administration attempted to implement this in 2003 but failed to do so due to mass demonstrations. The 2019 Hong Kong protests had escalated to a national level amidst worsening Sino-United States relations, and Beijing promulgated the National Security Law for the HKSAR instead. The contents of the National Security Law are what Foreign Secretary Dominic Raab has called a “serious violation” of the Sino-British Joint Declaration (Foreign, Commonwealth & Development Office, 2020). As a result of the violation, the United Kingdom has created the bespoke BN(O) pathway to British citizenship for Hongkongers. The HKSAR government, on the other hand, has claimed that by offering a citizenship pathway to Hongkongers now, the United Kingdom has breached its commitment outlined in the British memorandum,

and as a countermeasure, no longer recognises the BN(O) passport as a valid “travel document” set out in the Joint Declaration.

Chapter 2: The Deception of the "One Country, Two Systems" Framework and the Broken Promises of the Joint Declaration

Hegemony, Deception, and Manipulation: Deng Xiaoping's Sovereignty Tactics Unveiled

In September 1982, during Margaret Thatcher's visit to China to initiate the negotiations regarding the future of Hong Kong, Deng Xiaoping took a pragmatic approach to the transfer of sovereignty. Deng told Thatcher that sovereignty over Hong Kong was not open to negotiation. However, because of the different political and economic realities in Hong Kong, China was willing to maintain Hong Kong's capitalist system after the handover. The formula was later known as the "one country, two systems" framework:

> We hope to have Britain's cooperation in maintaining prosperity in Hong Kong, but this does not mean that continued prosperity can only be ensured under British administration. It depends fundamentally on applying policies suitable to Hong Kong, under Chinese administration after the recovery. Hong Kong's current political and economic systems and even most of its laws can remain in force (Deng, 1994, p. 24).

In the extract above, the othering strategy can be seen. Deng indicated that the British could not continue the administration of Hong Kong once the territory was "recovered". By using a first-person plural indexical, Deng excluded the United Kingdom. Deng claimed rightful sovereignty over Hong Kong by using the word "recovery".

There is evidence of manipulation, which occurs "if speakers willfully make assumptions about their hearers which they know not to be the case of presupposition" (Flowerdew, 2004b, p.1561). Deng presupposed that prosperity in Hong Kong could be maintained under Chinese administration. Manipulation can be seen here because Deng had little understanding of how capitalism worked in Hong Kong (Hurst, 2022; Mark, 2017; Tsang, 2004). His hearers likely would have doubted Chinese competency in running Hong Kong. However, the more conspicuous manipulation strategy can be seen in Deng's misguided claim about sovereignty.

Sovereignty over the historical Hong Kong did not belong to China. Hong Kong was historically a British territory before the Chinese take over on July 1, 1997, but Deng had created a "legal fiction", one where China retained sovereignty but delegated control over part of its territory to the United Kingdom for a limited period (C. L. Lim, 2022). Deng's "legal fiction" is the basis of Romer's (2009) charter city concept, which this thesis will discuss in the final chapter. The final chapter proposes the establishment of a new Hong Kong on British soil to resolve the present problem. Furthermore, power was at play, particularly with the word "recovery" to legitimise his claim of sovereignty over Hong Kong. By using the word "recovery" and saying, "we hope to have Britain's cooperation", it put China in a hegemonic position. This position insinuated that Britain was a subordinate party in the running of Hong Kong under the direction of China. This hegemonic pressure is consistent with Muskat's (2011) finding that China "relied almost exclusively on propaganda/psychological pressure" (p. 1130). The cooperation was later manifested in the Joint Liaison Group, but "one party was clearly dominating the proceedings and exerting substantial influence over decision-making outcomes" (Muskat, 2011, p. 1132).

Deng's pragmatism was demonstrated as he reassured Hongkongers that Hong Kong would not change in fifty years after 1997. This was due to a vast difference in development between China and Hong Kong:

> In the agreement we stated that no change would be made for 50 years, and we mean it. There will be no changes in my generation or in the next. And I doubt that 50 years after 1997, when the mainland is developed, people will handle matters like this in a narrow-minded way. So don't worry, there won't be any changes (Deng, 1994, p. 81).

In this extract, Deng attempted to create a myth that aligns with the values of his hearers. That is, to have Hong Kong's way of life protected for fifty years. In this context, his hearers were Hongkongers who were attending the National Day celebrations in Beijing in 1984. Deng used the presupposition strategy to tell Hongkongers that Chinese leaders of future generations would not handle Hong Kong "in a narrow-minded way". The statement presupposed that as China developed, the

nation would be more open, and Hong Kong would still have its capitalist system and lifestyle beyond the promised fifty-year period from the handover of sovereignty. He presupposed that China would catch up with Hong Kong as China progressed in economic reforms. However, Deng's promise can be interpreted as a form of strategic deception, intended to reassure Hongkongers and facilitate a smooth handover while maintaining CCP control. By framing Hong Kong's future under "one country, two systems", Deng sought to secure acceptance of the transition without undermining China's political stability or reform agenda. This approach created the appearance of guarantees of autonomy, even though the CCP's broader political system remained firmly totalitarian. More than two decades after the handover, developments in Hong Kong reflect a departure from the autonomy that was implied in Deng's statements, consistent with his warning that the territory could be handled in a "narrow-minded way".

Despite his openness, two phrases in Deng's speech to Hongkongers in 1984 could provide us with clues as to how they have allowed Xi to take Hong Kong down a path to its death:

> Among those who have come for the celebrations are people from different walks of life and with different political views. This shows that you all favour China's *resumption of the exercise of sovereignty over Hong Kong* and the agreement reached between the Chinese and British governments. It follows that we all have the same important prerequisite, *love for the motherland and for Hong Kong*, and that we all share the same goal, to maintain prosperity and stability in Hong Kong over the next 13 years and after (Deng, 1994, p. 80) [emphasis added].

In the extract above, the presupposition and framing strategies are evident. Deng presupposed that because there were "people from different walks of life and with different political views", that they must all necessarily favour the transfer of sovereignty. However, manipulation is indicated. Deng described the handover as a "resumption of the exercise of sovereignty over Hong Kong", insinuating that China historically had sovereignty over Hong Kong. To legitimise his claim, Deng attempted

to deny Hong Kong's historical roots. This hegemonic narrative insinuated that Hong Kong had been occupied by foreign forces, and China was now rightfully "resuming" its exercise of sovereignty. Deng's narrative was therefore an attempt to rewrite history, and it is the same radical narrative now being propagated to the Hong Kong youth in the new Citizenship and Social Development curriculum, as will be discussed in a later section.

The phrase "love for the motherland and for Hong Kong" is particularly significant. It was later revealed as the prerequisite qualification required for standing for the nomination of the Chief Executive elections. Before July 1, 1997, Hong Kong had not been part of China territorially, culturally, or politically. It was likened to an independent country that ran its own affairs before the Chinese takeover (Goodstadt, 2005; Hung, 2022). According to Longman (n.d.), "someone's motherland is the country where they were born and to which they feel a strong emotional connection". The presupposition strategy can be seen. Deng's use of the word "motherland" was both a presuppositional trigger and a hegemonic narrative. He presupposed Hongkongers "motherland" was the Chinese mainland. However, the British initiated Hong Kong's civilisation and have since ruled the territory (Rühlig, 2020). Apart from the three years of Japanese occupation from 1941 to 1945, Hong Kong's development as a modern entrepôt and legal-administrative hub was shaped entirely under British rule. The country to which Hongkongers belonged thus was not China, but the United Kingdom (Baum, 1999; Benson et al., 2024a, 2024b; K. Lee & K. Law, 2016). Deng's use of the hegemonic narrative forced Hongkongers to identify with a China that disregarded the British identity they had been born into, and coerced them into loving an imagined "motherland" that had never belonged to them.

Despite the CCP's hegemonic narrative, Hongkongers have not identified with China. On the contrary, Hongkongers identified deeply with their Britishness that was under threat because of the impending Chinese takeover, which the "overwhelming majority clearly did not want" (Tsang, 2004, p. 220). As a result of the democratic traditions of the United Kingdom which Hong Kong was part of before July 1, 1997, it would have been reasonable for Hongkongers to assume that the understanding of

patriotism was based on the context of an imagined British-style democratically elected government in Hong Kong. Democratic participation, along with market economy, rule of law, and freedom of the individual, are described as the four bedrock principles of colonial Hong Kong (Flowerdew, 1997a, 2016).

This democratic principle was gifted to Hongkongers by the United Kingdom—their motherland. Under democratic institutions, being able to criticise a governing party and change the regime by voting them out of Office would not be unpatriotic (E. Chan & J. Chan, 2014). In fact, under the sociopolitical realities at the time, it would precisely be patriotic to criticise the government and call out its bad policies. Throughout Hong Kong's history, Hongkongers could write to their Prime Minister directly and did so. For instance, Hong Kong tycoons wrote to Prime Minister John Major to express dissatisfaction with Governor Patten's democratisation reforms (Vines, 1996).

The CCP's Deception Revealed in the "31 August Decision"

Hongkongers had been deceived. Hong Kong's fully elected democratic legislature prior to the handover was dismantled immediately after the transfer of sovereignty. Deng's promise to keep Hong Kong's systems unchanged for fifty years evidently now did not include democratic institutions that had been an integral part of Hong Kong's identity since its British era. I argue that the prerequisite demonstration of "love for the motherland and for Hong Kong" for the nomination to the Chief Executive election is a misrepresentation of what was generally understood by Hongkongers as "liberal patriotism". E. Chan and J. Chan (2014) define this as loyalty to the state, but at the same time being able to criticise its policies—the practice that the United Kingdom has gifted Hongkongers.

Under the CCP, however, this common understanding of Deng's words was distorted by the totalitarian party-state to exclude the candidates holding true to Hong Kong's principles that had been in place for more than a century. Xi Jinping's totalitarian regime brutally reframes Hongkongers as unpatriotic for upholding their long-accustomed democratic principles (Zhao, 2021). By misrepresenting how "loving the motherland" was commonly understood, this thesis posits that Hongkongers have all

along been deceived by Deng's promise of a representative democracy in Hong Kong. This deception was finally revealed in the "31 August Decision" in 2014 that set out the prerequisite for the Chief Executive nominee. The Decision led to the 2014 Umbrella Movement. In short, Deng's vagueness about what "love for the motherland and for Hong Kong" meant has enabled the Xi regime to distort the common understanding of the phrase and control *who* would be the acceptable candidates to stand for the Chief Executive election.

Manifestations of Deng's deception began on the very first day after the handover. On that day, hundreds of mainland-born children of Hong Kong permanent residents gathered outside the Immigration Department to demand their right of abode in the HKSAR (C. W. Lee, 2008). They cited Article 24 of the Basic Law that states permanent residents of the HKSAR shall include people born outside of the HKSAR whose parents are permanent residents of the HKSAR (Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2021a, Chapter III, Article 24(3), para.2, p. 66). Article 24 is consistent with section XIV in Annex I to the Joint Declaration (see Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984b, section XIV). However, neither the Basic Law nor the Joint Declaration specified whether the parents had to be permanent residents of the HKSAR at the time of their children's births. The Director of Immigration failed to recognise that right.

A group of concerned people then sued the government, and an ensuing legal battle reached the Court of Final Appeal (CFA). The CFA issued its judgement on January 29, 1999, that ruled the right of abode should be granted to mainland-born children of Hong Kong permanent residents regardless of their parents' residency status at the time of their births (Fokstuen, 2003; C. W. Lee, 2008). The CFA reasoned that (1) it had the judicial independence to ensure the HKSAR government was compliant with the Basic Law, (2) it had jurisdiction over the Standing Committee of the National People's Congress (NPCSC) to ensure their compliance with the Basic Law, and (3) only the CFA had the power to decide whether to seek NPCSC interpretations of the

Basic Law (Fokstuen, 2003). In the case of the right of abode issue, the CFA concluded that it did not need to refer the case to the NPCSC.

A political crisis followed, however, and the autonomy crisis became the first instance of a weakening of the "one country, two systems" principle after the handover. The government asked the CFA to issue a clarification on the judgement. The CFA stated that it would "follow an interpretation by the NPCSC if it were consistent with the Basic Law, and…could not question the authority of the NPC or the Standing Committee to do any act in accordance with the provisions of the Basic Law" (Fokstuen, 2003, p. 271). According to Fokstuen, "the clarification was a sign that the CFA was unable to withstand political pressure" (p. 271). Then, instead of implementing the CFA ruling, the then Chief Executive of the HKSAR Tung Chee-hwa asked the NPCSC to reinterpret the Basic Law. The government feared that the estimated 1.67 million eligible people would cause a deterioration of living standards in Hong Kong (C. W. Lee, 2008). The NPCSC overturned the CFA decision on June 26, 1999, and issued an interpretation that states Article 24(3) means:

> those persons, at the time of their birth, no matter whether they were born before or after the establishment of the Hong Kong Special Administrative Region, whose parents or whose fathers or mothers are Chinese citizens as provided for in Category (1) or Category (2) of Paragraph 2 in Article 24 of the Basic Law of the Hong Kong Special Administrative Region (Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2021a, Instrument 15, Article 2, p. 172-173).

This interpretation effectively states that people who were born before their parents became permanent residents of the HKSAR would now not be eligible for the right of abode. In another case that followed shortly after the NPCSC interpretation, the CFA effectively admitted defeat by taking into account the NPCSC interpretation, but "left open the issue of whether that interpretation was to be applied retrospectively" (Fokstuen, 2003, p. 273). However, the CFA's failure to decide which individuals would fall under the CFA's original judgement, and who would fall under the NPCSC's interpretation, meant that future litigation would ensue. Fokstuen argues "the real

question is whether the CFA is actually prepared to make decisions exercising its powers in a manner compatible with the common law" (p. 279).

Although in the 1999 case it was the HKSAR government that initiated Beijing's intervention, it set a precedent for future interference in Hong Kong's affairs. This precedent not only demonstrates the weakening of the rule of law, which is a bedrock principle of Hong Kong, but it was also the start of a slow death of the "one country, two systems" long feared. Jiang Zemin used the metaphor "well water does not mix with river water" to describe the relationship between HKSAR and the Chinese mainland, suggesting that while being in the same family, each should not interfere with the other's affairs. However, the Chief Executive did not heed Jiang's words. Tung's action set forth the beginning of tensions and overlapping responsibilities under the "one country, two systems" model. As shall be revealed in this chapter, the death of Hong Kong culminated with the imposition of the National Security Law in 2020.

For the first decade after the transfer of sovereignty, Hongkongers enjoyed a relatively autonomous period. The defeat of the 2003 security legislation demonstrated Beijing's goodwill in the "one country, two systems" principle (Dupré, 2020; Lecours & Dupré, 2020). According to Lecours & Dupré, the relatively liberal leadership of President Hu Jintao and Premier Wen Jiabao, the narrative of a rising China during the 2000s, and the hosting of the 2008 Olympics in Beijing all convinced Hongkongers that their ties to China were promising.

But what became the battlefield in the autonomy debate was primarily the protracted democratisation process. In keeping with the Joint Declaration in which China declared that the Chief Executive of the HKSAR shall be appointed by Beijing on the basis of local elections, Article 45 of the Basic Law states that "[t]he ultimate aim is the selection of the Chief Executive by universal suffrage upon nomination by a broadly representative nominating committee in accordance with democratic procedures" (Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2021a, Chapter IV, Article 45, p. 71). In addition, Article 68 states that "[t]he ultimate aim is the election of all the members of the Legislative

Council by universal suffrage" (Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2021a, Chapter IV, Article 68 p. 79).

An oft-overlooked phrase in Article 45 and Article 68 of the Basic Law is "ultimate aim". This means that universal suffrage elections are an ideal to strive for, but the Basic Law does not give a deadline on when this must happen. A democratic reform package was offered by the central government in 2014, but it was vetoed in the Legislative Council of the HKSAR a year later.

The starting point at which democratic reforms in the HKSAR deteriorated into the current state was the 2007 decision to allow universal suffrage by 2017. That year was still very much in China's golden decade, and the relatively liberal Hu-Wen administration at the time meant that the Chinese government had the goodwill to abide by what was agreed in the Joint Declaration. That year, in keeping with the Basic Law, the Chinese government announced that the election of the Chief Executive by the method of universal suffrage may be introduced in 2017. However, the model by which this would happen had not yet been decided at the time. That model, which would later become popularly known as the "31 August Decision", came from China's national legislature—NPCSC—on August 31, 2014, setting the limits for the 2017 Chief Executive election. According to A. H. Y. Chen (2016), the model of universal suffrage decided by Beijing meant that a pan-democrat was unlikely to receive any chance of being nominated as a candidate in the Chief Executive election by the nominating committee.

By the time Beijing announced the model, Xi Jinping had already risen to power. Beijing's hardline leadership had an impact on raising the identity consciousness of Hongkongers. The hardline stance of the Chinese government was likely to have resulted from a series of events that occurred around 2012. That year was a turning point when the idea of self-determination seeped into Hong Kong's society. Unlike previous administrations, which occasionally yielded to large-scale protests—such as the withdrawal of Article 23 legislation in 2003 or the postponement of the Moral and National Education curriculum in 2012—under Xi Jinping, Beijing has consistently refused to compromise, signalling a decisive shift in Chinese policy toward Hong Kong.

While leadership change under Xi Jinping marked an important turning point, Beijing's increasingly firm stance toward Hong Kong was also shaped by broader structural developments. As Hong Kong's contribution to China's modernisation declined, the instrumental value of political accommodation diminished. At the same time, the deterioration of Sino-United States relations altered Beijing's interpretation of political dissent in Hong Kong. Liberal institutions and transnational connections came to be viewed through a national security lens, with protests increasingly framed as susceptible to foreign interference. Under conditions of heightened geopolitical rivalry, regime security and political control were prioritised over the maintenance of Hong Kong's pluralistic features. This contributed to a more uncompromising policy approach. The events that followed led to a rapidly increasing anti-Beijing sentiment and the emergence of a Hong Kong independence discourse.

The first event that happened was the emergence of localist groups. The first localist group was 香港本土力量 [Hong Kong National Power] set up in 2011 but became defunct in 2012. Its leaders soon replaced the group with T-Party, modelled on the United States' Tea Party (Sautman & Yan, 2015). The localist groups sprung up generally in response to three complaints (Lecours & Dupré, 2020; Sautman & Yan, 2015). The first complaint was about the excessive buying behaviour of mainlanders in Hong Kong that caused supplies to run out. Secondly, mainland women were giving birth in Hong Kong that gave their children the right to be educated in Hong Kong. The mainlanders have been able to visit Hong Kong since 2003 when the HKSAR government opened the Individual Visit Scheme (Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2022). The third complaint was about the new migrants receiving welfare from the HKSAR government. The localist groups were successful in disseminating the message that an increasing number of mainlanders was a threat to Hong Kong's culture and way of life (Lecours & Dupré, 2020).

Perhaps the more significant event that acted as a catalyst to the Hong Kong nationalism discourse was, however, the planned Moral and National Education curriculum intended to be implemented from the 2012-2013 school year. It may be

helpful to briefly mention here the political context in 2012. Leadership changes in 2012 had likely worsened the relationship between the pro-democracy camp and the government. Donald Tsang had completed the third term of government as Chief Executive, and C.Y. Leung was appointed as the Chief Executive of the HKSAR on July 1, 2012. A Beijing loyalist, Leung was found to be profoundly unpopular with the Hong Kong public. Leung's appointment coincided with Xi Jinping's rise into the position of General Secretary of the CCP, and later, China's presidency. In contrast to President Hu's leadership, President Xi is distinctly totalitarian. According to Lecours & Dupré (2020), the two took on a hardline attitude to consolidate their power, but their rigid and uncompromising stance only escalated the radicalisation of the opposition in the HKSAR. Before the tabling of the Moral and National Education curriculum, Hongkongers were generally apathetic to identity issues. The pro-establishment camp became impatient with this kind of apathy, but it only further alienated the Hong Kong youth and created a backlash amongst the young people who began to be conscious of their Hong Kong identity that was separate from China's identity (Lecours & Dupré, 2020).

Less than two years later, 2014 became the point of no return to Hong Kong independence claims. On December 4, 2013, the HKSAR government commenced a public consultation over universal suffrage, the period of which ended on May 3, 2014. Many pro-establishment and pro-democracy groups participated in the consultation that resulted in the submission of a report to the NPCSC by the then Chief Executive C.Y. Leung recommending that the Chief Executive be elected by the method of universal suffrage (Hong Kong Special Administrative Region Government, 2014b).[1] In June 2014, the Chinese government issued a White Paper on Hong Kong entitled *The Practice of the "One Country, Two Systems" Policy in the Hong Kong Special Administrative Region* (The State Council of the People's Republic of China, 2014). The White Paper states that "[t]he central government has the power of oversight over the exercise of a high degree of autonomy in the HKSAR" (State Council of the

[1] This report was downloaded from 2017.gov.hk, but the website has since become defunct.

People's Republic of China, 2014, section II, para. 1). It emphasised "sovereignty, security, and development interests" six times. However, it was the *Decision of the Standing Committee of the National People's Congress on Issues Relating to the Selection of the Chief Executive of the Hong Kong Special Administrative Region by Universal Suffrage and on the Method for Forming the Legislative Council of the Hong Kong Special Administrative Region in the Year 2016*, commonly known as the "31 August Decision", that set the road to self-determination claims (Fong, 2020; Lecours & Dupré, 2020).

The "31 August Decision" was a decision made by the NPCSC setting limits for the Chief Executive election in 2017. In it, the Decision states that "the Chief Executive shall be a person who loves the country and loves Hong Kong" (Hong Kong Special Administrative Region Government, 2014a, p. 2)[2]. The CCP version of patriotism was reduced to the mantra "爱国爱港" [love the country and love Hong Kong] that soon became the popular phrase of the eligibility for the Office of the Chief Executive. This insinuated that "any candidate who wished to expand the scope of Hong Kong's autonomy or confront the central government would be declared ineligible to stand for election" (Lecours & Dupré, 2020, p. 12-13). The phrase "sovereignty, security, and development interests" was again repeated in the Decision paper. The repetition of the phrase in light of the emphasis on "爱国爱港" [love the country and love Hong Kong] could be interpreted as Beijing's fear that its sovereignty over Hong Kong, national security, and China's development interests would be compromised if an anti-Beijing, confrontational candidate was elected to the Office of the Chief Executive of the HKSAR.

The spark for the 79-day Occupy movement was primarily the model of universal suffrage set by the NPCSC. The Decision stated that two to three candidates for the Office of Chief Executive would be nominated by a "broadly representative nominating committee" and one of the nominated candidates would be elected to the office by eligible voters (Hong Kong Special Administrative Region Government,

[2] The Decision paper was downloaded from 2017.gov.hk, but the website has since become defunct.

2014a, p. 4). To the pro-democracy camp, the model amounted to fake democracy because it was asking the eligible voters to vote for a candidate nominated by the Chinese regime (A. H. Y. Chen, 2016; Lecours & Dupré, 2020). Thus, the model set by the NPCSC echoed "the power of oversight over the exercise of a high degree of autonomy in the HKSAR" set out in the White Paper two months before. Lecours and Dupré (2020) speculate that the assertiveness and rigidity presented in the White Paper and the Decision were a sign that President Xi and the state leadership were tightening their grip over Hong Kong's society.

Scholarism and the Hong Kong Federation of Students organised class boycotts from September 22 to 26, 2014 that evolved into what became known internationally as the Umbrella Movement. The name arose from the use of umbrellas to resist police's use of pepper spray. Although the movement disbanded without having their demands for universal suffrage materialised, it further strengthened the identity awareness of Hongkongers, and their sense of fighting for Hong Kong's autonomy. That paved the way for participatory politics (Lecours & Dupré, 2020). In 2015, the model failed to secure a two-thirds majority vote in the Legislative Council. In effect, the veto meant that the existing model of having a 1200-member election committee elect the Chief Executive for appointment by Beijing would continue to operate (A. H. Y. Chen, 2016). Thus, the "31 August Decision" was the transformative event that paved the way for the growth of localist parties in Hong Kong. The main ideology of these localist groups was represented in a statement by the then spokesperson of Hong Kong Indigenous Edward Leung:

> Some of us realised that, well, as long as we are under Chinese rule there is no hope to realise democracy or real autonomy in Hong Kong. It is still not a mainstream idea—we are still a minority, but we are getting more and more popular, and the tendency is growing. And that is the most essential point of our movement—it is growing especially, among our generation (Phillips & E. Cheung, 2016, para. 20–21).

Here, the othering, involvement, and presupposition strategies can all be seen. Leung referred to China as the Other which Hongkongers must fight against. The repeated

use of the indexical “we” is an involvement strategy. He presupposed that Hongkongers would be supportive of Hong Kong’s independence. Although Leung acknowledged the idea was not yet mainstream, there was a high degree of certainty by using the superlative “most” to describe the “essential point”: that the movement was increasingly popular among Hongkongers.

Hong Kong nationalism and self-determination came to the forefront of Hong Kong politics after the 2016 Legislative Council election. The localist groups gained six seats in the geographical constituencies backed by almost twenty percent of the Hong Kong voters (G. Cheung & J. Lam, 2016). Nathan Law, chairman of Demosistō, became the youngest legislator in the history of the Legislative Council at the age of twenty-three. However, their oaths were later challenged, and the legislators were disqualified through “violence of the law” (Leung, 2019, p. 221). The legislators all participated in the Umbrella Movement two years earlier. They altered the oath by referring to the “Hong Kong nation”, mispronounced China as “Chee-na” (a derogatory term used by the Japanese in World War II), pronounced the word “Hong Kong” louder than other words in the oath, displayed a banner “Hong Kong is not China” while taking the oath, torn up the “31 August Decision” and threw the pieces into the air, opened a yellow umbrella symbolising the 2014 Umbrella Movement, quoting Gandhi before the oath, and expressed various views on self-determination and democracy before or after taking the oath.

These messages and material elements of the democratic identity of Hong Kong could all be seen as forms of resistance against a repressive, totalitarian party-state that has increasingly encroached upon the values of Hong Kong since its occupation on July 1, 1997. By taking a non-violent approach to resistance, these pro-democracy politicians claimed the moral high ground that is reminiscent of Mahatma Gandhi and his civil disobedience movement that eventually led to India’s independence.

The oath-taking incident of 2016 prompted Beijing to exercise power and issue an interpretation of Article 104 of the Basic Law on swearing allegiance. The interpretation stated that oath-taking needs to be solemn and sincere, and if the oath taker intentionally reads out words not in accord with the wording of the oath, the

oath shall be invalid and the legislators disqualified from taking office (Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2021a, Instrument 27, Article 2(3), p. 218). The disqualifications, which all happened between 2016 and 2017, were the beginning of a "death long feared" (Pei, 2020, p. 1).

Xi Jinping's Repudiation of the "One Country, Two Systems" Framework

The road to the death of "one country, two systems" became more conspicuous when Xi Jinping came to Hong Kong on July 1, 2017. Xi, who arrived in Hong Kong for the first time, attended the inauguration of Carrie Lam as Chief Executive. During his speech to celebrate the twentieth anniversary of the establishment of the HKSAR, Xi referred to some problems with the "one country, two systems":

> 当前，"一国两制"在香港的实践遇到一些新情况新问题。香港维护国家主权、安全、发展利益的制度还需完善 [At present, the implementation of the "one country, two systems" has encountered some new situations and new problems. Hong Kong's system of safeguarding national sovereignty, security, and development interests still needs to be improved] (Xinhuanet, 2017, para. 14).

In the above extract, the phrase "sovereignty, security, and development interests" that Chinese officials had constantly reiterated in previous years was again repeated in Xi's speech delivered in Hong Kong. Given the localist groups won six seats in the law-making body of Hong Kong the year before, it was likely that the National Security Law was already at the top of Beijing's agenda in order to gain the upper hand. In the speech, Xi established a new set of markers that must not be crossed—the "red line":

> 任何危害国家主权安全、挑战中央权力和香港特别行政区基本法权威、利用香港对内地进行渗透破坏的活动，都是对底线的触碰，都是绝不能允许的 [Any activities that endanger national sovereignty and security, challenge the authority of the central government and the authority of the Basic Law of the Hong Kong Special Administrative Region, use Hong Kong to carry out infiltration and sabotage activities on the mainland, will cross the red line and absolutely not be tolerated] (Xinhuanet, 2017, para. 15).

While principles of “sovereignty, security, and development interests” had long been emphasised by Chinese officials, the term “red line” itself was first explicitly articulated by Xi in his 2017 speech in Hong Kong. In this extract, Xi stated that China will absolutely not tolerate any activities that would endanger sovereignty and security, challenge the authority of the central government and the Basic Law of the HKSAR, and use Hong Kong as a base to infiltrate and sabotage the Chinese mainland. This hardline approach would have pushed Xi into a corner (Pei, 2020). According to Pei, if Beijing did not act to safeguard its sovereignty and security following acts deemed to be “crossing the red line”, Xi would have lost all credibility. This “red line” was crossed during the 2019 Hong Kong protests.

The National Security Law was precipitated by a series of mass protests in 2019. The protests were in response to an extradition Bill which Carrie Lam’s government tried to push through that would have returned fugitives to jurisdictions that currently did not have extradition agreements with Hong Kong, including the Chinese mainland. The Bill was created in response to a murder case that occurred in Taiwan, when a 20-year-old Hong Kong man known as Chan Tong-kai murdered his pregnant girlfriend and returned to Hong Kong. However, Hong Kong Police could not charge him with murder in Hong Kong. The incident prompted the HKSAR government to amend existing Hong Kong laws to address the problem. However, the Bill would have not only returned murder fugitives, but also businesspeople who have committed white-collar crimes, as well as political dissidents.

The Bill caused public discontent over several months. The protests escalated to a sovereignty level when the protesters crossed the “red line” by throwing black paint at the PRC emblem outside the Liaison Office on the night of July 21, 2019 (K. H. Wong, 2024). It was the first time that the CCP repeated this “red line” rhetoric since 2017. The protests continued in the following months but seemed to have died down after the Hong Kong public overwhelmingly voted for pro-democracy candidates in the district elections on November 24, 2019. The election was a symbolic resistance to the totalitarian state’s increasing control over Hong Kong. After waiting for twenty-three years for the HKSAR government that had failed to fulfil its constitutional duty

to implement its own security legislation under Article 23, the central government saw the protests as a window of opportunity to promulgate a National Security Law in Hong Kong (K. H. Wong, 2024).

Thus, Xi's 2017 decree to Hongkongers not to cross the "red line" eventually paved the way for the enactment of the National Security Law. That "red line" was crossed when the protesters threw black paint at the PRC emblem. The action caused the central government to quickly take control of the situation and dismantle the "one country, two systems" framework, as evident in the central government's Fourth Plenary Session.

On October 31, 2019, the Fourth Plenary Session of the 19th Central Committee of the CPC was held to discuss "坚持和完善中国特色社会主义制度 推进国家治理体系和治理能力现代化若干重大问题" [several major issues concerning adhering to and improving the socialist system with Chinese characteristics and advancing the modernisation of the National governance system and governance capacity] (people.cn, 2019, title). Following the plenary, the full text of the adopted decision was published on November 6, 2019. Section Twelve was devoted to "坚持和完善"一国两制"制度体系，推进祖国和平统" [Adhering to and improving the system of "one country, two systems" and promoting the peaceful reunification of the motherland] (people.cn, 2019, section 12). The Decision paper again mentioned the phrase "sovereignty, security, and development interests" and that China "absolutely will not tolerate any challenges to the red line of the one country, two systems":

> 严格依照宪法和基本法对香港特别行政区、澳门特别行政区实行管治，坚定维护国家主权、安全、发展利益，维护香港、澳门长期繁荣稳定，绝不容忍任何挑战"一国两制"底线的行为，绝不容忍任何分裂国家的行为 [In strict accordance with the Constitution and the Basic Law, we will exercise governance over the Hong Kong Special Administrative Region and the Macao Special Administrative Region, firmly safeguarding national sovereignty, security, and development interests, and maintaining the long-term prosperity and stability of Hong Kong and Macao. We will never tolerate

> any behaviour that challenges the red line of "one country, two systems", and will never tolerate any behaviour that splits the country] (people.cn, 2019, section 12, para. 1).

The wording of the Decision paper reveals once again that “sovereignty, security, and development interests” weighed heavily on the mind of the CCP. We can notice from the above extract that the “red line” was further elaborated by pointing out that China absolutely would not tolerate any act of secession. Deng Xiaoping had promised Hong Kong a form of self-determination as a compromise, encapsulated in the mantra “Hong Kong people ruling Hong Kong”, where the people of Hong Kong would decide on their own governance and futures without Beijing’s interference. However, the CCP’s duplicity was evident in the Decision paper issued at the Fourth Plenary Session in 2019. By framing dissent as “behaviour that splits the country”, the CCP sought to justify measures that erode Hong Kong’s autonomy. Thirty-five years after the signing of the Sino-British Joint Declaration, Xi Jinping’s regime has effectively repudiated the promise made to Hongkongers. The totalitarian regime has distorted the original understanding of “Hong Kong people ruling Hong Kong” and subverted the “one country, two systems” framework to consolidate control over the city rather than uphold its unique political status as guaranteed under the Joint Declaration.

The repetition of “sovereignty, security, and development interests” indicates that the central government was now again pressuring the HKSAR government to enact Article 23 as set out in the Basic Law. However, given Lam’s government was in no hurry to do so after the Decision was published, we can look to another clue that the CCP had already decided to tighten its grip on the HKSAR by defining the basic framework of the National Security Law during the Fourth Plenary Session.

The Decision paper devoted a whole section to the maintenance of “one country, two systems”. Under section twelve of the Decision paper, the main clue that Beijing was trying to gain more control over Hong Kong was the following imperative:

> 完善中央对特别行政区行政长官和主要官员的任免制度和机制、全国人大常委会对基本法的解释制度，依法行使宪法和基本法赋予中央的各项

> 权力。建立健全特别行政区维护国家安全的法律制度和执行机制，支持特别行政区强化执法力量 [Improve the system and mechanism of appointment and dismissal of the Chief Executive and key officials of Special Administrative Regions by the central government, as well as the system of interpretation of the Basic Law by the Standing Committee of the National People's Congress, and exercise the various powers granted to the central government by the Constitution and the Basic Law in accordance with the law. Establish and improve the legal system and enforcement mechanism for maintaining national security in the Special Administrative Regions and support the Special Administrative Region in strengthening its law enforcement capabilities] (people.cn, 2019, section 12(2)).

The text called for improvements to the framework for the appointment and dismissal of the Chief Executive and principal officials of the HKSAR, and the system granting the NPCSC the power to interpret the Basic Law in order to enable the central government to exercise its powers according to the Constitution and the Basic Law. The wording suggests that Beijing was tightening its grip over the HKSAR. If we look at the political backdrop of the rest of China at the time, Xi had been purging corrupt officials since he assumed power as he tightened his grip over high-level and local officials alike to clean up wrongdoing and consolidate power. Although there was no indication of corruption in Lam's government, the wider political context of the PRC at the time meant that Xi might have been looking to gain greater powers over the senior leadership of the HKSAR government through legal manoeuvres.

Once that power had been set, the text of the next sentence indicates the enforcement of national security through legal mechanisms, and the support of the central government to enforce the law in the HKSAR. This is highly likely to be referring to the upcoming decision to promulgate the National Security Law in Hong Kong and the establishment of the National Security Office to oversee the implementation of the law. Thus, it is likely that the plan to promulgate the National Security Law was already set in motion when Xi mentioned the "red line" for the first time when he

visited Hong Kong in 2017 and activated when the protesters “touched the red line” on July 21, 2019.

On May 28, 2020, the National People's Congress adopted a resolution known as the *Decision of the National People's Congress on Establishing and Improving the Legal System and Enforcement Mechanisms for the Hong Kong Special Administrative Region to Safeguard National Security* (Legislative Council of the Hong Kong Special Administrative Region of the People’s Republic of China, 2020). This decision was adopted because of the prolonged Hong Kong protests in the latter half of 2019. The Chinese government believed the protests were instigated by foreign powers. *The Law of the People’s Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region* (Hong Kong e-Legislation, 2020), commonly known as the National Security Law, was passed on June 30, 2020, and promulgated into the HKSAR by appending the law to the Basic Law of the HKSAR. The law produced immediate effects on all Hongkongers.

The CCP’s Draconian Law and Assault on Hong Kong

The National Security Law is divided into six chapters. They cover general principles, duties of the HKSAR government in safeguarding national security, offences and penalties, jurisdictions and applicable legal procedures, function of the National Security Office in Hong Kong, and supplementary provisions (Hong Kong e-legislation, 2020). Article 3 states that the central government has “an overarching responsibility for national security affairs” and the HKSAR government has the duty to perform its duty under the Constitution. Article 4 protects the human rights and freedoms Hongkongers enjoy under the Basic Law. Article 6 states that it is the responsibility of Hong Kong people to “safeguard the sovereignty, unification and territorial integrity of the People’s Republic of China”. Article 12 stipulates that the HKSAR government shall establish a Committee for Safeguarding National Security under the supervision of and accountable to the central government. Article 16 provides that the Hong Kong Police shall set up a National Security Department. Under Article 18, the Justice Department shall establish a division to prosecute national security offences.

The four offences under the new law are dealt with in Chapter III. The first offence punishable under the law is secession. The provisions equate undermining national unification with secession. This includes separating the HKSAR from the PRC, altering the legal status of the HKSAR, and surrendering the HKSAR to a foreign country. The second offence is subversion. This includes overthrowing and undermining the government and attacking the premises of the government that renders it unable to perform its function. The third offence concerns terrorist activities. These include violence, sabotage, and interruption of infrastructure that jeopardises public safety. Finally, collusion with a foreign country is defined as asking a foreign country, institution, or organisation to wage war against the PRC, disrupting the implementation of laws, undermining an election, and provoking hatred of the government.

The three remaining chapters lay down the operation of the law. Article 40 states that the HKSAR government "shall have jurisdiction over cases concerning offences under this law". The Secretary of Justice shall give written consent to prosecute cases of national security offences and cases shall be tried in an open court. The Chief Executive shall designate judges to handle national security cases. Chapter V stipulates the establishment of a National Security Office that is directly dispatched by the central government. Its role is to provide support to the HKSAR government in performing its duties. Article 55 states that the Office shall have jurisdiction in complex national security cases, when the HKSAR government is unable to enforce the law, or when there is an imminent threat to national security. Officers carrying out duties under the law shall not be subject to the jurisdiction of the HKSAR.

Within days of the promulgation, the Committee for Safeguarding National Security was established in the HKSAR. The then Chief Executive of the HKSAR Carrie Lam became the first Chair of the Committee. The committee also has a National Security Advisor role that was initially held by the then-Director of the Liaison Office Luo Huining. The Hong Kong Police established a National Security Department whose role is to investigate national security offences. The Chinese government also established the Office for Safeguarding National Security in the HKSAR.

Alongside responses from the United Kingdom and other foreign governments, local pro-democracy organisations disbanded, and many activists went into exile. There were several high-profile cases. Core leaders of Demosistō Nathan Law, Joshua Wong and Agnes Chow resigned hours after the passage of the law. Nathan later self-exiled to the United Kingdom. Agnes fled to Canada after serving a jail sentence. Joshua Wong was later jailed. Legislative councillor Ted Hui fled to Denmark and later to Australia. Simon Cheng, who worked for the British Consulate-General in Hong Kong, fled to the United Kingdom and was granted asylum. Due to the extraterritorial powers of the law, American citizen Samuel Chu was the first foreign citizen wanted by the Hong Kong Police for his role in pushing for the *Hong Kong Human Rights and Democracy Act*. Twelve young people, known popularly as the Hong Kong 12, attempted to flee to Taiwan on a speedboat and were arrested and detained by Chinese authorities.

The list is not exhaustive, but it demonstrates the power of this law to silence any form of dissent and any expressions of democratic values in Hong Kong. Chief Executive Lam announced that the Legislative Council election would be postponed for a year due to the epidemic. This led to public speculation that this delay was a political manoeuvre to stifle the "35-plus" plan (S. Lo, 2021). This plan was an attempt by the pro-democracy camp to gain control of Hong Kong's legislature, following the democratic win of the district council the previous year.

The promulgation of the National Security Law has had multiple ramifications on the once-civil society of Hong Kong. Libraries have taken books authored by localists off the shelves, bookstores have been closed, and the children's book trilogy *Sheep Village* has been banned and its authors convicted on sedition charges. The HKSAR Education Bureau demanded the Hong Kong Examinations and Assessment Authority invalidate an historical question on whether Japan did more good than harm to China during the first half of the twentieth century. A long-serving official of the authority resigned over the question. Founder of *Apple Daily* Jimmy Lai was charged with collusion with foreign forces and his company Next Digital was shut down by

authorities. Thus, one of the chilling effects of the law is the need for self-censorship in the national security era.

Finally, and perhaps the most severe impact of National Security Law, is the assault on and destruction of Hong Kong's identity. The overarching aim of the law is to "safeguard the sovereignty, unification and territorial integrity of the People's Republic of China". However, Hongkongers have developed a separate identity before the handover. Core values such as liberty, democracy, freedom of expression, and human rights are incompatible with the CCP values of loyalty, harmony and conformity (S. Lo, 2008). The overarching stipulation of unification submerges this identity under the nationalism of a unified Chinese nation.

The National Security Law is therefore a representation of a powerful hegemony that exerts dominance and control through the institution of the law that punishes any form of dissent and resistance. In her 2020 policy address, Chief Executive Lam stated that the National Security Law has "restored stability in our society" (Hong Kong Special Administrative Region of the People's Republic of China, 2020). The policy address is another powerful representation of hegemony that attempts to persuade the Hong Kong society that the action of the state is legitimate. Despite the certainty in the policy address, the law has resulted in many Hongkongers leaving Hong Kong.

The exodus has been helped by the BN(O) route announced by the British government (W. C. Ho, 2023). Further, many Hongkongers who emigrated to Western countries during the first emigration wave in the 1980s and returned to Hong Kong after acquiring foreign citizenship were now considering re-emigrating again to their adopted countries (K. C. Wong & Yan, 2022). The government recorded a negative net migration rate of the population for three years from 2020 to 2022 (Census and Statistics Department of the Government of the Hong Kong Special Administrative Region, 2023).

This has led the government to introduce the Top Talent Pass Scheme to attract graduates from top universities to come to the HKSAR (Immigration Department of the Government of the Hong Kong Special Administrative Region, n.d.). These people will likely be mainland Chinese who have graduated from top universities. They will

be attracted by the offer from the HKSAR government. The CCP applies an assimilation policy to ethnic regions by encouraging Han Chinese to move into these regions, for instance Tibet. I argue therefore the current situation in Hong Kong is similar to these minority regions on the Chinese mainland. Hong Kong will eventually become a Hong Kong without Hongkongers as the outflow of Hongkongers continues and the inflow of mainland Chinese eventually replaces the outgoing Hongkongers. Thus, the core values, culture, and Hong Kong identity will ultimately be submerged into one homogenous Chinese national identity. The submergence of the Hongkonger identity into the national identity is achieved through ideological education and thought reform.

The Liberal Studies subject is said to have been a key factor in radicalising Hong Kong's youth that led to the 2019 protests (J. Lam & Chiu, 2019). Introduced in 2009, the subject enabled students to develop and apply critical thinking skills to make decisions and judgement about social issues and problems (Citizenship and Social Development Web-based Resource Platform, 2015). It consisted of three areas of study: "Self and Personal Development", "Society and Culture", and "Science, Technology and the Environment". In addition, there was an "Independent Enquiry Study" module. This subject provided a platform "for the articulation of a more complex, liberal or social constructivist ideas of identity" (Vickers, 2023, p. 4). According to Vickers, after the Moral and National Education curriculum was stymied in 2012, it became clear that Liberal Studies became the vehicle for subverting the Chinese state. Unlike the Chinese mainland, there are no standardised textbooks in the HKSAR. Normally, the Education Bureau reviews the textbooks produced in the commercial market and determines what content should be included or excluded. For the Liberal Studies subject though, the Education Bureau did not review any of the commercial textbooks. Instead, it produced a series of booklets that the teachers could refer to for their lesson planning and activities (see Citizenship and Social Development Web-based Resource Platform, 2023). However, teachers were not obligated to use them.

Wu (2021) conducted a study to compare the government-produced booklets and commercial textbooks for the Liberal Studies subject. In general, the study found that government-produced booklets tended to promote "a positive attitude, mutual understanding, and deeper thinking about mainland China's social reality for ideological incorporation and nation-building, whereas different emphases and ways of representations in specific commercial textbooks have digressed from these aims" (Wu, 2021, p. 543). Wu's study also found that the commercial textbooks were forthright in discussing the various deficiencies of the Chinese mainland. For instance, the commercial textbooks openly discussed the *weiquan* movement that seeks to defend victims of human rights abuses in China. In sum, while the government-produced booklets downplayed political and social problems in China, the commercial textbooks did not shy away from controversy.

The National Security Law cleared the way for decisive actions to rectify the problem of deficient patriotism caused by the subject and manifested in the anti-government protests that peaked in 2019. The new Citizenship and Social Development subject now replaces Liberal Studies, with the new subject illustrating the government's revision of history, overlooking the local identity in favour of national identity. BN(O) parents are therefore choosing to emigrate to the United Kingdom for the good of their children's education (BBC World Service, 2022; W. C. Ho, 2023; K. C. Wong & Yan, 2023). This is not to say that education is the only reason why BN(O)s are emigrating. There are many factors related to the political repression in Hong Kong that contribute to BN(O)s' decision-making. However, as education is one important factor for BN(O)s with school-aged children to move to the United Kingdom, this thesis has chosen to examine the issues from the angle of citizenship education. Educational documents are ideological formulations by people in power (Sigauke, 2013). In analysing the curriculum and associated documents, this thesis seeks to discover ideological underpinnings that reveal the political intentions of the documents.

Thought Reform and Subversion of British Hong Kong's History Through Ideological Education in the Post-National Security Era

In 2017, the HKSAR government set up a Task Force on Review of School Curriculum to "holistically review the primary and secondary curricula" (Education Bureau of the

Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2020). As part of the review, it focused on the four senior secondary core subjects—Chinese Language, English Language, Mathematics, and Liberal Studies. In September 2020, the task force put forward six directional recommendations that optimised the curricula and assessments of the four core subjects. Subsequently in November 2020, the government announced the direction of reform on Liberal Studies.

In response to criticism of the reform from media organisations, the government put out a press release to address the concerns. Most notably, the government pointed to the politicisation in the name of critical thinking under the previous curriculum that had led the students to challenge authorities:

> The current Liberal Studies curriculum is open and flexible and can easily be misinterpreted by a minority of people, resulting in deviations in its implementation. Criticisms of it include: too much emphasis on discussion of current affairs; such discussions being too general due to students' lack of systematic knowledge; such discussions being polarised and too focused on political issues as a result of the backwash effect of the direction of question setting in the public examination; and misinterpretation of "critical thinking" as a readiness to challenge authority and criticise and object indiscriminately at the expense of the principle of adopting facts as the basis of careful thinking and judgement. After the curriculum has been implemented for more than a decade, the problems about its content, teaching strategies and even assessment are getting worse. There is an urgent need to reform the subject (Education Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2021).

While not pointing specifically to Hong Kong's uprisings over the years, it is not difficult to surmise that the government has framed the Liberal Studies subject as the culprit for radicalising youth to participate in the 2019 anti-government protests, echoing what Hong Kong's first Chief Executive Tung Chee-hwa has stated at the height of the protests (see J. Lam & Chiu, 2019). Using the presupposition strategy,

the government stated that it was a “minority of people” who misinterpreted the curriculum and deviated from its intended implementation.

There is evidence of manipulation in the government statement, for it is unlikely that the prolonged protests and the unprecedented voter turnout at the 2019 district elections that saw the opposition’s landslide win would have been caused by only a “minority of people” misinterpreting the curriculum. If this were the case, it would not have been necessary to change the curriculum. Instead, it was more likely that a majority of Hongkongers at the time was dissatisfied with the overarching assimilation policy of the government that attempted to mainlandise Hong Kong. This has led the teachers and students to act on the “realities of everyday problems” (Sigauke, 2013). According to Sigauke, social transformative education “stimulates and raises consciousness” in students and allows them to “recognize oppressive, violent and exploitative conditions” (p. 128). The raised consciousness of the oppressive conditions was thus manifested in the 2019 anti-government protests. By saying the Liberal Studies curriculum caused the 2019 protests and therefore needed reform, the press statement represents the hegemonic power that attempted to persuade the public of the HKSAR government’s legitimacy in this action.

In the new Citizenship and Social Development subject, the number of contact hours has been reduced, the module “Independent Inquiry Study” removed, and the original six modules under the three broad areas of study replaced by three themes. The themes are “Hong Kong under One Country, Two Systems”, “Our Country since Reform and Opening Up”, and “Interconnectedness and Interdependence of the Contemporary World”. The new subject also provides mainland study opportunities for students, in which the students will partake in field trips to the Chinese mainland.

While there were three broad areas of study in the Liberal Studies curriculum, Citizenship and Social Development only focuses on the area of “Society and Culture” in the former curriculum. Under the previous area of “Society and Culture”, the module “Hong Kong Today” is replaced by “Hong Kong under One Country, Two Systems”, “Modern China” becomes “Our Country since Reform and Opening Up”, and “Globalisation” is now “Interconnectedness and Interdependence of the

Contemporary World". There thus appears to be a heavy emphasis on national education that reflects the CCP's ideological position. The subject was introduced into the school curriculum in the 2021/2022 school year. The change to the curriculum is represented in Table 3.1 below:

Table 3.1 A Comparison of Liberal Studies and Citizenship and Social Development Curriculum

Liberal Studies		**Citizenship and Social Development**	
Area of Study	*Modules*	*Theme*	*Topic*
Self and Personal Development	Module 1: Personal Development and Interpersonal Relationships		
Society and Culture	Module 2: Hong Kong Today	Hong Kong under "One Country, Two Systems"	The meaning and implementation of "one country, two systems"
			Situation of the country and sense of national identity
			Characteristics of cultural diversity of the Hong Kong society
	Module 3: Modern China	Our Country since Reform and Opening Up	Change in people's life and overall national strength
			The development of our country and the integration of Hong Kong into the overall national development
			Participation in international affairs
	Module 4: Globalisation	Interconnectedness and Interdependence of the Contemporary World	Economic Globalisation
			Technological development and information literacy
			Sustainable development Public health and human health

Science, Technology and the Environment	Module 5: Public Health		
	Module 6: Energy Technology and the Environment		
Independent Enquiry Study		Chinese Culture and Modern Life	Nature of traditional Chinese culture
			Introduction to the mainland study tour

The *Citizenship and Social Development Curriculum and Assessment Guide* is divided into six chapters (Citizenship and Social Development Web-based Resource Platform, 2021c). The introductory chapter covers the background, rationale, aims and learning outcomes of the curriculum. Chapter 2 outlines the curriculum framework that includes the three themes: "Hong Kong under One Country, Two Systems", "Our Country since Reform and Opening Up", and "Interconnectedness and Interdependence of the Contemporary World" and the mainland study tour component. Chapters 3 to 6 discuss the planning, pedagogy, assessments and resources for the subject. This thesis focuses on the curricula discourse of the three themes along with an examination of the resources used for the subject. The themes are accompanied by teaching and learning materials that can be downloaded from the web-based resource platform. The PowerPoint slides used for teaching purposes have been downloaded for the purpose of this study. The slides that were relevant to the question of the Hongkonger identity have been analysed in the below sections.

We can find the discursive construction of China as the victim of foreign invasion that forced it to sign three unequal treaties and violated its sovereignty. The curriculum frames China as one that has had sovereignty over Hong Kong since ancient times but was unable to exercise sovereignty due to British occupation. Consider the following extract from a PowerPoint slide of the learning focus "Brief introduction to the origin of the question of Hong Kong (the three unequal treaties and the background) and the process of Hong Kong's return to China":

> The Chinese government advocated that Hong Kong was part of the territory of China, and China did not recognise the three unequal treaties imposed by Britain. China has all along had sovereignty over Hong Kong, but it could not exercise it merely because of the British occupation. Therefore, China demanded Britain's return of Hong Kong so as to resume the exercise of sovereignty over Hong Kong (Citizenship and Social Development Web-based Resource Platform, 2021b, slide 16).

The text indicates the framing strategy. It uses strong adjectives and verbs such as "unequal" and "imposed" to describe the three treaties signed between the United Kingdom and China. The text presents all statements as facts. The phrase "three unequal treaties" is presented using the presupposition strategy. Although the statements express a high degree of certainty, there is evidence that the presupposition has turned into manipulation. The curriculum is formulated by people in positions of power whose ideological views are concealed by the language in the text. The curriculum writers know that the audience is secondary school students who most likely will not have learned the CCP's version of the history of the treaties (that they were "unequal") and its conception of sovereignty (that "China has *all along* had sovereignty over Hong Kong") [emphasis added]. Delivering the politicised lesson using banking pedagogy, it breeds conformity and passivity through domination and oppression (Sigauke, 2013). Thus, the curriculum serves to "benefit powerful groups in society" (Sigauke, 2013, p. 127).

Let us now take another extract from the same PowerPoint file. This time the curriculum designer frames the United Kingdom as a hostile force by placing it as the actor in the sentences:

> The three unequal treaties that Britain forced the Qing government to sign were undoubtedly illegal and invalid. The British occupation of the Hong Kong territory did not change the legal status of Hong Kong as an inalienable part of China's territory (Citizenship and Social Development Web-based Resource Platform, 2021b, slide 21).

As in the previous extract, all statements in this PowerPoint slide are presented as facts. The presupposition strategy is again used here, alongside manipulation. It assumes that the treaties were "unequal". The use of the word "occupation" carries a negative connotation that points to the United Kingdom as the oppressor of the people of Hong Kong. The use of the adverb "undoubtedly" adds to the high degree of certainty that the treaties were "illegal and invalid". The words "inalienable part of China's territory" presuppose there is no other alternative sovereignty over Hong Kong. This narrative is reinforced in the PowerPoint of the learning focus "Constitutional relationship between the country and the HKSAR (China has *indisputable* sovereignty and jurisdiction over Hong Kong), legal basis of 'one country, two systems' and the Basic Law" (Citizenship and Social Development Web-based Resource Platform, 2021d, slide 1) [emphasis added]. We see again that the adjective "indisputable" adds to the certainty of the unification discourse that no other country could challenge China's sovereignty over Hong Kong.

Let us now look at another sentence that further explains this manipulation strategy. This time, the curriculum writer goes further with an unprecedented idea stating that because of the unequal treaties, Hong Kong was not a British colony:

> The UN's removal of Hong Kong and Macau from the list of colonies recognised China's stance and request for its sovereignty over Hong Kong in international laws. *Hong Kong was not a colony, and there was no such right to self-determination* (Citizenship and Social Development Web-based Resource Platform, 2021a, slide 20) [emphasis added].

The second sentence in the extract above builds on the previous sentence that adds new information. Here again, we see hegemony in the text with the use of determiners "was not" and "no such right". We see apparent manipulation has taken place in this extract because the students would not have a shared conception of this hegemonic discourse. The revisionist history that "Hong Kong has been part of the territory of China since ancient times" (Citizenship and Social Development Web-based Resource Platform, 2021a, slide 4) is not taught in the previous curriculum. Rather, the historical fact that Hong Kong was a British territory before July 1, 1997,

is consistent with the academic literature (e.g., Flowerdew, 2004b; Flowerdew, & Leong, 2007; Flowerdew, 2017). China's success in asking the United Nations to remove Hong Kong from the United Nations' list of colonies in 1972—itself a hegemonic act—thus did not alter academic texts on Hong Kong's status as a British colony. At the time, the British government also insisted that the deletion did not alter Hong Kong's legal status as a colony (Dagati, 1992; Jayawickrama, 1991).

If taught in a didactic way, the hegemonic discourse would indoctrinate young Hongkongers with a revisionist history. This indoctrination method has been tried and tested in the Chinese mainland to cultivate Chinese nationalism (Zhao, 2021; Y. Wang, 2020). The curriculum writers know that the students have never heard of this radical view. Yet, by using a didactic approach to politicised teaching, the CCP achieves its aim of manipulating the public discourse by rewriting history and legitimising the HKSAR government's newly formed ideological discourse that is a gross departure from a commonly accepted historical fact.

Let us now examine an extract from a PowerPoint of the learning focus of national security:

> In recent years, the opposition forces and organisations advocating "Hong Kong independence" and "self-determination" have blatantly challenged the authority of the Central Authorities and the HKSAR Government, pleaded for interference in Hong Kong's affairs by external forces and even begged for sanctions against Hong Kong and thus disregarding the interests of Hong Kong people and *our country*. Meanwhile, external forces have intensified their interference in Hong Kong's internal affairs, passed laws relating to Hong Kong's human rights, democracy or autonomy, and flagrantly glorified the illegal acts of radicals, all of which seriously jeopardise our nation's sovereignty, security, and development interests (Citizenship and Social Development Web-based Resource Platform, 2021f) [emphasis added].

We can see that the framing and othering strategies have been used in the above text. It uses strong nouns and adjectives to frame Hong Kong's pro-democracy politicians and their actions as "radicals" and "illegal". Using the discursive strategy of othering,

the text frames the “radicals” as harming “our country” and unfriendly countries as hostile “external forces” that support the “illegal acts of radicals”. The presupposition strategy is used alongside othering and framing to define “Hong Kong people and our country” collectively as the self against these unfriendly forces that seek to harm the self. In the phrase “the interests of Hong Kong people and our country”, we see a simple correspondence between Hongkongers and the people of the Chinese mainland. However, in the following sentence it integrates Hong Kong into the Chinese mainland. The reference to China as “our country” is what Flowerdew (2004, p. 1562) calls a “highly marked presuppositional trigger”. This phrase is only made possible because of the handover of sovereignty. It would not have been possible to refer to China as “our country” under British rule because Hong Kong had not been part of China before July 1, 1997.

The othering and framing strategies are magnified using strong adverbs “blatantly” and “flagrantly” to highlight the wrongdoing of Hong Kong’s pro-democracy politicians. We can also see presented in the slide a repeat of the phrase “sovereignty, security, and development interests” that the CCP has over the years emphasised as China’s core interests. The use of this phrase is an excellent example of how the CCP is indoctrinating young minds in the same way they are doing to the young Chinese across the border. The first three learning foci thus leave no room for any other interpretation of a violated sovereignty discourse and blur the two distinct political and cultural entities of Hong Kong and the mainland.

The use of the presuppositional trigger “our” whenever the country is mentioned throughout the themes is a strategy to avoid Hong Kong being misinterpreted as an independent country. However, Hong Kong was an autonomous entity that was not subordinate to the United Kingdom during the colonial era (Goodstadt, 2005; Hung, 2022). Hong Kong was thus indeed likened to a nation of itself and treated as an independent country in practice before the handover of sovereignty in 1997. For instance, Hong Kong joined international organisations such as the World Trade Organization on its own. The religious use of “our country” throughout the themes is therefore an example of CCP propaganda that is attempting to change the Hong Kong

identity over time through the indoctrination of young minds. The consequence of this is the assimilation of the Hongkonger identity to one single Chinese national identity.

The use of the term “our country” to force a single national identity has likely stemmed from the CCP’s increasing assertion that the disputed territory belongs to China and the attempt at creating a myth that Hongkongers are Chinese. Since 2018, China has forced private companies such as airlines to change the category by which they refer to the status of Hong Kong from that of a country to one of a Special Administrative Region of China. The request from China illustrates not only a rising China that is more assertive but also showcases the CCP’s powerful hegemony over the rest of the world that does business with China.

The CCP also dispenses punishment at its will for any company that does not follow its orders. For instance, Marriot’s China website was shut down by the Chinese government for a week to list Hong Kong as a separate country in its questionnaire. Soon, many universities and governments around the world followed these precedents and changed the way they referred to the status of Hong Kong to avoid offending China. These countries and institutions have thus inadvertently acknowledged China’s assertion that its power over Hong Kong is legitimate, perpetuated the CCP’s assault on the Hongkonger identity, and prioritised economic interests over human rights concerns. Given the power imbalance, the United States was the only country that dared to condemn China’s demand as “Orwellian nonsense” (“White House condemns China for ‘Orwellian nonsense’ over how US airlines should refer to Taiwan, Hong Kong and Macau”, 2018, para. 1).

The term discursive “refers to all aspects of semiosis, not just speech and writing” (Flowerdew, 2017, p. 454). Flowerdew states that “identities are discursively constructed (to include all forms of semiosis), multiple and contested” (p. 464). In the PowerPoint of the learning focus of “The national symbols national flag, national emblem, national anthem) and stipulations as stated in Annex III to the Basic Law”, we see the symbols of the Chinese national flag, the national anthem, and the national emblem as the discursive construction of a Chinese identity. A key learning

objective in this learning focus is “to enhance the sense of national identity” (Citizenship and Social Development Web-based Resource Platform, 2021e, slide 2).

An examination of the content of the new curriculum reveals that there is a downplaying of the Hong Kong identity in favour of a Chinese national identity. In contrast to the previous curriculum that devoted a whole module to Hong Kong and the local identity, the new Citizenship and Social Development is heavily focused on celebrating national achievements seen as key to developing students’ “sense of national identity”. The majority of Hongkongers do not, however, identify with China in a political sense (Flowerdew, 2004b). Although successive HKSAR governments have attempted to convey a national identity discourse, this kind of patriotic discourse “has had little impact” on Hongkongers (Flowerdew, 2004b, p. 1576). To Hongkongers, the Chinese identity is a contested identity (Flowerdew, 2017). This has led to the popularly held discourse “I am from Hong Kong, not China” (Hui, 2019) when Hongkongers study abroad.

Let us now turn to the PowerPoint texts of the learning focus of the national symbols and take an example of an extract:

> According to the stipulations of the Constitution of the People’s Republic of China (The Constitution), the national symbols of our country include the national flag, national anthem, national emblem, and the capital (Citizenship and Social Development Web-based Resource Platform, 2021e, slide 5).

The use of first-person plural indexical integrates Hongkongers with the Chinese mainlanders. However, parents of the present generation of secondary school students would have been born before the handover; they were born under the British Hong Kong flag. The national anthem that Hongkongers sang was *God Save the Queen*. These parents would not have known the Chinese national flag or the lyrics of *March of the Volunteers*. Some parents may probably feel uncomfortable with the label “our country”. It is therefore highly likely that there will be a contradiction between what the students are taught at school and what they are told by their parents.

Under Kim and S. H. Ng's (2008) social change, uncertainty, need for closure, and identity preference theory, many people will resist this national identity in favour of the local to minimise confusion. It is yet to be known how effective this kind of patriotic education will be. If Hongkongers continue to resist the identification with China, it is likely the Hongkonger identity will continue to be maintained through opposition and struggle. Under the National Security Law, however, there will be little open resistance to this national identity discourse. Nevertheless, this does not mean that there will not be any passive resistance. The lowest turnout in Hong Kong's history, at the delayed Legislative Council election in 2021 ("Hong Kong elections: 30.2 per cent turnout in first Legislative Council poll since Beijing overhaul", 2021), demonstrates this form of silent protest against any kind of civic duties that may be seen as legitimising the action of the state.

The presuppositional trigger "our" country takes different forms throughout the themes. In a PowerPoint focusing on the contemporary situation of the country, we can see that the slides continue to use the presupposition strategy to highlight the Chinese identity. Consider the following slides on national identity as shown in Figures 3.1 and 3.2 (Citizenship and Social Development Web-based Resource Platform, 2021a, slides 62, 63):

Figure 3.1 National Identity

Note. Brief introduction to the contemporary situation of the country, slide 62.

Figure 3.2 What Do You Think National Identity is?

Note. Brief introduction to the contemporary situation of the country, slide 63.

We can see from the above two slides the presuppositional trigger turns from a collective "our" to a personal "my" and "am". We can also see evidence of manipulation. The curriculum writers would know that a recent poll shows that only two percent of young Hongkongers identify themselves as Chinese (K. Ng, 2022). The presupposition strategy thus is an attempt to manipulate the identity discourse and persuade young Hong Kong students to adopt the Chinese identity with the phrase "I'm a Chinese" (see Figure 3.2).

We can see that nowhere in the PowerPoint slides does it mention the Hongkonger identity. To the government, the Hongkonger identity could symbolise protests and resistance, especially through the anthem "Glory to Hong Kong". The government is thus attempting to downplay the local identity that may eventually become extinct within a generation. No doubt many young Hongkongers will be uncomfortable with this new Chinese identity being forced upon them as it is a departure from the Hongkonger identity that they had been accustomed to. Any discussion on the

Hongkonger identity could potentially lead to a discussion on self-determination that may cross the “red line”.

In the post-National Security Law era, teachers are perhaps walking on a fine line between what is and is not permissible to be discussed. This kind of manipulation strategy represents domination and oppression in socially-conservative education (Sigauke, 2013). The indoctrination of a single Chinese national identity is the primary method by which the CCP carries out thought reform in ideological education to remedy the situation with Hong Kong’s unruly youths. For many parents, this kind of hegemonic patriotic education is a key driver for their decision to emigrate to the United Kingdom and elsewhere (W. C. Ho, 2023; K. C. Wong & Yan, 2023). This kind of ideological education has been a tried-and-tested method to instil a sense of Chinese nationalism among China’s youth since the 1989 Tiananmen massacre, and the HKSAR government is now using similar strategies to indoctrinate young minds in Hong Kong.

Parallels to the CCP’s Tried-and-Tested Method of Engineering Nationalism by Manipulating Chinese Youth

According to Zhao (2021), the new generation of young Chinese has been taught a version of history that emphasised a “century of humiliation” but minimised the disasters of the Great Leap Forward, the Cultural Revolution, and the 1989 Tiananmen crackdown. Instead, the official version of history highlights the CCP’s accomplishments such as lifting millions of people out of poverty and maintaining peace. This new generation of Chinese is exposed to the Chinese propaganda that the hostile, anti-China forces of the West—particularly the United States—are determined to contain China’s economic rise and growing influence around the world. Given the Chinese discourse that the United States and other Western powers are a perceived threat to national security, it follows that any criticism of China is instigated by an anti-China “black hand”.

Thus, according to official narratives, the 2019 Hong Kong protests were guided by the “black hand” that became a threat to sovereignty and national security. Using the framing strategy, Chinese officials framed the protesters as “unpatriotic, un-Chinese,

ungrateful for Chinese support, and dupes of foreign meddling and incitement" (Zhao, 2021, p. 154). According to Zhao, the Chinese government framed them as secessionists, and the young people on the Chinese mainland patrolled cyberspace and called out any form of Western support for the Hong Kong protests in order to defend the Chinese nation. For instance, at the height of the protests Chinese NBA fans were angered by Houston Rockets' manager Daryl Morey's tweet of an image with the slogan "fight for freedom, stand with Hong Kong", resulting in the 2019 season being banned by the state broadcaster CCTV (Giordano, 2023). The young Chinese genuinely saw the West as mistreating and misrepresenting the Chinese official narratives about the Hong Kong protests.

Xi Jinping has intensified nationalism and rallied the support of Chinese young people for China's rejuvenation in two ways—information control and education. China's Great Firewall has been restricting what citizens can view on the Internet. Communication tools such as Google, YouTube, Facebook and Twitter have been replaced by heavily monitored apps such as Baidu, Youku, WeChat and Weibo. Journalists have been forced to speak with one voice to support CCP policies, while sites with alternative and dissenting voices that deviate from the official narratives have been censored and suppressed (Y. Wang, 2020; Zhao, 2021).

Thus, instead of a more open-thinking society, the Internet has created a generation of Internet-savvy young Chinese who have grown up blindly accepting a totalitarian state, believing that China's Great Firewall has protected them from false information that could lead to the Chinese nation's social instability. The Internet has become a tool for patriotic education that promotes "the CCP leadership on China's national interests…to the exclusion of liberal values" (Zhao, 2021, p. 149). Furthermore, Chinese universities have banned the teaching of "Western concepts of individual rights, freedom of expression, representative government, and the rule of law" under Xi's leadership (Zhao, 2021, p. 147). In contrast to Xi's relatively liberal predecessors, university professors could be punished for holding the wrong ideological views and expressing liberal ideas not tolerated under Xi's regime.

Hong Kong activism spread to other countries via the Hong Kong diaspora. The increased publicity abroad was, however, brought about by the pro-China supporters' counter-protests (M. Ho, 2023). In Australia, for example, Chinese students from Hong Kong and the Chinese mainland clashed openly on university campuses (Cunningham et al., 2019; Xiao & Zhou, 2019). A Hong Kong student in the United States who dared to write a column about the Hongkonger identity faced backlash from the Chinese student community (H. Chan, 2019). Fed by a heavy dose of patriotic education in their formative years, one probable reason for the clashes was that the Chinese mainland students may have felt a moral duty to uphold the Chinese nation and its government and felt anger towards discourses that attacked their way of life (Cunningham et al., 2019).

Although this kind of national education resulting in combative patriotism may work well in the censored environment of the Chinese mainland, it is a vastly different scenario in Hong Kong. One kind of freedom promised to Hongkongers in the Joint Declaration is the freedom of the press. Without state-controlled media and the Internet, both pre- and post-handover Hongkongers know about how the People's Liberation Army opened fire on the students during the 1989 Tiananmen student movement and many other human rights violations of the CCP. They also know about how the state blocks access to information that the CCP does not want to Chinese population to know, including the landslide win of the pro-democracy candidates in the 2019 district elections.

While Hongkongers may share many of the Chinese traditions such as the Lunar festival with the Chinese mainlanders, what they are resistant to is the forced identity as Chinese nationals. Whereas on the Chinese mainland patriotism means loving the CCP for all its achievements, many in Hong Kong have escaped from CCP atrocities, memories of which have been passed on from generation to generation, making this kind of patriotism difficult to promote and achieve in Hong Kong.

Although many pro-democracy groups in Hong Kong have long claimed patriotism towards the Chinese nation, the Chinese official vision of patriotism is at odds with the opposition's view of patriotism. Given the freedoms and autonomy promised to

Hongkongers, before the implementation of the National Security Law an annual candlelight vigil was held in Hong Kong to commemorate the students killed in the 1989 Tiananmen crackdown. Hongkongers did not feel unpatriotic to deviate from official party lines or to criticise the Chinese government for human rights abuses. Under liberal patriotism, Hongkongers give greater importance to civil liberties and human rights protection over the state's interests, including that of territorial integrity. When the extradition Bill was announced—along with the longstanding perception of a loss of "high degree of autonomy" under Xi Jinping—Hongkongers felt that the CCP was encroaching on their civil liberties and jeopardising their freedoms. Thus, unlike their mainland counterparts, Hongkongers' vision of patriotism is not unconditional—it is qualified by liberal democratic values that include universal suffrage.

However, Beijing's vision of patriotism has no room for such democratic opposition. The 2020 Legislative Council election was postponed, supposedly due to the Coronavirus pandemic. This postponement was also likely to be a political manoeuvre to prevent the "35-plus" plan from being materialised. The objective of the "35-plus" plan was for the pro-democracy camp to gain the majority of seats in the 70-seat Legislative Council for the purpose of vetoing the budget and opposing every government initiative. Given the political climate then, it is likely the organisers of the plan were hoping to ride on the overwhelming win of the pro-democracy camp in the district elections the year before.

The "35-plus" plan would have given the people of Hong Kong power over a Chief Executive that they did not in fact have but deserved. Under Article 50 of the Basic Law, if the pro-democracy camp rejected the budget, the Chief Executive would have the power to dissolve the legislature (Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2021a, Chapter IV, Article 50, p. 74). However, under Article 52, if the replacement legislature also rejected the budget proposal, then the Chief Executive would be forced to resign (Government of the Hong Kong Special Administrative Region of the People's Republic of China, 2021a, Chapter IV, Article 52, p. 75). According to Toru (2020), the forced resignation of Chief

Executive Lam would have amounted to a "revolution" in the eyes of Beijing. Thus, the speedy promulgation of the National Security Law in Hong Kong was designed to prevent the pro-democracy legislators from gaining a commanding position.

Beijing took the time of the postponed election to overhaul the electoral system to reduce the number of directly elected seats and to implement a principle of Hong Kong patriots governing Hong Kong. The first "patriots only" election was held in Hong Kong a year later. The voter turnout was the lowest since the transfer of sovereignty ("Hong Kong elections: 30.2 per cent turnout in first Legislative Council poll since Beijing overhaul", 2021). Many of the pro-democracy politicians were by now in prison or fled to the United Kingdom or other countries. Alongside the electoral reform, the State Council published a White Paper entitled *Hong Kong Democratic Progress Under the Framework of One Country, Two Systems* (State Council of the People's Republic of China, 2021). Using the framing strategy, the White Paper attempted once again to frame the pro-democracy politicians as "anti-China agitators" who attempted to secede Hong Kong from China:

> Hong Kong has faced an extended period of damaging social unrest caused by anti-China agitators both inside and outside the region. Over the years, those who attempt to overturn the new constitutional order and destabilise Hong Kong and the rest of China have colluded to obstruct the democratic process. On the pretext of "fighting for democracy", they have attempted to stage a colour revolution, split Hong Kong from China, and seize power there… To put an end to the political turmoil of recent years and the serious damage it has caused in Hong Kong, the CPC and the Chinese government have taken a series of major decisions, based on a clear understanding of the situation in the region. These include strengthening the central authorities' overall jurisdiction over the HKSAR in accordance with the Constitution and the Basic Law, improving the relevant systems and mechanisms to enforce the Constitution and the Basic Law, reinforcing the legal framework and supporting mechanisms for safeguarding national security in the HKSAR, and modifying the region's electoral system, thereby laying the foundations for

> Hong Kong patriots to govern Hong Kong (State Council of the People's Republic of China, 2021, Preamble, pp. 1-2, para. 2-3).

In the above extract, we can notice that the state continues to use the othering strategy to refer to the pro-democracy politicians with the pronouns "those" and "they". In addition to framing, the extract indicates evidence of manipulation. It insinuates that the pro-democracy politicians were people with an agenda other than fighting for democracy. Thus, a democratic process that allows the constituents to vote only for candidates acceptable to Beijing is the only model of democracy tolerated by the CCP leadership. This is how Beijing understands autonomy and democratisation in Hong Kong. The record low turnout clearly indicates that the vast majority of the Hong Kong voting public was not buying into the government's narratives on democratic progress in the post-National Security Law era. It could be interpreted as a form of silent protest against the government's "democratic" reforms. Yet, the sad reality is that in the Xi Jinping era of national security, few in Hong Kong would dare say anything about it openly.

Two "imagined communities" (Anderson, 2006) in Hong Kong have been increasingly visible since around 2012—those of Hongkongers and those of government authorities and their pro-government supporters. For Hongkongers, their imagined community included Western-style democracy and universal suffrage. Hongkongers viewed civil disobedience as a legitimate form of resistance. The yellow umbrellas, the gas masks and shields, and the "Glory to Hong Kong" anthem all became the symbols of resistance against the police batons, pepper spray, and tear gas that symbolised Chinese state suppression and hegemony. The language used in oath-taking and protest activities—English and Cantonese—also set Hongkongers apart from their counterparts on the Chinese mainland, where Putonghua is spoken. No doubt these collective activities helped strengthen the emotional bonds amongst Hongkongers. These elements of identity all convinced Hongkongers to stand in solidarity to resist a repressive, totalitarian regime.

In 2023, the Lee administration set out a plan for patriotic education to raise awareness of national identity (A. Zhang, 2023). Although it is unlikely that there will

be any visible resistance in the post-National Security Law era, the introduction of a kind of patriotic education similar to that of the Chinese mainland—together with the National Security Law and the most recent electoral reform that shut down any form of dissent—has brought anxiety to Hongkongers (W. C. Ho, 2023). As W. C. Ho's study has found, many Hongkongers have decided to emigrate to the United Kingdom through the BN(O) route because of Beijing's political interference in Hongkongers' lives (W. C. Ho, 2023).

Government statistics indicate that 166,300 Hongkongers have moved to the United Kingdom since the United Kingdom began the BN(O) route to citizenship as a lifeboat to Hongkongers (GOV.UK, 2025, British National Overseas (BN(O)) route section). At the same time, the HKSAR government also recorded a negative net migration rate of the population for three years from 2020 to 2022 (Census and Statistics Department of the Government of the Hong Kong Special Administrative Region, 2023). The documentary data thus infers the plausibility that Hongkongers have moved to the United Kingdom because their way of life has been suppressed by the totalitarian state. The current emigration wave is reminiscent of the emigration wave following the signing of the Joint Declaration. The difference, however, is that the former emigration wave was based on fears of China's encroachment into the freedoms and autonomy of Hong Kong beyond 1997. The current wave is triggered by those fears that have now materialised. The BN(O) Hongkongers would rather accept a "second-class" citizenship in the United Kingdom than be living under a totalitarian state. For Hongkongers still living in the homeland, the new curriculum represents a top-down effort to indoctrinate Hong Kong's youth into Chinese nationalism through a unified national identity.

Thus, one could draw parallels between the patriotic education that has been implemented on the Chinese mainland and the new Citizenship and Social Development curriculum in Hong Kong's schools. The CCP is desperately trying to build its legitimacy in Hong Kong after the 2019 Hong Kong protests by framing foreign forces and pro-democracy politicians who oppose the government as the Other who tried to harm "our country" while highlighting China's ongoing

achievements under the CCP. This is the same strategy that the CCP has employed since the 1990s, following the Tiananmen massacre, to cultivate support among young Chinese people through its national education campaign. While this kind of enforced national education may work well on the Chinese mainland because of the censored Internet, it is yet to be known whether the same kind of strategy can produce the same sense of national identity and pride in Hong Kong.

It is therefore not the lack of national education that resulted in the 2019 Hong Kong protests, but the failure of powerful people to understand the Hong Kong youths who have been accustomed to a free flow of information that enabled critical thinking. As these young Hongkongers were born into a free and open society, they feared their way of life was being lost under an increasingly totalitarian state. The leadership has failed to understand that a key difference between the Chinese mainland and Hong Kong is the uncensored Internet that gave the Internet-savvy young Hongkongers the power of critical thinking that drove many to defend the autonomy of their homeland. As indicated in the 2021 government statement, this critical thinking is exactly what the government is now trying to shut down.

The government no longer fears the resistance they have seen over the previous decade because they now have the National Security Law on their side. This likely was what Raab was referring to when he said the National Security Law has violated the Joint Declaration and is “a direct threat to the freedoms of its people” (Foreign, Commonwealth & Development Office, 2020). Although the CCP is now using the same kind of strategy to anchor nationalistic sentiments amongst the new generation through rewriting history, censorship, and emphasising CCP’s achievements, it cannot erase the memories of Hongkongers who fled the Communists and built a separate Hongkonger identity apart from the Chinese mainland. The memories passed down from the previous generations could make national education in Hong Kong a challenge to implement.

Chapter 3: The New BN(O) Policy: A Rekindled Relationship with the Mother Country

The Role of Thatcher's Abandonment of Hongkongers

Shortly after the Joint Declaration was signed, Hong Kong reporter Emily Lau accused Thatcher of "promising to deliver over five million people into the hands of a Communist dictatorship" (Thatcher, 1984, para. 42), Thatcher responded by saying that most people in Hong Kong were satisfied with the agreement:

> I think you would have had great cause to complain had the Government of Great Britain done nothing until 1997, and I believe that most of the people—indeed, the overwhelming number of people in Hong Kong—think the same. You may be the solitary exception (Thatcher, 1984, para. 45).

Thatcher was profoundly misguided, however. Using the presupposition strategy, Thatcher assumed that her hearers would agree with her about the agreements made in the Joint Declaration. The strong adjective "overwhelming" added to Thatcher's high degree of certainty that most Hongkongers were happy with it. This presupposition turned into manipulation when Thatcher condescendingly counterattacked Lau saying she was a "solitary exception". Far from being a "solitary exception", tens of thousands of Hongkongers were indeed not happy with the agreements that the United Kingdom had made with China. Hongkongers emigrated to Canada and Australia in large numbers in the ensuing years following the signing of the Joint Declaration (Ching, 2018; Chuang, 1990). Although official figures show the number of emigrants peaked in 1992 at 66,000 ("Newcomers to provide windfall for developers", 1995) the total movement was likely to be up to 80,000 that year (Skeldon, 1994). Hong Kong lost a total of 450,300 people between 1980 and when the figures peaked in 1992 (Skeldon, 1994). Thirty-five years after the Joint Declaration was signed, Hongkongers proclaimed to the world at the height of the 2019 protests that they were aggrieved by the state of postcolonial Hong Kong.

China's Manipulation of the Joint Declaration and Basic Law: Undermining "One Country, Two Systems" and Forcing British Retaliation

Since the transfer of sovereignty, the relationship between Hongkongers and Beijing has always been contentious. This is largely due to an inherent contradiction in the

Joint Declaration that states that the HKSAR shall come under the direct authority of the central government while also enjoying a high degree of autonomy. Thus, there is a tension between Beijing's assertion of power over HKSAR and the local demand for autonomy. The contention is magnified because there is no agreement between the two signatory parties as to what a "high degree of autonomy" means and what the limits to the listed "freedoms" are. For instance, there is no provision in the Joint Declaration setting out the limits to democratic reforms. Yet, Beijing decided to ban any discussion of Hong Kong's right to self-determination and disqualified sitting legislators.

Prominent Hong Kong legal scholars have claimed that there has been a gradual erosion of freedoms and autonomy in Hong Kong under Chinese rule. For instance, J. M. M. Chan (2020) argues that the "high degree of autonomy" now exists in name only. He cites many examples of the erosion of autonomy promised in the Joint Declaration. Other than the establishment of a National Security Office in Hong Kong and the promulgation of the National Security Law, instances of autonomy erosion J. M. M. Chan refers to include substantiating a complaint that a political satire denigrated the police. J. M. M. Chan argues that the legal system is now the only system that remains separate from the Chinese mainland. However, according to J. M. M. Chan, with the Chinese government making and enforcing laws in the HKSAR, the pillars that protected the English common law system in Hong Kong have also been shattered.

J. M. M. Chan (2020) claims that it was due to the poor performance of successive Chief Executives that has led to persistent social unrest in recent years. According to J. M. M. Chan, these social conflicts were merely one of public disorder and had little to do with national security. Yet, Beijing believed the conspiracy theory that foreign powers were behind the unrest and took radical steps to destroy the "one country, two systems". The result will be "prosecution, suppression, and censorship" (para. 21). J. M. M. Chan predicts that Hong Kong will become a compliant society, and any independent and critical thinking will disappear. In short, J. M. M. Chan claims that freedoms and autonomy have been taken away in stages by the central government.

However, the understanding of freedoms and autonomy of a large section of Hong Kong society is likely different from the Chinese understanding of it. J. M. M. Chan's (2020) views are representative of the ideological tensions that have been manifested at the legal, social and institutional levels over the years since the transfer of sovereignty. To the CCP, safeguarding China's national security interests and unity encompasses "sovereignty, security, and development interests" (Xinhuanet, 2017, para. 14), but this kind of understanding of national security contrasts with the HKSAR's common law system that has a narrower understanding of national security "subject to human rights and constitutional norms" (C. Chan, 2021, p. 272). This is reflected in the United Kingdom statement following the promulgation of the National Security Law.

On July 1, 2020, the United Kingdom accused China of violating the Joint Declaration for promulgating a National Security Law that presents a serious threat to the freedoms and autonomy of the Hong Kong people. The serious violation of the Joint Declaration has led the British government to offer a pathway to British citizenship for BN(O)s.

The statement by the United Kingdom Foreign Secretary Dominic Raab on the day after the promulgation of the National Security Law in Hong Kong supports the assertion:

> Well, we've very carefully now assessed the contents of this national security legislation since it was published last night. It constitutes a *clear violation* of the autonomy of Hong Kong, a *direct threat* to the freedoms of its people, and therefore I'm afraid to say is a *serious violation* of the Joint Declaration, the treaty between the United Kingdom and China. We will honour our commitments to the BNOs, and I'm going to set out further details, including what action we will take with our international partners (Foreign, Commonwealth & Development Office, 2020, 0:00) [emphasis added].

In the above extract, Raab uses the framing strategy to frame the imposition of the National Security Law as a "clear violation of the autonomy of Hong Kong", a "direct threat to the freedoms of its people", and "a serious violation of the Joint Declaration".

He uses three adjective phrases (clear violation, direct threat, serious violation) to increase the intensity of his framing. The phrase “it constitutes” is a statement of certainty that the situation is not open to any other explanation. In the context of China’s promulgation of the National Security Law, the violation of autonomy for Hong Kong to implement its own security legislation under Article 23 of the Basic Law, and the threat to Hong Kong’s freedoms resulting from the Chinese-imposed law, both breach the agreements made between the two governments in the Joint Declaration. Due to this view, the United Kingdom seeks to redress China’s “serious violation” of the Joint Declaration.

Both governments agreed in Article 3(2) of the Joint Declaration that states defence affairs are outside the autonomy of the HKSAR government (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China, 1984a, Article 3(2)). Article 18 in the Basic Law codifies that agreement and states that the Standing Committee of the National People’s Congress can enact national laws relating to defence and foreign affairs, and other matters outside the limit of autonomy in the HKSAR (Government of the Hong Kong Special Administrative Region of the People’s Republic of China, 2021a, Chapter II, Article 18, p. 63).

However, whether national security is part of said defence affairs is a point in dispute. According to H. Zhu (2023), mainland scholars maintain that the two are inseparable. They cite foreign jurisdictions, such as the *National Defence Act of Canada*, as precedents of the intertwining of national security and defence. They refer to the precedents as justification for the legality of the promulgation. They also provide examples of the Basic Law and Garrison Law as national laws by which all Hong Kong residents must comply. While these laws are only applied to the HKSAR, they are enacted by the national legislature as national laws. Thus, in the same way, the National Security Law in Hong Kong is a national law because it is enacted by the national legislature with which all Hongkongers must abide. On the contrary, as Hong Kong scholar Johannes Chan argues, national laws cannot be defined by the organisation making the law (J. M. M. Chan, 2020). Instead, a national law means that

the law must cover the whole country. Comparing matters of foreign affairs and defence, J. M. M. Chan states the National Security Law is specific to the local context. To the argument that the Garrison Law is also a local law promulgated by the National People's Congress that applies to the HKSAR only, J. M. M. Chan counterargues that the Garrison Law does not affect the rights of Hongkongers and cannot be compared to the National Security Law.

Another major argument for the national security legislation is that the existing *Crimes Ordinance of Hong Kong* does not cover the crimes of secession and subversion, and that the *Official Secrets Ordinance of Hong Kong* does not cover crimes against the central government (H. Zhu, 2023). Furthermore, according to H. Zhu, there is no law to prohibit foreign interference, and the current anti-terrorism law is insufficient to deal with terrorist acts because the existing laws only deal with money laundering and financing of terrorism. Thus, the loopholes in Hong Kong laws render it necessary to promulgate the National Security Law.

Article 23 of the Basic Law became the point of contention behind Raab's violation claim. The intention of the Joint Declaration was for the central government to authorise the HKSAR government the autonomy to enact its own security legislation under Article 23 of the Basic Law. However, the HKSAR government's failure to perform its constitutional duty within a reasonable time renders Beijing the authority to take this initiative for Hong Kong; otherwise, the inaction of the HKSAR government could result in the central government waiting forever without any means to safeguard the security of the nation (H. Zhu, 2023). According to H. Zhu, the narratives of officials and scholars on the Chinese mainland stress the supreme principle of "one country" over the "two systems".

J. M. M. Chan offers an opposing view. His most dominant argument is that Article 23 contains the phrase "on its own" (J. M. M. Chan, 2020). According to J. M. M. Chan, at the time of the drafting of the Basic Law following the signing of the Joint Declaration, people were reminded by the imprisonment of human rights activist Wei Jingsheng, who wrote an essay known as *The Fifth Modernization* that called for democracy and posted it on the democracy wall in Beijing. J. M. M. Chan claims that

the phrase “on its own” was inserted into Article 23 to put at rest the concerns of Hongkongers who felt that they could be arbitrarily prosecuted under the Chinese law system that differed from the common law system in Hong Kong. In short, J. M. M. Chan argues that Article 23 would become meaningless if it meant that the central government could make the law for the HKSAR. Thus, J. M. M. Chan claims that, in order for the central government to intervene in the HKSAR to safeguard its own interests, it must first amend Article 23 to remove the words “on its own”. Upon China’s promulgation of the National Security Law to safeguard its own interests, the United Kingdom claims the legislation breached the Joint Declaration because it violates the autonomy and threatens the freedoms of the Hong Kong people promised in the Joint Declaration.

From China’s point of view, however, under Article 3(1) of the Joint Declaration, the top priority is “national unity and territorial integrity” (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China, 1984a, Article 3(1)). Thus, one can only surmise that both the United Kingdom and China agreed that China would take sovereignty over Hong Kong after 1997. However, that sovereignty was under threat during the 2019 Hong Kong protests. Several Hong Kong activists including Joshua Wong and Denise Ho went to the United States to testify at the congressional hearing on the Hong Kong protests that later resulted in the Hong Kong Human Rights and Democracy Act being passed (“Hong Kong activists Denise Ho and Joshua Wong testify at US congressional hearing on protests”, 2019). This affected the special treatment afforded to Hong Kong under the 1992 Hong Kong Policy Act concerning trade exports, and the United States imposed sanctions against key officials in the HKSAR and the Chinese mainland.

If China's national unity and sovereignty were under threat, the spirit of the Joint Declaration would grant China the right to defend its own interests. The United Kingdom would also need to bear a moral obligation to voice concerns over breaches by Hong Kong activists, given its agreement to the restoration of Chinese sovereignty over Hong Kong. However, the United Kingdom not only refrained from criticising alleged foreign interference by the United States but also appeared to tacitly support

the activists. For example, the then Foreign and Commonwealth Office (FCO) exhibited soft partisanship by engaging with the protest movement, and United Kingdom politicians met with Hong Kong activists (Summers, 2022). This alignment suggests that the United Kingdom's actions were influenced by domestic considerations, particularly the aftermath of Brexit.

Raab's second accusation was that the freedoms of the people of Hong Kong were under threat. The freedoms that Hongkongers were to enjoy are explained in the elaborations appended to the Joint Declaration:

> The Hong Kong Special Administrative Region Government shall maintain the rights and freedoms as provided for by the laws previously in force in Hong Kong, including freedom of the person, of speech, of the press, of assembly, of association, to form and join trade unions, of correspondence, of travel, of movement, of strike, of demonstration, of choice of occupation, of academic research, of belief, inviolability of the home, the freedom to marry and the right to raise a family freely (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984b, Section XIII).

Article 4 of the National Security Law is particularly noteworthy. Except for certain freedoms, it is consistent with the freedoms promised in the Joint Declaration, and subsequently codified in the Basic Law:

> Human rights shall be respected and protected in safeguarding national security in the Hong Kong Special Administrative Region. The rights and freedoms, including the *freedoms of speech, of the press, of publication, of association, of assembly, of procession and of demonstration*, which the residents of the Region enjoy under the Basic Law of the Hong Kong Special Administrative Region and the provisions of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights as applied to Hong Kong, shall be protected in accordance with the law (Hong Kong e-Legislation, 2020, Article 4) [emphasis added].

However, under the International Covenant on Civil and Political Rights applied to the HKSAR in accordance with the Joint Declaration, certain rights and freedoms—particularly of travel and movement—are subject to national security laws (United Nations Human Rights, 1976, Article 12). Thus, certain freedoms promised in the Joint Declaration, and subsequently reflected in the Basic Law, are circumscribed by the International Covenant. This means freedoms are not absolute. An example of such qualified freedoms is illustrated by the derecognition of the BN(O) passport. Yu and S. Lam (2023) argue that by derecognising the BN(O) passport and its enclosed BNO visa, Hongkongers would not have valid proof of identity used in the transfer of provident funds to the United Kingdom, and therefore this derecognition violates the freedoms and autonomy of Hong Kong. However, this restriction could be seen as an act for China to protect Hong Kong's development interests and national security by not allowing BN(O)s to withdraw their provident funds early and transfer a large amount of capital to the United Kingdom. Thus, while the Joint Declaration promises that Hongkongers could freely travel and move to another country of their own free will, that freedom is not absolute and comes with restrictions.

A close reading of the Joint Declaration text reveals that no clause allows the United Kingdom to supervise how China would safeguard national security for Hong Kong after the handover. The Joint Declaration does not explain how the future national security legislation, to be enacted under Article 23 of the Basic Law, can align with the principles of freedoms and autonomy promised in the document, since it is silent on national security. Although the United Kingdom has accused China of threatening the freedoms and autonomy of Hong Kong by its imposition of the National Security Law into Hong Kong, China views the treaty as only operational during a transitional period. That period ceased to operate after January 1, 2000, in accordance with Annex II (Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China, 1984c). As far as China is concerned, the work that dealt with the question of Hong Kong has already been completed in 2000 and the Joint Declaration is no longer in operation (Department of Justice of the Government of the Hong Kong Special Administrative Region, 2021).

China's view of the Joint Declaration therefore suggests that it sees the document as a transitional document for the handover period rather than a legally binding treaty for fifty years. With this interpretation, the failure of the HKSAR government to implement Article 23 within this transitional period has allowed China to discharge this responsibility for the HKSAR. China's view suggests that the two countries understand the treaty they signed in different ways. While China believes that it is within its right to implement the National Security Law because of the failure of the HKSAR government to do so within the transitional period, the United Kingdom has deemed the National Security Law as China breaking its promise to Hongkongers that their way of life would be preserved for fifty years.

China's promise of keeping Hong Kong's way of life unchanged for fifty years appears to be a guiding principle rather than a legal obligation. The National Security Law is an instance of necessity to safeguard China's national security that overrides the guiding principle of freedoms and autonomy. It is worthwhile to reiterate here that the necessity for national security in the future HKSAR was not stated in the Joint Declaration itself but stipulated in the Basic Law during the drafting of it. Had the HKSAR government succeeded in implementing its Security Bill in 2003, that original piece of legislation may still have violated the guiding principle of freedoms, if read rigidly. Thus, the British accusation that China has violated the Joint Declaration appears to be the result of a legalistic reading of the Joint Declaration. It shows a British lack of understanding of the present Chinese government priorities, which are "sovereignty, security, and development interests", as discussed in Chapter 2.

Notwithstanding the guiding principles of freedoms and autonomy for fifty years, the political realities in China have most likely caused an incorrect understanding of the phrases on the part of the Chinese. Let us take the example of the freedom of speech. In the case of Hong Kong which had been historically a part of the British Empire, citizens can criticise the ruling party and seek to replace the government through open and fair elections. Then again, the reality of a one-party state in China means that China's understanding of freedoms is inconsistent with the intended meaning of the words. For instance, although China could still claim that the HKSAR has its

freedoms and autonomy intact in the post-National Security era, the prohibition of openly asking for a change of government is obviously a deviation from the meaning of freedoms as understood by the British and Hongkongers. Any form of open expression of a desire to change government would not fall into the category of freedom of speech, but subversion of state power under the National Security Law.

Thus, while there may be some form of freedom of speech in the Chinese mainland, the Chinese negotiators were ignorant of the meaning of the same phrase as understood by Hongkongers, who have historically lived under democratic freedoms such as the open and fair election of the Legislative Council. That is why Tsang (2004) describes the Chinese as having a distorted understanding of Hong Kong and did not fully grasp the meaning of the Joint Declaration. Contrary to the Chinese conception, Hongkongers' identity had historically been one of "Britishness" because of their shared values with the United Kingdom (Mark, 2020; Yu, 2022, 2023). The same distorted understanding of the Joint Declaration has resulted in Chinese opposition to democracy in Hong Kong and the dismantling of Hong Kong's existing democratic electoral system after the handover. Thus, because of a warped understanding of the meaning of freedoms and autonomy on the part of the Chinese, the National Security Law imposed in the HKSAR is now the subject of worldwide criticism.

This "Britishness of Hong Kong" described in the academic mainstream is misconstrued by some mainland scholars. *Critique of Hong Kong Nativism* (J. Zhu and X. Zhang, 2019) was the first book-length study of Hong Kong's localism movement written in the English language (Carrico, 2022). The authors argue that although the Hong Kong separatists see China as the Other, "historical records" show that the real Other is the British colonists (J. Zhu and X. Zhang, 2019, p. 23). They claim that the Chinese elites hung onto their Chinese identity while showing loyalty to the British Empire.

If othering is the portrayal of a group of people as different from oneself, the mainland scholars' claim that the United Kingdom is the Other does not stand to reason. Hongkongers have a shared history with the United Kingdom and identify with its values (Yu, 2022, 2023). The elites were not only "loyal to the British Empire"

(J. Zhu and X. Zhang, 2019, p.23) but also asserted their Britishness and lobbied the British government to grant them the right of abode in the United Kingdom as early as the 1980s (Mark, 2020). Thatcher invited a delegation of the Unofficial Members of the Executive and Legislative Councils to Downing Street in 1982 to discuss the future of Hong Kong and was told that "the people of Hong Kong wanted British administration to continue past 1997" (Hurst, 2022, p. 1391). On the other hand, the outpouring of support in Hong Kong for the Chinese students fighting for democracy during the 1989 Tiananmen massacre clearly demonstrates that Hongkongers see China—in the sense of a Communist dictatorship—as the Other (Lau, 1997). Thus, contrary to the claim by the Chinese scholars, historical records show that Hongkongers have not only long-constructed a view of a political China as the Other, but also identified with the British as having the same set of values as Hongkongers. The othering of China by Hongkongers is therefore not the recent separatist phenomenon that J. Zhu and X. Zhang (2019) claim to be.

To demonstrate that the United Kingdom reciprocally shares its cultural values with Hong Kong, we can examine the historical records of the British administration. For instance, Governor Patten used the first-person plural indexical as an involvement strategy to align the British colonial administration with the democratic identity of Hong Kong against China, which was seen as the Other (Flowerdew, 1997a). The United Kingdom is also credited with bringing "Britain's heritage to Hong Kong" (Flowerdew, 2004b, p. 1561). In his book, *The Hong Kong Diaries*, Patten himself maintained that the then position of the British Hong Kong government was that the right of abode in the United Kingdom should be granted to all BDTCs (Patten, 2022). If the British colonists saw Hongkongers as the historical Other, Patten would not have lobbied the British government to open the door to all Hongkongers to settle in Britain. Thus, in the dimension of Hong Kong's democratic identity, Britain and Hongkongers both see China as the Other.

J. Zhu and X. Zhang (2019) also claim that it is because of the economic rise of China that caused Hongkongers to become nativists. They claim that this economic rise coincided with Hong Kong's decline, causing Hongkongers to resent the Chinese

government. Their argument is far from mainstream. The academic literature has overwhelmingly held the view that Hongkongers have identified with a rising China—their new motherland since July 1, 1997—during the Hu-Wen administration (e.g., S. Lo, 2008; Lecours & Dupré, 2020), but resisted the Xi regime when the CCP became a threat to Hong Kong's core values and identity (e.g., Chow et al., 2020; Lecours & Dupré, 2020; Matthews, 2020). It was precisely the threat to instil a Chineseness into Hongkongers, for example through the failed attempt to establish the Moral and National Education curriculum in 2012, that caused Hongkongers to reject the Chinese identity and love the nation that is Hong Kong (Matthews, 2020).

Thus, both the academic literature and historical records on the colonial administration collectively demonstrate that historically China is seen as the Other in the eyes of the British colonists, and indeed, from the perspective of Hongkongers. J. Zhu and X. Zhang's (2019) argument that the British colonists are seen by Hongkongers as the Other therefore continues to perpetuate a Chinese lack of understanding of Hong Kong and Hongkongers' relationship with Britain. Their claim misaligns with the academic mainstream on Hongkongers' identity, the position of the then British Hong Kong government and the current BN(O) offer.

J. Zhu and X. Zhang's (2019) study does not indicate what methodology they have taken to arrive at their conclusions. Rather, the study appears to have been the result of their work with the Chinese Association of Hong Kong-Macao Studies that aligns with the voice of the Chinese government (Carrico, 2022). Thus, the Chinese voice on the Hong Kong identity is not aligned with the common understanding of the same identity in mainstream scholarly literature and lay circles.

At the height of the 2019 protests, the Commons Foreign Affairs Select Committee chairman Tom Tugendhat proposed to extend British citizenship rights to Hongkongers because of the political repression in Hong Kong ("Hong Kong protests: UK should not interfere, says Chinese Ambassador", 2019). The Chinese Ambassador responded that some British politicians believe Hong Kong is still part of the British Empire. He reminded the British that Hong Kong is a part of China. Thus, the Chinese

voice—that Hong Kong is not a part of the United Kingdom—is clearly articulated in English by the Ambassador.

On the other hand, the Ambassador's words are another gross distortion of reality. While the Ambassador may argue that Hong Kong has been a part of China in a territorial sense since July 1, 1997, because sovereignty was transferred from Britain to China, Hong Kong nonetheless has deep-seated historical roots in the United Kingdom. The Ambassador appears to ignore the existing legal relationship that Hongkongers, as British nationals, have with the United Kingdom. While the Chinese have interpreted the handover event as Hong Kong returning to its motherland, Hongkongers hold a different political mindset to the Chinese mainland.

The Chinese identity of Hongkongers claimed by the Chinese state is therefore contested (Flowerdew, 2017). The context of the United Kingdom debate to offer British citizenship to Hongkongers was about freedoms and autonomy, values which are shared between Britain and Hong Kong (Yu, 2022, 2023). It thus can be argued that Hong Kong's identity is aligned with the United Kingdom in the sense of its cultural values (GOV.UK, 2021), even if Hong Kong is now legally not under its sovereignty. The Chinese official voice has failed to appreciate Hong Kong's shared values with the United Kingdom and the responsibility that Britain has towards Hong Kong, where its citizens have a legal relationship with Britain and are now under political repression from another sovereign state. In short, while China may argue that it holds sovereignty over the physical territory, its residents are indeed part of the United Kingdom in terms of cultural values and legal relationships.

However, by now saying "We will honour our commitments to the BNOs", Raab failed to understand that the only commitment made by the United Kingdom to BN(O)s in 1984 was stated in the British memorandum. That memorandum states that the United Kingdom would grant Hongkongers consular protection in third countries, but not a pathway to citizenship in the United Kingdom. While the United Kingdom had agreed to what China had declared unilaterally in terms of preserving Hong Kong's way of life for fifty years, and although the Chinese had a distorted understanding of what it meant, the British government did not make any commitments to the

freedoms and autonomy of Hongkongers. Nevertheless, the United Kingdom now sought to honour the commitments to Hongkongers because China violated them. They did this by changing the original British position on BN(O) status.

As a result of this changed position, the Chinese government accuses the United Kingdom of violating their own position regarding BN(O) status instead of honouring it. This is the "hypocrisy of the British Government" and "political intention of the British government" that the HKSAR government has identified (Government of the Hong Kong Special Administrative Region, 2021b, para. 7). This kind of hypocrisy and political intention of the British government is further demonstrated because instead of offering BN(O)s the full citizenship similarly granted through the British Nationality Selection Scheme (BNSS), the current route requires BN(O)s to live in the United Kingdom for a period of five years before they could apply to settle in the country permanently, and a further year before applying for British citizenship. This in-between period perpetuates inequality of classes of British nationality, keeps BN(O)s waiting in limbo with no recourse to public funds, and provides the British an opportunity to shut down the scheme should they feel that Britain does not have further capacity to take in more immigrants. The BNO visa is therefore inconsistent with the humanitarian purpose of the visa and leaves vulnerable immigrants without essential support. In short, the BN(O) route thus reinforces a position of "British nationals who are not British"—BN(O)s do not enjoy the full citizenship rights of "first class" British during this in-between period.

The Rekindled Bond with the Mother Country: "We Won't Look the Other Way"

Despite the apparent "second-class" British nationality, the United Kingdom has perpetuated a communal identity with Hongkongers by the creation of a myth. According to Flowerdew (2004b), "Leaders need to discursively construct a set of values which they can share with their constituents" (p. 1563). In the below extract, the then United Kingdom Prime Minister Boris Johnson created this myth by aligning the British values of freedom and autonomy with the Hong Kong identity:

> I am immensely proud that we have brought in this new route for Hong Kong BN(O)s to live, work and make their home in our country. In doing so we have honoured our profound ties of history and friendship with the people of Hong Kong, and we have stood up for freedom and autonomy—values both the UK and Hong Kong hold dear (GOV.UK, 2021, para. 5-6).

The phrase "profound ties of history and friendship with the people of Hong Kong" is an additional way to create a sense of communality with the people of Hong Kong. Johnson's narrative differs strikingly from that of Thatcher in the 1980s. During Thatcher's Prime Ministership, Hong Kong Chinese were viewed as having weak ties to the United Kingdom, and the Thatcher government did everything it could to exclude the British nationals of Hong Kong from entering Britain (Mark, 2020). Forty years after the 1981 Act, the changed position represents a remarkable turnaround to that myth and Hongkongers are now made to feel welcome to make their home in the United Kingdom.

The "friendship with the people of Hong Kong" metaphor aligns with biblical parables underpinning the metaphors in the *Sheep Village* trilogy (Sheep Village 2.0, n.d.), a series of children's books that the government has deemed seditious (B. Wong, 2022). In biblical texts behind the metaphors, Christians are not only described metaphorically as sheep and children, but also as friends of Jesus. Thus, the statement by Johnson can be interpreted as a shift from one of a paternalistic relationship to that of friendship, suggesting that the United Kingdom now sees a more equal relationship with Hongkongers. Whereas in the colonial era the United Kingdom has taken on a guiding role, it now sees Hongkongers as grown-up adults who are in trouble and steps in to help.

The interpretation of a friendship role that sees that Hongkongers as having grown up is repeated by Raab:

> We have been clear we won't look the other way when it comes to Hong Kong. We will live up to our historic responsibility to its people (GOV.UK, 2021, para. 11).

Using the presupposition and framing strategies, the metaphorical phrase frames Hong Kong as Britain's special child who is now in a dire predicament and needs the father's assistance. The phrase indicates that the British government still has a responsibility towards Hongkongers despite the transfer of sovereignty to the PRC in the last century. The statement indicates that this moral responsibility does not only come from paternalistic obligations, but also from the United Kingdom's deep emotional ties with the people of Hong Kong. Delving deeper, Raab's metaphor can align with biblical parables behind the metaphors in the *Sheep Village* trilogy. Just as the parable of a shepherd who leaves the flock of ninety-nine sheep to find the one who is in trouble, Raab's metaphor represents his resolve that the United Kingdom will not ignore the dire situation in Hong Kong and is committed to helping Hongkongers.

The metaphors therefore suggest that while the United Kingdom sees it as its duty to help Hongkongers presently in a predicament, and treats them as friends, it also fulfils its moral obligation to help its children through this difficult situation. Yu (2022, 2023) argues that it is the shared Britishness of Hongkongers cultivated through its colonial history that is crucial for their integration into British society. He argues that it is Hong Kong's "shared history, values, and systems" (Yu, 2022, p. 518) with Britain that have enabled the United Kingdom and its allies to speak up for Hong Kong. The BN(O) scheme is thus a correction of a historical mistake that excluded Hongkongers from British citizenship (Benson et al., 2024b; Yu, 2022, 2023). Summers (2022) argues that Britain's identity as a global power and former colonial master of Hong Kong has influenced its policy towards Hong Kong, with many influential pre-1997 British figures having a personal stake in the outcome. Benson et al. (2024a) argue that the BN(O) scheme allows Hongkongers to restart a new life in their former motherland while avoiding direct confrontation with China.

The metaphors spoken by the Prime Minister and the Foreign Secretary could encapsulate the United Kingdom's paternalistic attitude towards Hongkongers and its duty of care and responsibility towards Hong Kong. To fully understand the relationship though, it is also necessary to consider the perspectives of Hongkongers-

in-exile, who have expressed their affection towards Chris Patten as a “friend” and “family”. Patten has consistently advocated for Hongkongers and his efforts have led to the opening of the door to Hongkongers to make their home in the United Kingdom. Patten’s actions, as a representative of the United Kingdom, could thus be interpreted as a reflection of the United Kingdom’s own commitments towards Hong Kong. In this sense, it may be argued that the familial sentiments of the United Kingdom reciprocally felt by Hongkongers extend beyond political and historical ties to encompass deep emotional bonds.

However, the interpretation of a reciprocal relationship with the United Kingdom through their affectionate bond with Chris Patten must be treated with *considerable caution*. While Patten does have a special place in the hearts of Hongkongers as a “friend” and “family” because of their shared history and deep emotional connection with him, Hongkongers may not see the United Kingdom in the same way. Despite the limitation of secondary sources in documentary research, the feelings of Hongkongers towards Patten as a representative of the United Kingdom are worthy of study as they could potentially provide insight into the multifaceted relationship between Hongkongers and the United Kingdom.

In 2022, Chris Patten launched his book *The Hong Kong Diaries*, at an event organised by Hong Kong Watch. The book chronicled the last five years of British colonial rule before the handover. Following the event, a number of Hongkongers were interviewed by the YouTube channel CWR NewsPost UK. Metaphors of family and friends are highlighted to provide insight into Hongkongers’ reciprocity of the United Kingdom-Hong Kong relationship.

Vivian

> 他做每一件事都很有心去帮香港人。这 25 年来，即使他已离开香港，香港人对他念念不忘，非常尊敬他，是非常好的一个港督。我真的非常想见彭定康，他就好似自己的家人一样 [He is very dedicated to helping Hongkongers in everything he does. For the past 25 years, even though he has left Hong Kong, the people of Hong Kong have not forgotten him, and they

respect him very much. He is a very good Governor of Hong Kong. I really want to see Chris Patten, he's like my own family member] (CWR NewsPost UK, 2022, 10:03).[3]

Here, Vivian uses the framing strategy to describe Chris Patten as a very good Governor of Hong Kong who continues to do everything that he can for Hong Kong, even after he finished his role as Governor. It is particularly worthy to note that this Hongkonger, Vivian, likens Patten to her own family member. Vivian's emotional sentiment could thus indicate reciprocity to the "profound ties of history and friendship" and "we won't look the other way" respective metaphors of the Prime Minister and the Foreign Secretary.

Jim

以前在香港时会非常怀念那段时间，现在面对面和他交谈、接触，感觉很不一样、很亲切，而且当他知道我是流亡英国的前线示威者，他第一时间问候我生活是否过得好，好似朋友一样问候我，这是特别的感觉。

97 的时候我只得 7 岁，现在（面对面与彭定康交流）感觉很梦幻，彷佛是我们失去的事物，没有想到会有机会重遇，所以有种莫名的感动，尤其是我有跟他分享 831 事件，他的反应是觉得自己有责任，香港落得如斯境地，他认为自己有一定责任，他对年轻人感到非常内疚，尤其是前线示威者，当然在我看来他已尽其可尽的力，但连他都这样想，更加认定他是一个好人，真心为香港， 关心香港抗争者的生活、前路 [I used to miss that time very much when I was in Hong Kong, but now when I talk and interact with him face-to-face, it feels very different and friendly. And when he knew that I was a frontline protester who is now in exile in the UK, he immediately asks me how my life is, like a friend greeting me, which is a special feeling.

[3] The interviewees spoke in Cantonese. Their words were translated into written Chinese in the video. In keeping with previous citations, I have chosen to present the written Chinese in the simplified form.

> During the handover in 1997, I was only 7 years old. Now (communicating with Chris Patten face-to-face), it is like a dream, as if it is something we have lost. I didn't expect to have the opportunity to encounter it again, so I feel inexplicably moved. Especially when I shared the 31 August incident with him, his reaction was that he felt responsible. Hong Kong has fallen into such a situation, and he believes he has a certain responsibility. He feels very guilty towards young people, especially the frontline protesters. Of course, in my opinion, he has done his best, but even he thinks so, which makes me even more convinced that he is a good person. He sincerely cares for Hong Kong and cares about the lives and future of Hong Kong protesters] (CWR NewsPost UK, 2022, 10:24).

Here, Jim, a frontline protester, also uses the framing strategy to describe Patten as a good man. In this extract, he uses the metaphor of a friend to describe his relationship with the former Governor. Jim describes the colonial period and the handover as something that had been lost and now found and shares with Patten about the 31 August incident during the 2019 Hong Kong protests (when police indiscriminately attacked passengers inside the Prince Edward MTR station). In this sense, Jim also shows reciprocity to the United Kingdom's paternalistic sentiment. This interpretation is further supported by Jim's description of Chris Patten's sincerity in caring about the lives of the young people, and of Patten's own testament to his responsibility for not doing enough to prevent the dire situation in Hong Kong and the predicament that the young Hongkongers now find themselves in. In this sense, Patten is seen by Jim as the father-shepherd figure depicted in *Sheep Village*.

Anonymous interviewee

> 现在影响最深远是 97 后的手足，我期望他可以运用其语话权、名衡和地位，以及在英国社会的影响力，看看能否在英国议会上做到更多 [The most far-reaching impact now is on the comrades born after 1997. I hope he can use his power, reputation, and status, as well as his influence in British society, to see if he can achieve more in the British Parliament (CWR NewsPost UK, 2022, 13:16).

Here, the interviewee uses the presupposition and framing strategies. In terms of presupposition, the interviewee presupposes that Patten has the power to help Hongkongers back in the homeland. As for the framing strategy, the interviewee frames the "手足" [siblings-in-arms] as being in the most serious predicament. At the time of the book launch event, the United Kingdom had not yet opened the door to the post-1997 Hongkongers because they did not have BN(O) status. The only possible way for the post-1997 Hongkongers to settle in the United Kingdom was to seek asylum on arrival at the United Kingdom border. The onus of proof was on the applicant to convince the United Kingdom of a profound fear of political persecution. Patten did indeed speak up for the post-1997 Hongkongers in the House of Lords as he saw many of them being jailed for their political beliefs (Hong Kong Watch, 2022, 6:22). Patten is what Flowerdew and Leong (2017) define as a "primary definer" of the phenomenon, and because of his role as the former Governor of Hong Kong, his speech would have added significant weight to the debate. The BN(O) scheme was expanded before the end of 2022 to allow descendants of BN(O)s to apply for the scheme independently (Chau, 2022). This expansion was to a large extent due to Patten's earlier efforts and his demonstration of care towards the post-1997 Hongkongers.

The term "手足" [siblings-in-arms] is based on the biblical principle of brothers and sisters that underpins the metaphors in *Sheep Village*. The use of this term thus indicates a parental relationship between Patten and the young Hongkongers. The interviewee positions Patten as a father having responsibility for his children. This metaphoric framing of Patten as the father figure can thus be seen as a response to Raab's metaphor.

The British Nationality Selection Scheme: A Historical Mistake

The kind of discrimination perpetuated by the British government in the years leading up to the handover was partly corrected through the BN(O) scheme. The change represents a shift from the British position stated in the memorandum and another exception to Britain's longstanding closed-door immigration policy. There has been a remarkable shift in British discursive strategies from that of othering before the

handover to one of embracing Hongkongers as family and friends since the announcement.

The United Kingdom has certainly been complicit in causing all the events leading up to the current situation by initially denying the right of entry to all Hongkongers prior to 1997. Indeed, the British were shortsighted when they perceived BN(O)s and BDTCs as a burden rather than people who could contribute to British society. A large number of Hongkongers emigrating to the United Kingdom at the time would have brought economic benefits to the United Kingdom, just as it proved to be true in the cases of Canada and Australia. For instance, the migration program in Australia was primarily based on the amount of capital which the Hong Kong migrants transferred to Australia (Inglis & Wu, 1994). Canada operated a migration program that required the Hong Kong migrants to invest in projects beneficial to the economy (Smart, 1994). The result, according to Patten, is the creation of social strata of people where the elites are now oppressing the underclass. Those who were given British citizenship in the 1990s through the BNSS, are now the very people doing the oppression that they were concerned about prior to the transfer of sovereignty. They are the people who have the option to go into exile if things go wrong:

> Every one of my successors as Chief Executive of Hong Kong either had a foreign passport or had members of their family with foreign passports. The present Chief Executive had a British passport, which she gave up to become Chief Executive. Her husband has a British passport. Her sons have British passports. Now I'm not against that. I hope they'll enjoy the liberties and freedoms which come with being a British citizen with that passport, but what is of course a rather unhappy paradox is the people at the moment, the quislings, including members of the police force, doing the persecuting, have British passports, and the ones who are being persecuted, the ones who are being locked up, don't. I think we should address that rather unhappy imbalance in due course (Hong Kong Watch, 2022, 6:22).

Here, in the context of arguing that the BN(O) scheme should be extended to the post-1997 Hongkongers to apply independently of their BN(O) parents, Patten frames

the HKSAR government and the police force as “the quislings” to criticise their behaviour of betraying the Hong Kong values of liberties and freedoms. According to Patten, they have the security of British citizenship behind them. According to Oxford (n.d.), the term “quisling” is “a person cooperating with an occupying enemy force; a collaborator; a traitor”. The use of this term in Patten’s speech reflects his critical view of the HKSAR government and its relationship with the occupying state. According to Patten, they are doing what the CCP tells them to do out of an assurance that they could escape to the United Kingdom at any time.

As a former Governor, Patten plays the important role of an expert in defining the phenomenon. Alongside the discursive strategy of framing, we can notice Patten uses the strategies of presupposition and othering in defining Hongkongers as the self against the HKSAR government, and by extension the CCP, that is persecuting Hongkongers. In this sense, Patten is a champion of the oppressed and stands with the ordinary people of Hong Kong. Patten has succeeded in his argument, as the BN(O) pathway has been extended since 2022, allowing post-1997 Hongkongers with a BN(O) parent to apply for the BN(O) visa independently.

Although Patten oversaw the implementation of the BNSS he inherited when he became Governor of Hong Kong, he now sees the unintended consequences of this historical mistake. Patten’s speech thus aligns with the metaphor of the good shepherd in *Sheep Village* and the biblical principle behind it. He demonstrates a deep sense of responsibility, seeking to shepherd Hongkongers who have been abandoned after 1997. Just as Jesus told the story of a man who invited the poor to his house for a banquet after being rejected by his guests, Patten now invites the marginalised Hongkongers to come to the United Kingdom through the expansion of the BN(O) route.

Addressing the Historical Mistake: A Call for a Truth and Reconciliation Commission Examining the Consequences of the British Nationality Selection Scheme

I argue that more needs to be done. One way to redress the historical mistake is to hold a Truth and Reconciliation Commission for Hong Kong (see Appendix 3). In South Africa, laws enforcing racial segregation and systemic domination were introduced

following the rise of the Nationalist Party in 1948 (Peacock, 2011). Similarly, the *British Nationality Act 1981* (UK), passed during Thatcher's leadership, established a policy that created racial distinctions. This legislation created a distinction between the population of European descent, who retained the right to reside in the United Kingdom, and the Hong Kong Chinese population, who were excluded. Additionally, the *Hong Kong (British Nationality) Order 1986* (UK) reinforced this racial division, as BN(O) status was specifically designed to prevent Hong Kong Chinese from emigrating to the United Kingdom. The *British Nationality (Hong Kong) Act 1990* (UK), however, provided a pathway to full British citizenship for 50,000 key individuals and their families. This measure acted as an "insurance policy", ensuring that those deemed critical to Hong Kong's future could settle in the United Kingdom if needed (Chuang, 1990). Consequently, the 1990 Act entrenched inequality by favouring certain groups while relegating others to the status of "second-class" British nationals.

At the time, the broader implications of British nationality legislation for these "second-class" nationals may not have been fully anticipated. Although the BN(O) pathway now seeks to address past misjudgements regarding Beijing's ability to honour its commitments, this thesis calls on the British government to acknowledge its role in shaping laws that, as Patten has suggested, have contributed to the political repression of Hongkongers. Drawing inspiration from South Africa's example, one potential step forward is the establishment of a Truth and Reconciliation Commission. Such a commission could provide a platform in the United Kingdom, either in person or via virtual participation, for both those responsible for creating the nationality laws and those who suffered under them to share their experiences. This dialogue could illuminate the missteps leading to the events of the Hong Kong protests, the 2019 extradition Bill, and the enactment of the National Security Law by Beijing.

A primary objective of such a commission would be to promote mutual understanding. This could involve acknowledging the unintended harm caused by restricting full British citizenship to a select few in Hong Kong, addressing the continued violations of the Sino-British Joint Declaration by the totalitarian regime, and recognising the collective trauma stemming from the 2019 protests, the

imposition of the National Security Law, and the looming threat of Article 23. Additionally, the Commission should work to address historical injustices, as the BN(O) scheme has begun to do, by confronting the dehumanising impact of being unable to enter one's own country freely.

In his later years under detention, former CCP General Secretary Zhao Ziyang appealed to the party leadership to reevaluate the 1989 Tiananmen Square massacre. Despite his efforts, his calls were repeatedly suppressed, and the massacre remains largely erased from public consciousness in mainland China. Given the repressive stance of Xi Jinping's administration, it is improbable that the Chinese or Hong Kong governments would initiate such a reconciliation process. Nevertheless, Hong Kong benefits from its unique connection to Britain, which has a moral responsibility to address its colonial legacy. A Truth and Reconciliation Commission in the United Kingdom could safeguard collective memory by granting amnesty to participants through agreements with the HKSAR government or by permitting anonymous participation. By amplifying the voices of those who suffered under a totalitarian regime post-handover, such an initiative could counteract attempts to erase history. As Peacock (2011) aptly notes, "from silence and forgetfulness, memory and identity need to complete the past, providing the foundations of justice for future generations" (p. 333).

While public discourse has occasionally proposed reconciliation mechanisms, such as a Truth and Reconciliation Commission (Maden, 2019; Richburg, 2019) or dialogue platforms focused on the 2019 protests (Yeung, 2020), these initiatives address only the surface of Hong Kong's societal divisions. They focus on the immediate fallout, tensions between the "blue" and "yellow" camps, or alleged misconduct by police, without confronting the historical roots of the conflict. The refusal of the Conservative government, under Thatcher, to grant full British citizenship to all Hongkongers, while previously dependent territories were later fully naturalised in 2002, created enduring fractures in identity and loyalty among the people of Hong Kong. The BNSS produced a generation of families now branded as "quisling" by

Patten, as it provided a structural “exit option” for these civil service elites, whom Patten implies are now in the top ranks of the HKSAR government and police.

By highlighting how selective citizenship produced conditions for betrayal, the key insight here is that it was the structural inequality of citizenship that shaped incentives and behaviours of these elites. Had full British citizenship been extended to everyone in Hong Kong following the 1989 Tiananmen Square massacre, this friction might possibly have disappeared: the population, now equally able to leave Hong Kong if things went wrong, might have been less motivated to defend Hong Kong’s civic values, as suggested by Patten in describing Chief Executive Carrie Lam’s actions during the 2019 protests. Without the tensions created by selective citizenship, political events that ultimately led to the National Security Law might never have taken shape. In this sense, the BNSS unintentionally created conditions that both enabled elite compromise and forced civic resistance among the wider population. This is not to suggest that the wider population of Hongkongers would have similarly aligned themselves politically with the enemy state had blanket British citizenship been granted. Rather, the existence of a secure exit option might have reduced the pressure to confront the CCP directly, potentially reshaping the scale and intensity of resistance.

While British citizenship can create the legal possibility of leaving Hong Kong, it does not determine how individuals respond politically. Jimmy Lai’s case illustrates this most clearly: despite holding full British citizenship and having the ability to leave, he chose to remain in Hong Kong and defy the CCP, even at great personal cost. His decision demonstrates that personal conviction, attachment to place, and moral responsibility can outweigh any formal option of departure. Ultimately, Lai paid a significant personal and legal price, receiving a twenty-year sentence for his continued articulation of liberal democratic values in Hong Kong (K. H. Wong, 2026). The contrast is most striking when Carrie Lam is placed alongside Jimmy Lai, both of whom were granted full British citizenship in the 1990s yet responded to Beijing’s encroachment in fundamentally different ways. While Lai leveraged his status, resources, and public voice to resist the erosion of Hong Kong’s freedoms, Lam chose

accommodation and administrative compliance with the CCP, prioritising political stability over confrontation. Their divergent trajectories expose the limits of citizenship as a moral or political guarantee: British citizenship predetermine neither loyalty to liberal values nor resistance to totalitarian assault. This thesis therefore does not claim that the availability of British citizenship would inevitably cause political passivity at the individual level. Rather, it examines how the BNSS shaped the broader political environment within which choices were made, while recognising that individual actors may act against what appears to be their own interest.

Towards Overthrowing the Chinese Communist One-Party State

While the BNSS provided an exit route for elites, the deeper and more enduring driver of Hong Kong's unrest lies in the structural tyranny of the one-party state. Although Patten has criticised Carrie Lam for capitulating to Beijing, such moral judgments risk underestimating the structural constraints imposed by the "one country, two systems" framework. Lam's early articulation of liberal values, most clearly expressed in her victory speech, stood in stark contrast to her later conduct, suggesting not simply personal betrayal but the transformative pressure exerted by the CCP's governing machinery, which rendered liberal agency increasingly unrecognisable once power was exercised (K. H. Wong, 2024). Had Carrie Lam openly resisted Beijing's directives regarding the National Security Law, for instance, by publicly asserting that certain provisions conflicted with the Basic Law, delaying administrative implementation, or seeking judicial clarification, a constitutional crisis would likely have emerged.

Under the Basic Law, there was no straightforward legal mechanism for Beijing to remove the Chief Executive solely for resistance to a directive. Instead, it would have placed the central authorities in a politically and legally precarious position. Beijing would have faced a dilemma familiar from 1989: whether to rely on the People's Liberation Army or martial law in Hong Kong at the expense of international legitimacy. In the contemporary global environment, such measures would have risked immediate diplomatic isolation and the collapse of all cooperation with a substantial number of countries. In this sense, resistance from a sitting Chief Executive would have highlighted the structural constraints under which the Chief

Executive operates and the tension between the HKSAR's promised autonomy under the Sino-British Joint Declaration and the authority of the PRC.

While defiance from a sitting Chief Executive of the HKSAR could not have legally blocked the National Security Law, it would have intensified domestic and international scrutiny, potentially rallying public support and constraining the party-state's capacity to enforce the law unilaterally. In this alternate scenario, high-profile figures such as Jimmy Lai may not have faced the same severity of incarceration, as the political and reputational costs for Beijing would have been significantly higher. In reality, however, Lam's compliance with Beijing's directives left the enforcement of the National Security Law unmediated, resulting in the imprisonment of dissenting actors and the suppression of liberal-democratic values. This contrast underscores the ways in which institutional actors within Hong Kong are structurally compelled to navigate between local autonomy and the demands of a totalitarian governing power.

Resistance among the subaltern was therefore not merely a reaction to elite behaviour or policy failure; it also constituted an implicit rejection of a political system that monopolises power, criminalises dissent, and transforms law into an instrument of party control. Under such conditions, civic protest did not merely seek reform but also advanced a demand for the overthrow of CCP itself, as lawful avenues for political participation were structurally foreclosed. British citizenship, administrative reform, or elite loyalty cannot shield society from the corrosive logic of the totalitarian party-state. Resistance in Hong Kong, which echoed the 1989 Tiananmen movement, reflected opposition to a regime whose continued dominance is incompatible with political pluralism. Any historical reconciliation with the British government must therefore confront this reality: the BNSS was a response to a system that had already rendered coexistence between a liberal democracy and one-party rule untenable. A genuine reckoning must include the British government and acknowledge the chain of historical decisions that left Hong Kong society divided against itself.

As will be examined in Chapter 5, one possible pathway for the overthrow of the Chinese government operates not through direct confrontation, but through the creation of an external democratic-resistance hub in the form of a Hong Kong Crown

Dependency on British soil. The present BN(O) citizenship pathway can be interpreted as a means of contributing to the eventual demise of the totalitarian government by facilitating the outward movement of people, capital, and institutional trust. But by establishing a "parallel Hong Kong" grounded in rule of law, democratic norms, and international credibility, the project can preserve institutional continuity outside Beijing's control. In this sense, the legitimacy of the CCP's claim that Hong Kong is an "inalienable part" of the PRC would be called into question. While Hong Kong represents only a small fraction of China's total population, the city's economic, legal, and institutional networks are disproportionately influential. The movement of a significant number of people and amount of capital to the United Kingdom can erode key sources of leverage, legitimacy, and international trust. Even if the population were partially replaced, the structural and discursive consequences of exit, particularly when linked to diaspora networks and alternative governance experiments such as a Hong Kong Crown Dependency, would continue to constrain the party-state and shape imaginaries of political transformation.

In this sense, the ethos captured by the slogan "Liberate Hong Kong, Revolution of Our Times" may re-emerge not through street mobilisation, but through the gradual construction of a democratic sanctuary on British soil. Far from symbolic, the proposed model offers a strategic alternative to initiatives such as the "Belt and Road", aimed at safeguarding Hong Kong's legacy while shaping longer-term post-CCP possibilities for Hongkongers. Viewed through the lens of the Truth and Reconciliation Commission, the repurposing of BN(O) status as a tool of exit-based resistance against the CCP's assault on Hong Kong exposes the unintended consequences of past British policy, as it holds a mirror to the historical decisions that left Hong Kong society politically constrained and structurally compelled toward imagining the overthrow of a totalitarian state.

The Evolving BN(O) Status for Two Distinct Purposes

BN(O) status has evolved since the imposition of the National Security Law because the British government now believes that China has violated the Sino-British Joint Declaration. With China's imposition of the draconian law, the British pointed to the

violation particularly with regard to the agreements on freedoms and a high degree of autonomy. The Chinese violation has led the British to extend the rights of BN(O)s to live, work, and study in the United Kingdom, to gain full British citizenship following five years of stay and one year of settlement.

Raab's reaction to the National Security Law by offering the BN(O) route must be read in context, however. Since the introduction of BN(O) status in 1987, the United Kingdom has consistently denied the right of abode to the United Kingdom for the BN(O) passport holders. This was stated in the British memorandum of the Joint Declaration. Before the bespoke BN(O) route announcement, holders of the BN(O) passport were subjected to immigration control, and they were not permitted to work and study with this passport. That position contrasts that of the recent immigration debate, in which the BN(O) route has gained extraordinary support from all sides of the United Kingdom parliament (Ullah & Azizuddin, 2022). Thus, the offer of the BN(O) route represents a departure from the original British position set out in the British memorandum in 1984.

Ullah and Azizuddin (2022) reveal the possible political intention of the British government. They argue that the offer of the BN(O) route to Hongkongers could help the United Kingdom recover from the economic impact of Covid-19 and Brexit. According to Ullah and Azizuddin, Hongkongers who plan to move to the United Kingdom tend to be highly educated. The economic impact they bring to the United Kingdom is likely to be larger than that of other groups of migrants. This could be a rationalising reason for the exceptionality in the "tough on immigration" stance. Against the backdrop of Brexit, the end of free movement within the European Union, and the United Kingdom's restrictive immigration regulations, the exceptionality of the BNO visa has become apparent (Benson, 2023; Ullah & Azizuddin, 2022). Thus, while helping Hongkongers escape the brutal totalitarian oppression, the arrival of Hongkongers could simultaneously boost the United Kingdom's economy.

Given the United Kingdom's longstanding "closed-door" immigration policy, it is likely that the discourses of the United Kingdom regarding freedoms and autonomy were a political disguise to bring talents and capital into Britain at a time of dire need

following Brexit and Covid-19. A Home Office estimate reveals that the Net Present Social Value of the BN(O) policy is £2.65 billion (legislation.gov.uk, 2020). Furthermore, a report by The Centre for Economics and Business Research estimates that BN(O)s could help boost the United Kingdom's GDP by £12-40 billion (CEBR, 2020). The migration of BN(O)s and their dependents could bring a highly positive impact to the United Kingdom for many generations to come.

The people who are caught in the middle of this political storm are BN(O)s themselves. On the one hand, Hongkongers were not represented in the Sino-British negotiations and are unwilling to live under the Chinese regime, perceiving it to be a totalitarian regime increasingly encroaching on their freedoms; on the other, Hongkongers feel that they have no choice but to accept a "second-class" citizenship in the United Kingdom in order to gain back their lifestyle (W.C. Ho, 2023). This "second-class" citizenship is especially true because the BN(O) route does not allow Hongkongers to access public funds, allowing the British government to minimise public expenditure while benefiting from the capital that Hongkongers bring.

This kind of exceptionality has long been the case for the British government when dealing with Hong Kong. According to Benson (2023), decolonisation has resulted in most of Britain's former colonies becoming independent states. However, this would not be the case for Hong Kong as sovereignty was transferred to China at the end of the lease in 1997. The United Kingdom has never handed over a former colony to a totalitarian country except for Hong Kong. Thus, the original intent of BN(O) status—that only granted consular protection but not automatic citizenship—was unprecedented in British history. Furthermore, what makes Hong Kong unique is that Hongkongers were not involved during the Sino-British negotiations over the future of Hong Kong (Benson, 2023). Chris Patten, the last Governor of Hong Kong, has continued to speak up passionately for Hong Kong's freedoms and autonomy after he relinquished his role to the PRC in 1997. Thus, through the bespoke BN(O) scheme, the United Kingdom lives up to its moral responsibility promised to Hongkongers, delayed for nearly a quarter of a century from the transfer of sovereignty.

As a signatory to the Joint Declaration, the British government sees it as its responsibility to protect Hongkongers, who are British nationals under Chinese subjugation. Britain sees China's violation of the Joint Declaration as just cause for retracting its 1984 agreement to hand over Hongkongers to the PRC's control at the handover. This retraction is achieved by extending the rights of BN(O)s and opening the door to them to live in Britain from January 31, 2021, as discussed earlier. The British agreed to hand over its people to the totalitarian party-state based on a promise that China made about guaranteeing Hongkongers' rights and freedoms after the transfer of sovereignty. The United Kingdom now seeks to honour that commitment to BN(O)s because of China's violation. Thus, the British offer of a BN(O) pathway to full British citizenship is viewed as a redress of a historical wrong of overestimating China's ability to keep its promises (Yu, 2022; 2023).

The relationship between Hong Kong and the United Kingdom post-1997 can be compared to that of a child abandoned by their parents, who later returns to the parents seeking support. While the United Kingdom has extended support to Hongkongers through the BN(O) scheme, there remains a historical context of disillusionment for some, stemming from the handover in 1997 and the United Kingdom's limited action during the transition. This analogy serves to highlight the complicated nature of the relationship and the full range of Hongkongers' complex emotions.

Chapter 4: Evolving Public Discourses on Nationality, Identity, and Autonomy: From the Joint Declaration to the Post-National Security Era

Evolving public discourses surrounding nationality and national identity can be divided into three periods. They are the historical British Hong Kong era, the first decade after the handover period, and finally, the second decade of Chinese rule to the exile. As Mark (2020) argues, the evolution of British nationality is "closely associated with the issue of race and identity" (p. 566). While there are two distinct identities after the handover—the local and the national—Hongkongers have long held an ambivalent relationship with both the United Kingdom, which many view as abandoning Hong Kong, and China, which is seen by many as the oppressor of Hongkongers. There is no direct evidence to suggest that the offer of the BN(O) route was influenced by public discourses about Chinese breaches of the Joint Declaration. However, these narratives reflect the broader dissatisfaction and distrust among Hongkongers toward Chinese governance in the post-handover era and highlight the urgency of the situation to the global community. The public discourses frame the sociopolitical conditions under which the BN(O) route was introduced.

The Historical "Britishness of Hong Kong" and the Perception of Abandonment by Britain

As Hong Kong was part of the British Empire before July 1, 1997, its identity primarily originated from British influences. The core values and bedrock principles of Hong Kong—its British heritage—were brought to Hong Kong by the British (Flowerdew, 1997a, 2004b, 2016). The British Council aimed to promote British culture through broadcasting (Hampton, 2011, 2012). The then Hong Kong government's goal, however, was not aligned with that of the British Council. In the latter years of British colonial rule, the government turned away from instilling Britishness in Hong Kong, and schools did not teach British history (Hampton, 2011, 2012; T. K. C. Tse, 2007; Vickers & Kan, 2003; K. T. Wong et al., 2021). This lack of effort on the part of the British Hong Kong government to promote a British culture was due to the United Kingdom wanting to minimise any responsibility for large-scale immigration (Vickers & Kan, 2003; K. T. Wong et al., 2021).

Despite the cultural distance from the United Kingdom, Mark (2020) describes Hong Kong's historical identity as the "Britishness of Hong Kong" (p. 579). Due to the 1981 Act, the people of Hong Kong felt little allegiance to the United Kingdom (Matthews et al., 2008). They felt that the British were abandoning Hong Kong and handing its people to the Communists (Benson, 2023; Mark, 2020; Matthews et al., 2008). One could argue that this sense of abandonment indicates that Hongkongers once viewed their identity as British, and they distanced their identity from the Chinese. Thus, on the one hand, Hongkongers aligned with the United Kingdom not because of genuine Britishness but because of anti-communism; on the other hand, the British did not see Hongkongers as fully British (Hau, 2021; Mark, 2020).

The First Decade After the Handover: The Emergence of Two Distinct Identities

On July 1, 1997, Hong Kong became a Special Administrative Region of the PRC. At the same time, Hongkongers' nationality was transferred from British to Chinese because the United Kingdom handed sovereignty over Hong Kong to China. As people who settled in Hong Kong were mostly refugees from the mainland, the previous identification with China had been one of cultural association rather than political. The Chinese (political) identity is therefore relatively new for the people of Hong Kong to adopt. The Chinese identity, up until the imposition of the National Security Law, can be divided into two phases of development.

Shortly after the handover, the Hong Kong Institute of Asia-Pacific Studies published an occasional paper *Hongkongese or Chinese: The Problem of Identity on the Eve of Resumption of Chinese Sovereignty over Hong Kong* (Lau, 1997). The study drew upon a series of surveys in the previous decade to analyse the question of identity. Although the paper uses the term "Hongkongese", for the purpose of this thesis the term Hongkonger replaces any reference to the term Hongkongese. Lau acknowledges the core element of the Hongkonger identity was formed through opposition to the Chinese socialist regime. This opposition aligns with Flowerdew's (2017) finding in postcolonial Hong Kong. The surveys also asked whether residents of Hong Kong identify as Chinese. People identifying as Chinese were less sympathetic to the 1989 student movement in Beijing. Lau also suggests that Hongkongers found

the British colonial masters were racists. People who identified as Chinese were less likely to emigrate but did not have as strong a sense of belonging to Hong Kong as Hongkongers. Citizens who identified as Chinese were more likely to accept changes after the handover, such as the reduction of personal freedom. However, both groups shared Chinese values such as traditional moral values, filial duties, and hard work. Thus, the basis of Chineseness of both groups was based on their ethnic background and historical-cultural sense. While it was found that both groups did not identify with the political achievements of socialist China, people identifying as Chinese held a lower emphasis on the democratisation of Hong Kong. At the time of the 1997 study, there was no correlation between the Hongkonger identity and separatist demands.

Jackson's (2002) study found that the transfer of sovereignty has impacted students' cultural identity. The study traces Hong Kong university students' changing identity from the 1989 Tiananmen massacre to the handover event, culminating at the 2000 Olympics. The study found that the massacre pulled Hong Kong students closer to being identified as Chinese, while the process of registration for BN(O) status at the same period brought confusion to their identity. The finding of a Hongkonger identity found through the 1989 massacre aligns with the broader society's view of this identity (Lau, 1997). As the 1997 handover neared, some elders were proud to be "a real Chinese" (Jackson, 2002, p. 40), but almost no one from the then young adult generation identified as Chinese.

With the change of sovereignty, Jackson's study found that the university students found it strange to call themselves Chinese, but they could no longer label themselves "British Hongkonger" (p. 41). The students therefore adopted a new identity as "Chinese Hongkonger" (p. 41). The 2000 Olympics in Sydney brought a new level of identification as the students took pride in their Chinese heritage and Chinese accomplishments. They changed their identity from Hongkonger to Chinese. Jackson's finding aligns with that of Lau's (1997) study that found Hongkongers took pride in Chinese athletes' achievements at international sporting events. Jackson's study found that Hong Kong students' identity can be influenced by who they consider as the Other. For instance, in the company of Chinese mainlanders, Hong

Kong students would consider themselves as Hongkongers; however, they would identify as Chinese or Chinese Hongkongers in the presence of Westerners.

To discursively construct a Chinese identity in Hong Kong after the handover, there has been a shift in television and schools to stress Hong Kong's Chineseness and an emphasis on a rising China. For instance, as early as 2004, the national anthem has been played before the news (Dupré, 2020). Similarly, as early as the first-term government, national identity has been on its agenda (T. K. C. Tse, 2007, 2014). Despite the discursive construction of the new national identity, Hongkongers have perceived a distinct difference between the political values of Hong Kong and the mainland (Mathews et al., 2008). Hongkongers' sense of Chineseness has been built around national icons and culture rather than politics (Fung, 2001; T. K. C. Tse, 2007; Mathews et al., 2008). According to Matthews et al., the Great Wall is a symbol of the Chinese nation that has earned much respect and affection amongst Hongkongers. Similarly, Hongkongers have been more receptive to Putonghua since the handover. They show positive emotions towards the Chinese people but view the CCP in negative terms.

Matthews et al.'s study also found the extent to which Hongkongers belong to the Chinese nation depended on their personal histories. According to Matthews et al., there are four attitudes towards China in the postcolonial era: antagonism, pragmatic nationalism, liberalised nationalism, and reactivated patriotism. Antagonists see the Chinese mainlanders as the Other and China as a foreign country. The pragmatists show their patriotism to the nation because of opportunities on the Chinese mainland. Liberalists are Chinese mainlanders who have migrated to Hong Kong. While they suppressed their patriotism prior to the handover because of discrimination against them, they are now proud of their new national identity. Like the liberalists, the fourth group of people—the pro-China groups and leftists—had to suppress their nationalism because they had been stigmatised during the colonial era. These people had strong links with China but were marginalised by the Hong Kong government during the colonial era.

However, while Mathews et al. conceptualise Hong Kong identity as flexible and market-based, the events following 2012, particularly the rise of the self-determination and resistance movement. This suggests that Hong Kong identity has become increasingly moral and oppositional, challenging the pragmatism described in their framework. The majority view about patriotism and national identity would change according to whether the CCP was interfering with Hong Kong. The government had tried unsuccessfully to instil a political sense of Chineseness in Hong Kong. The failure to implement the Moral and National Education curriculum and the veto of Beijing's package of universal suffrage were instances where the government's desire to impose its will on Hongkongers was defeated by mass public opposition (Chow et al., 2020; Hung, 2022).

The government's attempts were thus met with resistance through Hong Kong's social movements (Mathews, 2020). In other words, the Hongkonger identity has been strengthened because of objection to the imposition of a political identity in Hong Kong (Flowerdew, 2017), and this resistance has continued more conspicuously after the handover. This resistance has resulted in the emergence of two distinct identities in Hong Kong (Flowerdew, 2017). One side of this identity divide is Hongkongers. Younger Hongkongers are more likely than older generations to defend local cultures and values and oppose the "economy first" philosophy (K. T. Wong et al., 2021). According to K. T. Wong et al., education reforms since the 1990s were a factor because they enhanced a sense of local identity rather than strengthened national identity. The other side of this divide is the government and its supporters.

The process of identity formation of the Other—the pro-Beijing camp—had already begun subtly before the handover. Co-optation was operating before the handover (Dupré, 2020), with the first phase of co-optation represented by the "leftists" who were involved with the 1967 riots. Some of these Chinese loyalists went on to form the pro-Beijing Democratic Alliance for the Betterment of Hong Kong (DAB). The second phase involved a group of loyalists who were the Hong Kong tycoons, and who for economic reasons co-opted with the CCP after China's economic opening and reforms. These businesspeople escaped from the Communists but kowtowed to the

CCP to protect their business interests. The third phase was the civil servants who switched their loyalty from the United Kingdom to China after the handover. Carrie Lam, for instance, was appointed to the Chief Executive position because of her loyalty to the state after the handover. Finally, the fourth group was the younger pro-establishment members who joined the camp "based on a presumption that its goal of integrating Hong Kong would succeed" (Dupré, 2020, p. 15). Since the handover, the pro-establishment camp's goal has been to make Hong Kong more Chinese. However, their approach appears to put national above local interests "to the detriment of the strong Hong Kong identity that had been built in pre-Handover Hong Kong" (Dupré, 2020, p. 15).

Thus, because of an increasingly forceful voice from the pro-government camp that identifies with pro-China policies post-handover, the Other is manifested in Hong Kong. During the 2016 Fishball Revolution, they agitated for political stability and regularly sang patriotic songs (T. W. Lim, 2017). However, the Confucian ideal of social harmony is a foreign concept to the people of a former British colony that has its values rooted in individual rights and the rule of law (Yip, 2015). According to Yip, Hong Kong's social movements are a primary reason for the reinvigoration of Confucian virtues that place the state's interests above anything else. It could thus be argued that the growingly vocal pro-China camp in Hong Kong is the root cause of the polarisation of identities in Hong Kong after the handover.

The two distinct sets of values and identities in Hong Kong have become pronounced in the post-handover period for another reason. Not only did a pro-Beijing identity become marked because of the CCP's influence, but the CCP's supporters also voiced their opposition to the core values of Hong Kong (see Flowerdew, 1997a, 2004b, 2016, 2017). For instance, it could be argued that by agitating for political stability, these pro-China supporters have gone against the bedrock principle of democratic participation that has been a core identity of Hong Kong since the colonial era (see Flowerdew, 1997a, 2016). Chris Patten said in a LegCo sitting in 1996 that "my anxiety is not that this community's autonomy would be usurped by Beijing, but that it could be given away bit by bit by some people in Hong Kong" (Legislative Council of the

Hong Kong Special Administrative Region of the People's Republic of China, 1996, para. 94). Patten's prediction thus aligns with the post-handover literature above.

In short, the change of sovereignty has a significant effect on nationality and identity. While the literature has identified the different development paths as the cause of a separate Hong Kong identity, the handover of sovereignty to China put that identity under a national identity (Fung, 2001). According to Fung, the absorption of the Hongkonger into the Chinese national identity is the root cause of the defensive, resulting in an emphasis on the local identity as Hongkonger over an unfamiliar political identity as Chinese.

The Second Decade to the Post-Exile Era: The Revival of the British Hongkonger

In terms of how the strength of the Hongkonger identity has affected Hongkongers' decision in taking up the present BN(O) offer, S. H. Wong et al. (2023) argue that Hongkongers with a strong local identity are more likely to emigrate than those who identify with the national identity. This view is similar to the findings in the period before the handover. Those who identified strongly with the Hong Kong identity were the people who were ready to leave Hong Kong for other countries (Lau, 1997). Likewise, Kan et al. (2023) found that the Hongkonger identity is associated with participation in failed protest movements advocating for democratic reforms and a higher probability of exiling to the United Kingdom. Thus, the creation of the Hongkonger identity is not only due to a separate development path, but also a result of resistance and opposition to the Sinification of Hong Kong (Flowerdew, 2017; Lau, 1997; Matthews et al., 2008). In short, the Hongkonger identity shows a strong sense of belonging but also a readiness to emigrate.

Within the larger umbrella of the pro-democracy movement in Hong Kong, now in exile, the pro-independence faction began to emerge after the 2014 Umbrella Movement (Chow et al., 2020; Hung, 2022; T. W. Lim, 2017; K. T. Wong et al., 2021). Before 2014, the mainstream pro-democracy movement generally avoided openly pursuing independence. This caution reflected a combination of strategic considerations: the desire to maintain constructive engagement with Beijing, the

need to retain broad public support within Hong Kong, and the recognition that advocating independence could invite political repression or marginalisation. Small groups such as the Hong Konger Front (founded in 2004), which advocated a Republic of Hong Kong and other separatist positions, remained on the fringes and had little influence on the mainstream pro-democracy movement. In this context, the mainstream focused on incremental democratic reforms within the framework of "one country, two systems". It was only after the 2014 Umbrella Movement revealed the limits of this approach that younger activists, frustrated with the perceived ineffectiveness of moderate strategies, began forming localist and pro-independence parties.

The rise of the Hong Kong independence movement was due to the failure to secure democratisation in the Occupy movement (K. T. Wong et al., 2021). This movement saw the only way to achieve universal suffrage was by building an independent nation. This faction was keen to roll back Beijing's interference with Hong Kong's freedoms and autonomy (T. W. Lim, 2017). This was the period when the notion of the Hongkonger turned from one of merely a separate identity from the Chinese mainland to a politicised identity. The purchase of Hong Kong's properties by mainlanders, the use of public services by Chinese citizens who are not residents of Hong Kong, and the buying up of local goods by mainland visitors all added to the search for a politicised Hong Kong identity (Flowerdew, 2017; K. T. Wong et al., 2021). An instance of this search is Youngspiration's Baggio Leung, who publicly advocated for Hong Kong independence (T. W. Lim, 2017; K. T. Wong et al., 2021). In total, six localist candidates were elected to the Legislative Council in 2016 (Leung, 2019; T. W. Lim, 2017).

Thus, from 2014 until the imposition of the National Security Law in 2020, the activists not only pursued their democratic goal through street battles but also through legal means such as elections to Hong Kong's legislature (T. W. Lim, 2017). This means that while the Hongkonger identity has historically been moderately pan-democratic, it now also incorporates a more radical pro-independence faction. The Hongkonger identity is demonstrated most conspicuously when the Hong Kong public

overwhelmingly voted for pro-democracy candidates in the district elections at the height of the Hong Kong protests in 2019 (Purbrick, 2022). Since the imposition of the National Security Law, many pro-democracy candidates have fled, and a significant number of Hongkongers have been exiled to the United Kingdom and elsewhere.

The academic literature covering the identity of Hongkongers-in-exile whose lives have been affected by China's imposition of the National Security Law is still emerging. The scholarly works share a common theme of fearing the loss of the way of life in Hong Kong and the desire to preserve or find a new identity in exile. Related to the issue of identity in exile is China's suppression of Hong Kong's values. Yu and S. Lam (2023) opine that HSBC has failed to uphold the freedoms and democratic rights of BN(O) Hongkongers and has perpetuated Beijing's assault on Hong Kong's freedom and autonomy by suspending the transfer of provident funds to the United Kingdom. W. C. Ho (2023) inquired into the settling experience of Hongkongers in the United Kingdom. W. C. Ho's paper found that the participants had no intention of returning to Hong Kong because they would not be able to live their original lifestyle even if they could return. Following their exile, Liang (2022) researched the topic of post-traumatic stress disorder resulting from Hongkongers' political identity. Au and Holland-Smith (2024) investigated the loss of professional identity of Hong Kong elite athletes and coaches who are prohibited from continuing their careers as a condition of the BN(O) scheme. A study by H. C. Wong and Tsapali (2023) found how the maintenance of Cantonese and Traditional Chinese at home could preserve an ethnic identity as Hongkongers for the new generation growing up in the United Kingdom. In terms of Hong Kong's democratic identity, J. Chen (2023) has written an entry about the global revival of Hong Kong's democratic movement in exile.

The academic literature dealing with the political activism of Hongkongers-in-exile is similarly limited. The literature has positioned the United Kingdom as offering a haven for the democratic principles of Hong Kong. One article, *Hong Kong Democracy in Exile* (J. Chen, 2023) has captured the politicisation of Hongkongers abroad since the exile began, including the setting up of campaign organisations such as the Hong Kong Shadow Parliament. Greer (2020) has explored the political implications of a Hong

Kong Government-in-Exile in the United Kingdom, comparing it with the Central Tibetan Administration in India. Tsui and Yu (2023) found that United Kingdom universities have provided support to Hong Kong pro-democracy scholars doing sensitive research, with respondents saying that their identity has been affirmed. To and Chan's (2023) study found that Hong Kong Christians have started their own churches in the United Kingdom to continue their "pro-democracy, antiauthoritarian stance" (p. 15). These new churches are explicit in their political agenda and "commemorate important dates and events related to the development of civil rights and democracy activism" (To & Chan, 2023, p. 15).

Thus, the historical British Hong Kong identity appears to have been revived and its emotional connection with the United Kingdom strengthened since the 2019 Hong Kong protests. The grey literature has explored the BN(O) identity. The Welcoming Committee for Hongkongers (2023) has produced a report on the new lives of Hongkongers in the United Kingdom. The report found Hongkongers are determined to become British with no intention of returning to Hong Kong. Yue (2023) from the University of Liverpool published a study report on Hongkongers who recently arrived in the United Kingdom. His report similarly found that almost all Hongkongers in the United Kingdom would identify themselves as British Hongkongers or Hongkongers. This indicates that while Hongkongers have preserved their identity in the United Kingdom, the addition of the word "British" to prefix the Hongkonger appears to mean Hong Kong's values align with those of the United Kingdom. Yue's report finds few Hongkongers would identify as Chinese. It could be argued, therefore, that most Hongkongers do not intend to return to Hong Kong under the control of a totalitarian dictatorship. Similarly, Benson et al.'s (2024a) research brief indicated that Hongkongers see the United Kingdom as their motherland. The freedom and prosperity under the motherland are contrasted with the political oppression after the handover. Benson et al. (2024b) suggest that by offering post-1997 Hongkongers the right to apply for the BNO visa if they have a BN(O) parent, the BN(O) scheme is rooted in the ancestry tradition of other United Kingdom visas.

Hong Kong Scots (2024) submitted a report to the United Nations Human Rights Committee asking the body to investigate the United Kingdom's potential violation of the International Covenant on Civil and Political Rights. They argue that the former Hong Kong BDTC holders have now lost the right to enter the United Kingdom if they failed to register for BN(O) status before the transfer of sovereignty, and the only way for these Hongkongers to potentially regain their British identity now is to seek asylum upon arrival at the United Kingdom border. They call for equal status for all Hongkongers regardless of whether they had registered for BN(O) status and for all Hongkongers to be offered a resettlement scheme in the United Kingdom. This demand for equality among Hongkongers highlights frustrations with the limitation of the BN(O) policy that is seen as insufficiently addressing the political failure of the Joint Declaration.

For the United Kingdom, however, it would have been difficult to argue for a case to support people who are not currently British nationals. If the United Kingdom had opened its doors to all former BDTCs, it would have undermined the original intent of BN(O) status, which, under the British memorandum appended to the Joint Declaration, was to provide a limited form of connection to the United Kingdom for those who chose to register for it before the handover. The United Kingdom is constrained from offering refuge to those who lost their BDTC status, as doing so would conflict with the framework established in the memorandum, which explicitly limits British obligations to those who opted into BN(O) status before the handover. Despite the limitation, critiques made by notable public figures about Beijing's disregard for the Joint Declaration provide essential context for understanding the BN(O) policy's significance: to fulfil the commitment of guaranteeing rights and freedoms of Hongkongers, a promise made under the Joint Declaration.

Contextualising the BN(O) Policy: Public Discourses About China's Assault on the Joint Declaration and the Emergence of Hong Kong's Resistance Identity

The study selects speeches of notable Hongkongers who have spoken out prominently about Beijing's broken promises for discourse analysis. These representatives of Hongkongers are Anson Chan, former Chief Secretary of Hong Kong; Claudia Mo, a veteran legislator and founder of HK First; Nathan Law, former legislator

and Chairman of Demosistō; Joshua Wong, former Secretary-General of Demosistō and founder of Scholarism; Denise Ho, Cantopop singer; Francis Hui, social activist; and Dennis Kwok and Alvin Yeung, founding members of the Civic Party.

While there are many Hongkongers who have expressed their voice, the people are selected whose articulation of the contestation over Hong Kong identity has been the most pronounced. As a former Chief Secretary in both colonial and postcolonial administrations, Anson Chan is a key figure in discussing Hong Kong's autonomy and governance issues and plays a bridging role between the two periods. Claudia Mo represents the localist faction of the pro-democracy camp. Nathan Law and Joshua Wong, as youth-led movement leaders who grew up in postcolonial Hong Kong, offer generational perspectives of the post-handover generation. They highlight a shift in identity discourse from the Chinese identity to the Hongkonger identity as a form of resistance against Beijing's assault on Hong Kong's freedoms and autonomy. As a cultural figure, Denise Ho's activism underscores the intersection between the arts, identity, and political resistance. As a social activist, Francis Hui's contributions reflect grassroots perspectives and mobilisation efforts. Dennis Kwok and Alvin Yeung offer voices for legal and institutional challenges in postcolonial Hong Kong. The breadth and depth of representativeness of Hong Kong's public discourse about the failure of the "one country, two systems" formula are reflected in these voices.

Other political parties and groups, such as People Power and the League of Social Democrats, tend to prioritise tactical mobilisation and protest demands rather than sustained theorisation of Hong Kong identity or autonomy. Figures such as Edward Leung (Hong Kong Indigenous), Sixtus "Baggio" Leung (Youngspiration), and Andy Chan (Hong Kong National Party) predominantly advocate for independence, which falls outside the scope of this section's focus on autonomy and identity contestation within the existing constitutional framework. Professional bodies such as the Hong Kong Bar Association have issued statements framed almost exclusively in legal and institutional terms, avoiding questions of identity or constitutional futures. Their discourse prioritises technical legality, judicial independence, and procedural

autonomy rather than collective self-identification. These actors are acknowledged but not subjected to detailed textual analysis.

While this thesis focuses on identity discourse articulated by pro-democracy and localist actors, specifically groups such as Demosistō, the Civic Party, and HK First, it does not claim that these were the only actors to speak about Hong Kong identity during the 2019 protests. Pro-establishment figures and parties, including politicians aligned with the Business and Professionals Alliance and independent pro-Beijing legislators, also advanced identity claims; however, these were largely framed in a state-centric or constitutional register that emphasised Chinese national identity and political order, often as a reactive response to the protest movement.

For instance, during an interview with CGTN, Junius Ho told a reporter that he feels "proud to be Chinese" (CGTN, 2019, 7:12). Ho's explicit assertion of pride in being Chinese, articulated in a Hong Kong civic context, operates as a performative alignment with the revisionist narrative advanced by the enemy state. He frames his identity in a specific way that contrasts those whom he perceives as challenging that identity, thus framing them as the Other and justifying his stance against Hong Kong's civic movements. By framing his identity in this specific way and othering the distinctive Hong Kong identity, Ho contributes to the increasing polarisation of two identities in Hong Kong. That is, on one side of the divide are those loyal to the totalitarian party-state, irrespective of the human rights abuses associated with it; on the other are those aligned with Hong Kong's liberal democratic values, inherited through the benevolent governance of the British Empire. By projecting a cosmetic, performative Chinese identity, Ho conveys that those outside this identity are unpatriotic.

Another example of a performative sense of national identity is Regina Ip. In a BBC HARDtalk interview, she asserts that calls for Hong Kong independence, the toppling of the government, or regime change are necessarily undesirable (BBC News, 2024, 6:13). But by offering no explanation for why these political aspirations are undesirable, she implicitly frames opposition as illegitimate. Ip further presents as fact that the Chinese government did not promise democracy in the Sino-British Joint

Declaration, a view that contradicts the Declaration as allowing for a democratically elected government in the HKSAR. By presenting her perspective as certain and indisputable, she misleads the public and reinforces Beijing's political hegemony. Through these statements, Ip enacts a performative alignment with the Chinese state, thereby positioning herself against Hong Kong's own liberal democratic values.

Similarly, Priscilla Leung uses a family metaphor to describe the people of Hong Kong (The Foreign Correspondence Club, Hong Kong, 2020, 6:30). However, Leung's performance is refuted by Anson Chan, who reminds Leung that a family should be inclusive of political views. To Chan, Leung's reaching out to the pro-democracy camp is a manipulation strategy to legitimise the actions of the pro-government camp in dealing with Beijing.

The analytical focus of this thesis is therefore limited to identity constructions that assert Hong Kong as a distinct civic and political community, rather than the counter-discourses designed to uphold Beijing's distorted vision of sovereignty that ultimately led to the imposition of National Security Law and the BN(O) repatriation scheme. This delimitation is intended to preserve analytical coherence rather than to suggest the absence or irrelevance of alternative identity narratives.

Let us begin with Anson Chan. At the beginning of a BBC HARDtalk interview, Chan defines the protest movement in broad terms:

> I'm very much behind the underlying causes of this movement. It is about Hong Kong's fight to defend basic freedoms, civil liberties, and to demand political participation through fair and open elections on the basis of one man, one vote, all of which are promised in the Joint Declaration and Hong Kong's Basic Law which is our mini-constitution (BBC News, 2019, 0:37).

The framing strategy can be seen. Here, Chan frames the 2019 Hong Kong protests as one of defence of Hongkongers' freedoms and civil liberties as well as pushing for universal suffrage elections promised under the Joint Declaration and Basic Law. The presupposition strategy is also used. The phrasal verb "all of which are" presents a statement of fact that a democratically elected representative government has been

promised to Hongkongers by Deng Xiaoping. This statement also presupposes that Beijing is unlikely to honour its promise unless pressure is put on them, as presented in the strong verb "demand".

Chan then comments on Beijing's overbearing control over Chief Executive Carrie Lam:

> So, if you want to stop the violence, the easy way out is for Beijing to allow our Chief Executive some latitude. It is futile to assert that "one country, two systems" is working well when our Chief Executive doesn't even have the freedom to step down to take responsibility for this debacle (BBC News, 2019, 6:45).

Here, Chan again uses the framing strategy to frame Beijing as the cause of the violent protests because it interferes with the freedoms of Hongkongers. Chan's assertion that the violent confrontations were attributed to Beijing rather than Carrie Lam has come from her position that Beijing has taken detailed control over the day-to-day running of Hong Kong. Chan's view appears to acknowledge China's sovereignty over Hong Kong as non-negotiable, but that Beijing's interference, particularly with the day-to-day responsibilities of the Chief Executive, should be stopped. Chan uses Beijing's refusal to allow Lam to resign as a defining example of a threat to Hong Kong's autonomy. Chan also uses the presupposition strategy to state that the "one country, two systems" is in a perilous state of deterioration. Chan's statement appears to confirm Lam's own hypothetical statement that if she had a choice she would quit, insinuating that Beijing did not allow her the autonomy to resign over the debacle (Guardian News, 2019, 0:11).

Chan's use of the first-person plural indexical "our Chief Executive" when referring to Carrie Lam is a presuppositional indication that Lam is accepted as part of the Hong Kong family. In this sense, although Chan was a significant figure during the protests, she was in fact speaking up for, if not defending, Carrie Lam and redirecting the blame to Beijing. As Chief Secretary of the administration, Chan was responsible for the civil service. Carrie Lam was rising through the ranks of the colonial civil service under Chan's leadership prior to the handover and the HKSAR government after the transfer

of sovereignty. In speaking up for Carrie Lam, Chan played the protective figure of an elder. Despite being critical of Beijing, Chan frames China as her country:

> I suggest in the interest of *my country*, that China should increasingly, sooner rather than later, embrace some universal values, particularly respect for human dignity, fundamental rights and freedoms, that would be good for the nation as a whole and for the rest of the world (BBC News, 2019, 10:21) [emphasis added].

Here, Chan uses what Flowerdew (2004b) calls a "highly marked presuppositional trigger" (p. 1562). The phrase "my country" to refer to China was only made possible because of the handover of sovereignty. It would not have been possible if Hong Kong had still been a British colony because Hong Kong was not a part of China before July 1, 1997. Using the framing strategy, Chan frames herself as a patriot of the Chinese nation. Chan presupposes that China currently does not embrace universal values and that Hong Kong would be a model for China if China lets Hong Kong become a representative government promised under the Joint Declaration:

> What I am saying is that, to the extent that Beijing allows Hong Kong genuine universal suffrage, and we are seen to be making a success of liberal democratic Hong Kong, then Beijing officials might like to use the Hong Kong model in terms of developing a model of representative government that would suit the country's interests as a whole… If we are seen to be making a success of this, surely it is also a successful point that Beijing can make in terms of making a success of the "one country, two systems", and in the longer run, I hope that *my country* will learn to embrace some universal values. That is my hope (BBC News, 2019, 11:15) [emphasis added].

Here, the framing strategy can be seen. Chan frames universal suffrage as a potential model for China. By framing it in this specific way, Chan suggests that universal suffrage does not pose a threat to the CCP leadership but is an opportunity to reform and make progress. The reference to "my country" again is an indication that Chan acknowledges her own Chineseness. Anson Chan's self-identification with China is an excellent example of the possibility of retaining a pro-democracy Chinese national

identity in Hong Kong despite Beijing's brutal hegemony. Her self-identification with China is a deviation from Kim and S. H. Ng's (2008) social change, uncertainty, need for closure, and identity preference model. Chan's view is a departure from that of most Hongkongers who do not accept an identity simply as Chinese (Flowerdew, 2004b). However, Chan's patriotism also deviates from the model of patriotism required by the CCP, which is to uncritically love the party (S. Lo, 2008).

Claudia Mo, a veteran pro-democracy politician, pinpoints the legislature set up as the root cause of the violence:

> The young were taking this legislative building as the authoritative icon which has completely failed to serve as the people's voice. This is just a phoney setup that Democrats are always outnumbered because of this very twisted election system in Hong Kong, and I am very worried that Beijing would use this as the reason or excuse to further tighten its grip on Hong Kong. Ever since the Umbrella Movement of ours five years ago, Beijing has been doing that (The Straits Times, 2019, 0:19).

In the above extract, we can see that Mo uses the othering strategy to refer to the pro-government camp because they do not represent the people's voice. As the pro-democracy camp is always outnumbered in the legislature—a legacy of the CCP's dismantling of the fully elected legislature at the handover—bills that extend Beijing's interests would be easily passed. Given the context, this setup is likely to have been the reason why Carrie Lam felt she did not need to listen to the opposition during the 2019 protests. It is likely that Lam assumed that the pro-government camp would always support the government because of the way the legislature is set up, as pointed out by Mo, who then frames the storming of the legislature on July 1, 2019, as the only possible way to have the people's voice heard.

We can notice that Mo uses a plural indexical "of ours" to refer to the Umbrella Movement. She presupposes that the Umbrella Movement belongs to the pro-democracy Hongkongers. It would not have been possible for the pro-China camp to use the same phrase to describe the movement because it was not in Beijing's

interest to have a pro-democracy candidate elected to the position of Chief Executive of the HKSAR. The Umbrella Movement thus becomes a part of the Hongkonger identity. The use of this presuppositional trigger indicates that the pro-democracy camp stands with and represents Hong Kong's civil society in the legislature even as it is outnumbered by the pro-government camp.

While calling for universal suffrage is within the bounds of the Joint Declaration, a more radical proposal began to emerge in the mid-2010s. Nathan Law is a notable activist who was a co-founder of the disbanded political group Demosistō that advocated for Hong Kong's self-determination through a referendum. Due to the vagueness of the Joint Declaration texts, it could be argued that self-determination would still be within the bounds of the Joint Declaration under the guiding principle of "Hong Kong people ruling Hong Kong". Elected to the Legislative Council in 2016, Law was the youngest elected legislator in Hong Kong's history until his disqualification in 2017. Since his exile to the United Kingdom, Nathan Law has published a book entitled *Freedom: How We Lose It and How We Fight Back*.

> That's why the identity of 'Hongkonger' is so important and has only become stronger the more China has sought to suppress it. It no longer simply denotes people with a shared experience of life in a city we call home: among the majority who support the protests it has come to represent a shared experience of suffering and pain that is unique to our circumstances. When you begin to see others in your community as brothers and sisters, you care for them as family and you find the will to make any sacrifice (N. Law, 2021, p. 19).

In this extract, Law propounds his view of Hongkongers in the metaphor of the family. However, unlike Chan, Law chooses to focus on the local family. This is likely due to his view that Hong Kong should determine its own future independently. The othering and presupposition strategies are evident. Law views the Chinese government as the Other. He presupposes the Chinese government suppresses the Hongkonger identity and causes suffering and pain amongst Hongkongers. The framing strategy is also prominent in the above extract. Law frames the Hongkonger identity as a unifying

force that brings Hongkongers together and motivates them to make sacrifices for each other. Continuing the theme of a family, Law views Hongkongers as his brothers and sisters.

By saying "among the majority who support the protests", referring to the 2019 protests, Law acknowledges there is another side to the debate—a minority who support the government and the police. Even though Law's focus is to articulate the sufferings of Hongkongers under a totalitarian regime, his careful phrasing acknowledges the existence of different viewpoints in Hong Kong. While it may be true that there was a minority of people who supported the establishment, their support was not unconditional. The interpretation of "qualified" support can be seen because of the overwhelming win of the pro-democracy camp in the district elections. This indicates that these voters supported the demands of the protesters, even if they disagreed with their violent methods of bringing about political change.

While Law acknowledges Hong Kong's sovereignty has been transferred to China, he strongly resists the motherland's intrusion into Hong Kong:

> As developments compounded, the people of Hong Kong began to push back. 1997 increasingly came to be seen not as a 'return to the motherland'—a motherland, it should be added, that neither spoke our language, respected our values nor acknowledged our history—but as the replacement of one colonial power with another that is less tolerant, less liberal and even less accountable (N. Law, 2021, p. 37).

In the extract above, the framing and othering strategies are evident. Here, Law frames the motherland as the Other that has a different language and values to Hong Kong. In saying "1997 increasingly came to be seen not as a 'return to the motherland'", it can be interpreted as China's intrusion into Hong Kong, referring to the developments since the Chinese takeover. By using quotation marks around the words, it points to Law's disagreement with the CCP's representation of the phrase. That is, he argues that the intended meaning is the maintenance of a separate way of life for fifty years under the sovereignty of the new motherland, as promised under the Joint Declaration. Law's disagreement with the distorted meaning of the phrase

can be extended to the Chinese view that Hong Kong's autonomy is only allowed under the authority of the central government in China ("the replacement of one colonial power with another that is less tolerant, less liberal and even less accountable"). In other words, to the Chinese understanding, autonomy is not allowed when the central government does not give it.

Law frames the motherland as disrespectful to Hong Kong as it does not acknowledge Hong Kong's British history and mother country, nor does it respect the democratic principles set in place before the handover. This is evidenced in the new Citizenship and Social Development curriculum, which tells students that Hong Kong was not a British colony. Law also frames Putonghua as another language that the motherland speaks. These developments collectively cause Hongkongers' resistance to the totalitarian regime, which is framed as the Other.

Demosistō was preceded by Scholarism, a student activist group set up by Joshua Wong, who organised the 2012 demonstrations against the compulsory Moral and National Education policy. The national education curriculum was overturned due to the mass public resistance he instigated. This kind of youth-led political activism was unprecedented in Hong Kong. Wong played an instrumental role in Hongkongers' conception of civil disobedience and raised the collective consciousness of the Hongkonger identity from that point (Lecours & Dupré, 2020). Wong's legacy of political activism was apparent in both the 2014 Umbrella Movement and the 2019 Hong Kong protests. For instance, just as the students laid claim to a "Civic Square" in 2012, the Occupy protesters occupied Admiralty and Mongkok in 2014. The class boycott that began the Occupy movement in 2014 is reminiscent of the 2012 student protest movement against the Moral and National Education curriculum. Wong later founded Demosistō with Nathan Law.

In his book *Unfree Speech: The Threat to Global Democracy and Why We Must Act, Now*, Wong describes a broader picture of the relationship between the HKSAR and the Chinese mainland. Although Wong played a lesser role in 2019 compared to previous protests due to the fluid nature of the 2019 protests, his words can still

provide a representative voice of Hongkongers' collective experience over the years that culminated in 2019:

> In many ways, Hong Kong is just like a foster child who was raised by a white family and, without his consent, returned to his Chinese biological parents. Mother and son have very little in common, from language and customs to the way they view their government. The more the child is forced to show affection and gratitude towards his long-lost mother, the more he resists. He feels lost, abandoned and alone (J. Wong, 2020, pp. 10–11).

In this extract, Wong acknowledges Chinese sovereignty over Hong Kong. However, unlike Anson Chan, Wong does not use a presuppositional trigger. Using the framing strategy, Wong frames Hong Kong as a child of China raised by the United Kingdom but was returned to China without Hongkongers' consent. This return without consent refers to the Sino-British negotiations when Hongkongers were not asked what they wanted for their future. By framing China as the mother, Wong admits that Hong Kong belongs to the broader Chinese family, albeit estranged from it as Hong Kong has a different way of life. For instance, the bedrock principles of Hong Kong—market economy, rule of law, freedom of the individual, and democracy—are distinct Hong Kong values that do not exist in the Chinese mainland (Flowerdew, 1997a, 2016).

Wong's admission that Hong Kong is part of the Chinese family contrasts with the slogan "Hong Kong is not China" often displayed during the 2019 Hong Kong protests. Wong also portrays China as a hegemonic force that requires unconditional patriotism from Hongkongers, regardless of their different values. However, this Chinese aggression only causes Hongkongers to resist. The words "he feels lost, abandoned and lost" suggest that because of the political changes imposed by China over the years, Hongkongers feel disconnected from the Chinese mainland that does not support their right to a democratically elected representative government it had promised. Considering the context in which the United Kingdom handed Hong Kong over to China, the words could also be a call for the United Kingdom to do more to support Hong Kong.

Despite his recognition that Hong Kong belongs to China, Wong provides a solution to the identity crisis facing Hongkongers. That is, to affirm a separate Hong Kong identity rather than trying to fit Hongkongers into either a British or Chinese identity:

> 'One country, two systems' may have navigated the former colony through its smooth transition to Chinese rule in 1997, but it does little to ease its deepening identity crisis. Hong Kong is a city that isn't British and doesn't want to be Chinese, and its need to assert a distinct identity grows by the year (Wong, 2020, p. 11).

The framing strategy can be seen. Wong specifically frames an identity crisis in Hong Kong that the "one country, two systems" framework is unable to address. This framing strategy emphasises the severity of the identity crisis and provides a political solution. It mobilises support for the self-determination movement that aligns with Demosistō's stance and shapes Hong Kong's political discourse. We can notice that despite the bedrock principles, Wong does not see these Hong Kong values as British. This "Hongkonger" view of the new generation—those who grew up in the post-handover period—represents a departure from the views of many of the earlier generations, who saw Hong Kong with Britishness, as mentioned earlier. The new "British Hongkonger", an identity created as a result of the BN(O) scheme, is an extension of this Hongkonger identity.

The voice of Cantopop singer Denise Ho is a significant figure to consider in understanding the Hongkonger identity. Due to her political activism, Ho has been banned from performing in the Chinese mainland and blacklisted. Despite her loss of the China market and sponsors, Hongkongers collectively supported Ho through crowdfunding. Ho later launched her own record label through the support of local businesses. During the 2019 Hong Kong protests, Ho made a speech at the United Nations Human Rights Council ("Video: Remove China from UN rights council, urges Hong Kong activist Denise Ho as diplomat interrupts twice", 2019) and testified at the United States Congressional hearing with Joshua Wong ("Hong Kong activists Denise Ho and Joshua Wong testify at US congressional hearing on protests", 2019).

Ho participated in the Oslo Freedom Forum to share the Hong Kong story. She defines the 2014 Umbrella Movement as the trigger point for the Hongkonger identity:

> The Umbrella Movement ignited creative activism in Hong Kong. For the first time in our dictated history, we have finally come to our own definition of who we are. We are neither Chinese, nor British. We are, Hongkongers (Oslo Freedom Forum, 2019, 5:02).

The framing strategy can be seen in the above extract. Ho frames the identity of Hong Kong residents in a specific way—that they are Hongkongers distinct from British or Chinese identities. This framing aligns with the voice of Joshua Wong above, who claims Hong Kong "isn't British and doesn't want to be Chinese" (Wong, 2020, p. 11). In this sense, Ho appears to support Demosistō's stance of self-determination. Considering the context of the Umbrella Movement, the Hongkonger identity is an identity of resistance (Flowerdew, 2017). Since the handover, the government has been trying to force a patriotic Chinese identity on Hongkongers (Flowerdew & Leong, 2007). By using the phrase "dictated history", Ho challenges the traditional Chinese identity narrative that has been externally imposed by the government rather than being a product of the people who live in the place. Ho's use of the phrase can be interpreted as a form of discursive resistance that rejects the official narrative of Chinese identity and introduces an alternative identity as Hongkongers.

Like the other primary definers of the Hongkonger identity above, Ho also acknowledges Chinese sovereignty over Hong Kong. However, we can see that she has aligned with the Chinese view that the transfer of sovereignty was a "return of Hong Kong back to China":

> In 1984, a Joint Declaration was signed, announcing the return of Hong Kong back to China, at the same time introducing the one country, two systems model, which promised Hong Kong its freedom and autonomy for fifty years. Yet, this was never meant to be the case. Since the return, the Hong Kong government has been eroding our democratic systems in place for a century… For decades, we were promised universal suffrage. The Communist

> government has done everything in its power to prevent this from happening (Oslo Freedom Forum, 2019, 2:46).

The framing strategy can be seen. By saying "this was never meant to be the case", Ho frames the CCP as a deceiver. As discussed in Chapter 2, the CCP's deception was first brought about by Deng Xiaoping, who told Hongkongers in 1984 that the prerequisite for the future HKSAR government was the "love for the motherland and for Hong Kong" (see Deng, 1994, p. 80). The deception was eventually revealed in the "31 August Decision" in 2014 when the same mantra "love the country and love Hong Kong" was announced as the prerequisite for being nominated as a Chief Executive candidate. This prerequisite to "love the motherland" was a hegemonic discourse that forced Hongkongers to unconditionally love the totalitarian regime of a motherland that did not belong to them before July 1, 1997. This unconditional love of the CCP is anathema to the common understanding of liberal patriotism that Hongkongers have long understood under the sovereignty of the United Kingdom—their former motherland "for a century". Hongkongers have been deceived because the mantra excludes any pro-democracy candidate from being nominated for election.

Another significant activist figure is Frances Hui, who first rose to fame when she wrote an article entitled *Person of Color Column: I am from Hong Kong, not China* in The Berkeley Beacon (Hui, 2019). In her article, she claims that the Hong Kong identity is rooted in the freedoms granted in the Basic Law. While not denying Hong Kong belongs to China, her attempt at highlighting the differences between Hong Kong and the Chinese mainland attracted a strong backlash from the Chinese student community (H. Chan, 2019). During the 2019 Hong Kong protests, Hui briefed United States officials on the Hong Kong situation (UN Watch, n.d.). Upon her return to Hong Kong, Hui feared for her safety and returned to the United States to seek asylum. Hui was the first Hongkonger to be granted political asylum in the United States.

In 2023, Frances Hui spoke at the Geneva Summit. She defines the Hongkonger identity according to the bedrock principles of Hong Kong while at the same time acknowledging Chinese sovereignty:

> When Hong Kong became part of China as a Special Administrative Region, China promised "one country, two systems" so that Hong Kong will not change for 50 years, and Hong Kong people are to run Hong Kong. To this day, Beijing and Hong Kong authorities have tried to paint a picture to make the world believe that Hong Kong is a free society, that it is an international financial centre protected with the rule of law. But the people of Hong Kong have woken up to these lies and we are fighting for our democracy (Geneva Summit, 2023, 1:04).

In the extract above, we can see the presupposition strategy has taken place. Hui uses the adverb "when" to presuppose that the transfer of sovereignty was an accepted historical event. Using the foregrounding strategy, she acknowledges that Hong Kong "became part of China" on July 1, 1997. Unlike Ho, Hui does not use hegemonic language. Thus, she minimises the possibility that she may be seen as inadvertently agreeing to the Chinese view of Hong Kong's "return to the motherland".

Like Denise Ho, Hui also uses the framing strategy to frame the government as a deceiver. The reference to "free society", "rule of law", and "democracy" are all part of the bedrock principles of Hong Kong since the colonial era. These phrases presuppose that the government has destroyed the core values of Hong Kong but is pretending that these principles still exist in the territory. The phrase "the people of Hong Kong have woken up to these lies" is an indication of this presupposition that the government has lied. The phrase "Hong Kong people are to run Hong Kong" is the promise of self-determination that has been broken. The phrase "we are fighting for our democracy" indicates the othering strategy that places Hongkongers as the "we" against the government as the Other.

Later in her speech, Hui reiterates the defining values of Hong Kong and frames these principles as non-existent in China:

> So, I went to the annual vigil on June 4th, and Hong Kong was the last place in China that could honour the victims. It was my first experience seeing people freely gathered to express themselves, and it left a profound impression on me about freedom of speech and freedom of assembly, both values that

> define Hong Kong yet cease to exist in mainland China (Geneva Summit, 2023, 11:01).

In the above extract, the context of Hui's speech was the commemoration of the 1989 Tiananmen massacre. The use of the past tense indicates that the freedom of expression in Hong Kong has been destroyed, as Hong Kong can no longer hold the vigil since the imposition of the National Security Law. In short, Hui highlights the core values of Hong Kong that once defined Hong Kong but are now unable to be expressed in her homeland. She closes her speech by appealing to the international community to help the political prisoners, some of whom have been forced into exile for standing up for the core values of Hong Kong. We can notice that Hui does not go as far as to assert the Hongkonger identity, but like Anson Chan, she highlights Beijing's increasing encroachment into the freedoms and autonomy of Hong Kong.

The problem of the "one country, two systems" was highlighted by Dennis Kwok, a founding member of the Civic Party, who spoke at an Asia Society forum:

> We do come across mainland officials from, you know, our line of work, and people from the mainland. And you know, we would say, we have absolutely no hostility towards the mainland, mainlanders, that we simply want our way of life, the Hong Kong way of life, system, and values to be preserved, and to continue for our next generation… If you want to see this as a colour revolution, if you want to see this as a separatist movement, you are completely wrong. If anyone is from the Chinese Embassy here, you know, take this down, don't twist our words, we are for "one country, two systems", we want "one country, two systems" to work. And do not put labels on it and make things even more complicated. And you should know that the international community all has a stake in Hong Kong and that their support for Hong Kong is very important. And if Hong Kong does well as an IFC, as a society, and that is ultimately good for China as well. That is what I would say to anyone who thinks this hostile or even revolutionary: I don't think they're reading it correctly (Asia Society, 2019, 29:13).

We can see from the above extract that although the Civic Party claims to have no hostility towards the Chinese mainland and the mainlanders, Kwok nevertheless uses the othering strategy to describe them. Here is the presupposition that Hong Kong has a special set of systems and values—its way of life—that Kwok frames as being destroyed by an extradition Bill that would have sent alleged criminals across the border to the Chinese mainland, which is framed as the Other. In this presupposition and framing, we can see that there is an emphasis on the "two systems" in the "one country, two systems" model. Kwok foregrounds a fear that Hong Kong's way of life cannot be preserved for Hong Kong's next generation if the Bill were to be passed in the legislature. He frames the Chinese officials as misreading the situation in Hong Kong in a specific way—that it was not a colour revolution nor was it a separatist movement that the Chinese officials claimed it to be. He appears to accept China as an extended family, in that what was good for Hong Kong as an international financial centre would be good for China as well even as they have separate sets of systems and values.

Kwok's founding partner of the Civic Party Alvin Yeung also reiterates Hong Kong's core values, which he sees as being under threat:

> And when we talk about liberal democracy values, we're not talking about something that abstract that is not happening. The fact that Hong Kong has been practising liberal democracy values over the past, you know, hundred years, that makes Hong Kong successful in fact. And how are we going to sustain and protect the international financial centre, we need all these values, including free flow of information, freedom of movement, freedom of speech, and also most importantly, the rule of law. These are so essential to sustain the international financial centre, and they happen to be liberal democracy values, and if China is so against it, then why on earth in the first place they promised "one country, two systems" and take full advantage of this system over the past twenty years. So again, Hong Kong people are not asking for the moon. We're simply asking something that was promised in the Basic Law (Asia Society, 2019, 40:14).

In the extract above, we can notice that the presupposition strategy has taken place. By adding the phrase “the fact that”, Yeung presents the practice of liberal democratic values in Hong Kong over the past hundred years as an indisputable statement of fact. He takes elements of the core values of Hong Kong and places the rule of law above all other core values. In the context of the Asia Society interview, Yeung’s statement frames the Bill as dismantling the rule of law.

We can see another presupposition regarding liberal democratic values. By stating “We’re simply asking something that was promised”, Yeung presents the promise of the existing liberal democracy in Hong Kong being unchanged as indisputable. By framing China as being against a liberal democracy in Hong Kong, it points to China’s repudiation of the “one country, two systems” principle that Hong Kong operates under. The apparent Chinese repudiation of the Joint Declaration goes back to the crux of the issue: China’s failure to understand Hong Kong as a liberal democracy when signing up to the Sino-British Joint Declaration (Hurst, 2022; Mark, 2017; Tsang, 2004).

We can see none of the representative voices of Hong Kong have ever advocated for Hong Kong’s independence, contrary to China’s claim Hongkongers were “turning Hong Kong into an independent or semi-independent political entity” (Central People’s Government of the People’s Republic of China, 2019, para. 6). It is important to note that acknowledging the historical fact of the handover does not necessarily imply endorsement of the CCP’s political stance. The public discourses define Hong Kong’s identity as one of freedom and democracy. They argue that the preservation of Hong Kong’s liberal democratic values, its bedrock principles, which have been practised in Hong Kong for over a century since Britain began Hong Kong’s civilisation, was a promise made to Hongkongers during the Sino-British negotiations. They accept China as the nation that has taken Hong Kong at the handover.

The Chinese government’s voice that the 2019 Hong Kong movement was a separatist movement therefore does not align with reality, even though the defacement of the PRC emblem on July 21, 2019, gave the Chinese government an opportunity to frame the 2019 protests as such. The Chinese voice that perpetuates falsehood is not

surprising because the CCP takes extraordinary control and manipulation of official discourse. What the public discourses appear to indicate is that two sets of values exist in Hong Kong: one set is held by the civil society that holds true to the core values of Hong Kong, especially democratic participation; the other set of values is held by the government and its supporters that selectively borrows elements of the core values of Hong Kong such as the rule of law, but distorts the meaning of the Joint Declaration to extend Beijing's interests.

If Hong Kong's core values of democracy and freedoms have been in place since the colonial era, and these values do not align with the Chinese principles of stability and order, we must seek to understand how these two supposedly polar sets of values come into existence in Hong Kong in the first place. That is, how have the Chinese values of stability, law and order, and integration with the Chinese nation infiltrated into Hong Kong after the transfer of sovereignty?

Tuck and Yang (2012) posit that the CCP is a settler empire. They illustrate the concept through the case of Chinese colonialism in Tibet. Colonialism can be understood as a process that "dispossess the colonized of their own identity, tradition, pride, and self-representation" (K. Lee & K. Law, 2016, p. 91). The colonised are haunted by the coloniser's "language, cultural practices, values and taste, modes of perception, and representations" (K. Lee & K. Law, 2016, p. 91). According to K. Lee and K. Law, an adverse effect of colonialism is the assimilation of the elites into the coloniser's culture. When these elites gain power, they continue to govern the colonised in the same manner as the colonisers. In other words, the elites have been socialised into the coloniser's ideological politics. The colonised elites then establish a form of internal colonialism that requires assimilation to the elites' culture and pledge to the new nation, and marginalising those who do not assimilate by misrepresenting their cultural values (K. Lee & K. Law, 2016). According to Tuck and Yang (2012), internal colonialism involves the use of control to "ensure ascendency of a nation" (p. 5). The modes of control could include "prisons, ghettos, minoritizing, schooling, policing" (p. 5).

The concept of internal colonialism in Tibet can thus be applied to Hong Kong. This thesis posits that the transfer of sovereignty led to an instance of internal colonialism. China is now the coloniser, and the colonised elites are the people who are the government of the HKSAR and its supporters. They have been co-opted by the CCP. While democracy is a bedrock principle of Hong Kong, the "colonised elites have a coloniser's mind despite being colonised themselves" (K. Lee & K. Law, 2016, p. 91). Regina Ip's statement that there is no democracy promised in the Joint Declaration (BBC News, 2024, 6:13), is representative of this phenomenon. Ip has misrepresented the cultural values of Hongkongers by marginalising Hong Kong politicians and asking the subordinates to disassociate themselves from this unassimilated group. By making the ruling elites of Hong Kong think like the coloniser, China can "ensure ascendency of a nation" (Tuck and Yang, 2012, p. 5) by "the use of particularised modes of control" (Tuck and Yang, 2012, pp. 4-5). In Hong Kong, the "particularised modes of control" are manifested in the National Security Law and the revised national curriculum. Assimilation is achieved through the process of mainlandisation of Hong Kong.

As K. Lee and K. Law (2016) argue however, "the colonised resist by turning to their past and seeking connectedness with other colonial subjects to form solidarity" (p. 90). This resistance results in nationalism and the discursive construction of the Other (K. Lee & K. Law, 2016). Resisting the Hong Kong elites appears to be how the two identities in Hong Kong have been formed in opposition to each other. While Hongkongers have engaged in a power struggle for their identity (Flowerdew, 2017), in the end it was Beijing along with the Hong Kong elites who won the battle. The brutality of the National Security Law means that the voice of Hong Kong's civil society has been shut down and silenced. This means that the only way Hongkongers could advocate for their rights is from abroad.

The Hong Kong Parliament-in-Exile's "Free Hong Kong Declaration": Historical and Legal Perspectives on Hong Kong's Right to Self-Determination

Soon after the National Security Law was imposed on Hong Kong, a group of five exiled activists established the Hong Kong Shadow Parliament. One of these activists was Simon Cheng, who was a British Consulate-General staff in Hong Kong (Cheng,

2020). During the 2019 Hong Kong protests, Cheng collected information about the protests for the Consulate to evaluate travel alerts. He was arrested by the Chinese authorities at the West Kowloon checkpoint on his return from a business trip to the Chinese mainland. Though the official version of the arrest stated that Cheng was placed under administrative detention for soliciting a prostitute, Cheng described how he was tortured and interrogated for betraying the motherland ("For the record: an enemy of the State", 2019). He was granted asylum in the United Kingdom in 2020 and later set up a grassroots organisation known as Hongkongers in Britain.

The goal of the Hong Kong Shadow Parliament was to provide a platform to reflect the true will of the people of Hong Kong. It claimed not to be a parliament-in-exile but a neutral platform for Hongkongers to manifest their will on the international stage. The group was reportedly registered in the United States and there were plans to have the organisation registered in the United Kingdom. It ran a public consultation from December 17, 2020, to March 31, 2021, and claimed to have received 1,793 feedback submissions by the end of the consultation period. During this period, another group of eight activists initiated the 2021 Hong Kong Charter. The Secretariat of the Hong Kong Shadow Parliament decided to sign the Charter, which calls for the self-determination of Hong Kong, an end to the one-party totalitarian dictatorship in China, and a united voice of global democratic movements to oppose totalitarian regimes (Cheng, 2021). The Hong Kong Shadow Parliament released its consultation results on January 1, 2022. The group appeared to have lost momentum since then.

On July 27, 2022, the Hong Kong Parliament Electoral Organising Committee was formed. The Hong Kong Shadow Parliament was archived in favour of the new body. This new body was initiated by Elmer Yuen, an exiled businessman residing in the United States. He is supported by the Chair of the Committee, Victor Ho, the retired editor-in-chief of Canada's SingTao Chinese language newspaper. Their plan is modelled on the Tibetan Government-in-Exile. The group has developed an online application through which Hongkongers worldwide can securely elect their representatives. On November 4, 2024, the group released the Free Hong Kong

Declaration (HK Parliament, n.d., Free Hong Kong Declaration section).[4] In it, it declared the "one country, two systems" framework as no longer viable and rejected further negotiation with Beijing. The Declaration calls for the universal suffrage election of a government-in-exile and the return of sovereignty to Hongkongers, who can decide on their political future through self-determination. Moreover, it designates the CCP as a transnational criminal organisation and calls for its eradication in Hong Kong. This marks the beginning of a decisive shift from previous struggles that focused on urging Beijing to honour its promises. Despite Beijing's opposition, the principle of Hong Kong's self-determination has long garnered academic support.

One of the strongest earlier arguments for the self-determination of Hong Kong came from Nihal Jayawickrama, at the time a Professor of Law at the University of Hong Kong. Jayawickrama's (1991) most dominant argument is that the transfer of sovereignty from Britain to China violated the right of self-determination because the people of Hong Kong were not given an opportunity to have their say about their political future through a referendum in the context of Hong Kong's decolonisation. He argues that the PRC's claim of the "unequal" historical treaties that led to Hong Kong being deleted from the United Nations' list of non-self-governing territories in 1972 should not cancel this right. The United Kingdom itself also insisted that the 1972 decision did not affect the legal status of Hong Kong. Moreover, China's claim has never gained any support from international law. His view is shared by Dagati (1992), who argues that the United Nations was not entitled to terminate the non-self-governing status of Hong Kong. That status can only cease upon the free choice of the people concerned to become an independent nation, associate with another state, or integrate into an independent state. The integration of Hong Kong with China was not a result of free and voluntary choice expressed through a democratic process,

[4] The global parliament-in-exile was elected in 2025, and names of elected individuals were announced on June 30, 2025. Since then, the Hong Kong Parliament website has undergone extensive changes, and the Free Hong Kong Declaration is no longer on the website. The Declaration was downloaded prior to the website undergoing the revamp.

but a secret negotiation between two sovereign powers without regard to the wishes of the people most affected by the transfer. Dagati argues that the status should be reinstated so that the United Nations could exercise supervisory power should a referendum by the people of Hong Kong be held to decide their political status.

Jayawickrama (1991) argues that the people of Hong Kong have created not only their own economic and social systems, but also their own cultural identity, and therefore, constitute a "people". However, this people group was not afforded the free choice to decide their political futures. This lack of free choice, he argues, renders the Joint Declaration through which Hong Kong joined the PRC in 1997 invalid. Head (1998), another legal scholar, agrees with Jayawickrama but offers an alternative possibility. While Jayawickrama's view is that Britain has illegally sold Hong Kong in return for stable and profitable relations with China, Head argues that the preservation of international peace and friendly relations took precedence. He argues the UN Charter provides that self-determination was a means to a larger end: that of international peace and friendly relations. He concludes that Britain did not violate Hong Kong's right to self-determination if it avoided a breakdown in international relations.

Head's (1998) argument is therefore the point of contention. The trumping of the right of self-determination of Hong Kong over friendly international relations precisely resulted in unfriendly international relations. These unfriendly relations have been demonstrated by the strained diplomatic relations over matters related to the Joint Declaration after the transfer of sovereignty. For instance, the BN(O) scheme itself has resulted in unfriendly relations in the form of the derecognition of the BN(O) passport as a travel document, despite the agreement in the Joint Declaration. A more recent legal scholar, Petersen (2019) argues that the British government decided not to challenge China's territorial claims because of two factors. On the one hand, the British feared provoking Beijing, against which the British would not be able to defend militarily; on the other hand, there was optimism that the New Territories lease would be extended. She argues that had the British government decided to challenge China's position at the General Assembly, it might have made it difficult for

the PRC to argue why Hong Kong was required to be transferred to China to protect its own territorial integrity.

As discussed so far in the thesis, the issue of self-determination returned to the agenda in postcolonial Hong Kong. According to Lecours & Dupré (2020), a series of essays on Hong Kong nationalism [香港民族论] was published by the Hong Kong University Student Union in 2013. They were among the first to propose the idea of a Hong Kong nation. The discourse was made in response to the CCP's political repression in the previous year, in which the government attempted to introduce the Moral and National Education curriculum in Hong Kong. The following year, they published a themed issue of their student magazine on *The Hong Kong Nation Self-Determining Its Fate* [*香港民族 命運自決*]. However, the "31 August Decision" in 2014 was the main transformative event that popularised self-determination claims.

The slogan "Liberate Hong Kong, Revolution of Our Times" is arguably the most salient voice for the self-determination of Hong Kong. It was first used by Edward Leung of Hong Kong Indigenous during the 2016 Legislative Council election campaign. The slogan was revived during the 2019 Hong Kong protests. Following the National Security Law and the exiling of Hongkongers, it continues to be shouted in protest assemblies in the United Kingdom. The framing strategy is again evident. The slogan frames Hong Kong as under totalitarian oppression and the Hong Kong protests as a revolutionary struggle against the CCP's influence. The term "revolution" suggests a complete overhaul of the existing system in favour of universal suffrage election of a democratically elected government.

The term "Liberate Hong Kong" could be interpreted in two ways. First, the original meaning refers to self-determination based on a complete break from China and/or the eradication of the CCP. During the 2016 electoral campaign, Edward Leung summed up the desires of Hongkongers succinctly:

> Some of us realised that, well, as long as we are under Chinese rule there is no hope to realise democracy or real autonomy in Hong Kong (Phillips & E. Cheung, 2016, para. 20).

The first-person plural indexical “we” here refers to Hongkongers, extending a metaphor of the family to which Leung belongs. Thus, against the backdrop of this context, the slogan means Hong Kong could only regain the right to self-determination if the CCP demises and/or Hong Kong is liberated from CCP control. However, following the BN(O) offer, the slogan has an added layer of meaning. Liberation could now include not only liberation from CCP control, but also from fear. As W. C. Ho (2023) explains, Hongkongers fear Beijing’s takeover. This strong sense of anxiety has triggered their response to fear. That is, to fight the totalitarian regime, or to flee from the same regime to escape the political repression.

Hongkongers were liberated from fear when they were exiled to the United Kingdom. However, their hearts are still with Hongkongers in their homeland (Hongkongers in Britain, n.d.). Thus, when the exiled Hongkongers in the United Kingdom carry the same flag containing the slogan “Liberate Hong Kong, Revolution of Our Times”, it can be interpreted as a form of solidarity to stand with the oppressed Hongkongers still in the homeland and a call for the United Kingdom to liberate Hongkongers not eligible for the BN(O) scheme. While efforts to expand the BN(O) route were primarily made by British politicians, the result of the call to “liberate Hong Kong” is evident in the expansion of the scheme to now allow post-1997 Hongkongers to apply for the scheme if they could show a connection with a BN(O) parent.

Although the Hong Kong Parliament, globally elected in June 2025, represents a step in the right direction to achieve self-determination, it currently exists as a virtual parliament-in-exile. I argue that to achieve greater representational legitimacy, the elected Hong Kong Parliament could establish a physical office in the United Kingdom for further advocacy. BN(O) status has evolved from a token protection to Hongkongers to a more substantive approach to allow for long-term residence in the United Kingdom, hence raising the possibility of creating a base of political resistance. This will be discussed in the final chapter. While the election of such a parliament marks progress towards addressing the broken promise of the Joint Declaration regarding an elected government for Hongkongers, it still lacks a physical territory where Hong Kong’s culture can be preserved, and self-governance practiced.

Yet, the initial election results reveal the practical challenges facing such an ambitious proposal. The limited participation of 15,702 votes (HK Parliament, n.d.), however, should not be regarded as evidence of the project's failure. Exile institutions often emerge under severe political constraints where broad participation is impossible. In the Hong Kong case, two major factors help explain this outcome. First, the organiser Elmer Yuen is a businessman relatively unknown in political circles. As discussed in the next chapter, there is no single figurehead whom Hongkongers universally recognise. The candidates who ran in the election were also relatively unknown individuals. None of the well-known former legislators participated as candidates, and Nathan Law explicitly stated that he would not take part. Law suggested that while the idea of a parliament might eventually evolve into a government-in-exile, the movement currently lacks the "maturity" and the "soil" for such a development (Law, 2023, 15:12). This implies that, if the movement were to mature and if the United Kingdom were to designate land for Hong Kong exiles, figures like Law could potentially reconsider their involvement in a representative capacity. More importantly, the electoral process was likely obstructed by transnational repression. By the time the election was held, Nathan Law and other high-profile former legislators had already been declared wanted under national security charges. It is therefore likely that these former elected representatives were unable to participate primarily for security reasons.

The elected Parliament comprised a diverse group of 15 individuals, including four members associated with the Hong Kong Democratic Independence Alliance (HKDIA), one member claiming affiliation with the Hong Kong National Party (HKNP), and the remaining representatives either independent or affiliated with the Hong Kong Alliance in Support of Patriotic Democratic Movements of China. This diversity mirrors the 2016 Legislative Council election, in which pro-independence and localist candidates, including Nathan Law of Demosistō, were overwhelmingly elected, demonstrating strong public participation despite ideological diversity within the pro-democracy camp. Similarly, no documented opposition grounded in factional divisions has been identified ahead of the 2025 election. Thus, while the diversity reflects internal differences in political orientation within the pro-democracy

movement in exile, low voter turnout appears to have been shaped primarily by unfamiliarity with the candidates and transnational repression rather than by existing ideological differences.

Despite the limited number of votes, the Tibetan Government-in-Exile serves as a precedent for Hong Kong. It has, for example, endured for more than seventy years without votes from Tibetans inside Tibet. Its authority derives not from electoral numbers but from its moral and symbolic role in sustaining the political identity of a displaced people. In a similar way, the Hong Kong Parliament represents more than a political experiment. It is an attempt to preserve the civic values and collective memory of Hongkongers who have been denied the right to self-governance. The relatively small electorate reflects the impact of transnational repression rather than the weakness of the idea itself. For this reason, the establishment of a physical office in the United Kingdom remains crucial, as it would give material form to a movement that otherwise exists only virtually, and would signal the continuation of Hong Kong's political identity beyond the reach of Beijing's control.

Although the organisation is currently registered in Canada, the United Kingdom remains the most appropriate and symbolically resonant location for any physical office of a parliament-in-exile. As the co-signatory of the Sino–British Joint Declaration, Britain retains both a historical responsibility and a continuing moral authority to uphold the rights and autonomy promised to Hongkongers. Establishing a presence in the United Kingdom would therefore align the movement with the treaty's unfinished obligations and situate Hongkongers' struggle within a recognised legal and diplomatic framework. While the Parliament's chairperson Alan Keung, of the Hong Kong Democratic Independence Union, is based in Canada, the fact that the BN(O) route is the most accessible resettlement route suggests that the United Kingdom would be the more legitimate host for any future institutionalisation, such as a headquarters for the parliament-in-exile or a charter city for Hongkongers.

The sustainability of such an office, however, would depend on transparent and collective forms of financial support. While private figures such as Elmer Yuen have played an initiating role, long-term legitimacy requires that funding be broadened

through community contributions or institutional partnerships within the Hong Kong diaspora. Otherwise, the office risks being perceived as the project of a single benefactor rather than a representative body. Elmer Yuen's financial capacity has enabled the early stages of the project, much as other Hong Kong benefactors such as Jimmy Lai once supported pro-democracy causes. Yet this dependence on a single patron raises questions about the long-term viability and representational breadth of an exile institution.

The final chapter of my thesis recommends granting a piece of land in the United Kingdom to Hongkongers as a Crown Dependency. This territory would not only serve as a hub for political resistance but also function as an economic centre that aligns with the United Kingdom's "Global Britain" ambitions. It would simultaneously offer a practical solution to housing up to 5.4 million eligible Hongkongers on British soil. Drawing on the historical precedent of the Tibetan Government-in-Exile, I argue for the establishment of a Hong Kong Government-in-Exile on British soil as a viable and impactful solution.

Chapter 5: ReCreating a New Hong Kong Under the British Crown: The Case for a Post-CCP Hong Kong Crown Dependency

The Historical Hong Kong as a Charter City Prototype

The concept of charter cities was first introduced by Paul Romer, a Nobel laureate, in a 2009 TED Talk (Romer, 2009). Romer is best known as a University Professor at Boston College and for his role as a former Chief Economist of the World Bank. He begins his talk with an observation: that bad rules in developing countries limit the bringing in of technological innovations, such as electricity. Romer cites the example of an African country where students were doing their homework under streetlights because their homes did not have electricity. A rule existed in that African nation where the electricity supplier had to sell electricity at such low, subsidised prices that the company did not have any incentives to connect homes. The challenge then, according to Romer, was to develop a set of rules for changing rules. Romer elaborates his argument by pointing out on a satellite map that North Korea did not have lights while South Korea did. Both countries started out with the same set of rules, but when the two separated, they chose a different set of rules that led to the current state that affected the citizens.

Romer (2009) then refers to China and the technologies that it pioneered, such as steel, the printing press, and gunpowder, but as China did not adopt rules for spreading those inventions, it slowed down innovations and eventually cut itself off from the rest of the world as other countries developed new technologies and advanced their rules. According to Romer, China changed its rule in the late 1970s, causing the country to grow rapidly and very quickly catch up with the United States. He shows the satellite map again and points out that Hong Kong was the brightest spot in China. Romer explains that for most of the twentieth century, Hong Kong operated a different set of rules from that of the Chinese mainland. That set of rules was copied from the market economy, and the city was administered and run by the United Kingdom. Millions of Chinese went to British Hong Kong to work in manufacturing jobs to make money. That was a notable difference from the planned economy of China at the time. The idea of transplanting the entire population of Hong Kong into a charter city in the United Kingdom that would replicate the success of the

original Hong Kong has been proposed in various forms since the colonial era. However, these plans have not materialised.

Romer claims that Deng Xiaoping, when he got into power, wanted to copy the Hong Kong model, but that Deng understood the importance of giving people choices. Thus, according to Romer, Deng created four special economic zones that operated market rules where Chinese citizens could choose to come, live, and work in those zones. These special economic zones—Shenzhen, Zhuhai, Shantou and Xiamen—were created close to Hong Kong and Taiwan where foreign firms could come in and set up factories. For instance, Taiwanese firm Foxconn set up a factory to make iPhones with Chinese labour who moved there. The successes of these special economic zones led to the opening of fourteen other cities where people could opt in, and the demonstrated successes led to the entire China moving towards a market model.

Romer (2009) argues the Chinese experience tells us that cities provide opportunities to experiment with new rules. Millions could reap the benefits under good rules. He closes his talk with a proposal for charter cities that will start with a charter of good rules. These cities would attract investors who will build the infrastructure on uninhabited lands, workers who will work for the firms, and families who will permanently live there and raise their children. He proposes that governments work together to build charter cities, just as the United Kingdom and Chinese governments did in partnership to build Hong Kong together with the market model and then had that model later replicated in cities throughout China. The charter city model would involve the developing country delegating control and responsibility to a developed country to administer the city, just as the Hong Kong model did. Finally, Romer argues that unlike colonialism, the charter city model is all about giving choices for leaders and people to come and live in new places without coercion. They are all voluntary choices that people will make, and no one will be forced to move to the charter city.

However, the Hong Kong charter city prototype is not without academic critics. The departure from the charter city model can be observed in several aspects. Contrary to the model, China did not invite the United Kingdom to administer Hong Kong (Cheong, 2010; Cheong & Goh, 2013). The British took Hong Kong as a result of

defeating China in the two Opium Wars. The defeat is what China today emphasises as the “century of humiliation”. Second, under early British rule there were certain exclusionary areas in Hong Kong that Chinese could not enter (Cheong & Goh, 2013). The actual situation in Hong Kong was a far cry from Romer's (2009) model in which “people lived and worked in a level playing field under a well-intending administration” (Cheong & Goh, 2013, p. 101). Third, Cheong and Goh argue that it was as much the British enterprises as good British governance that made Hong Kong’s growth and success: the Hong Kong and Shanghai Bank and Jardine Matheson provided commercial and financial services; the British Navy stationed in Hong Kong, as well as visits by British merchant vessels, resulted in the growth of shipbuilding services in Hong Kong. In short, Romer’s model of a charter city “bears little resemblance to the actually existing city-state, past or present” (Ebner & Peck, 2022, p. 44).

The China factor also played a significant role in Hong Kong’s success (Cheong, 2010; Cheong & Goh, 2013). The civil war, the Great Leap Forward, and the policy transition following Chairman Mao’s death were major push factors for migration to Hong Kong. While the Great Leap Forward created extreme hardship that compelled individuals to consider leaving, it was the loosening of social and travel controls after Mao’s death that made such migration practically feasible, enabling an estimated 500,000 people to relocate across the border (Cheong & Goh, 2013). These factors pushed Chinese refugees to Hong Kong whose economy was *laissez-faire*. Hong Kong’s stable governance was a “pull” factor that pulled them in. Furthermore, the reform and opening of China under Deng Xiaoping also revived Hong Kong’s entrepot trade with the Chinese mainland, which had fallen sharply when the border was put in place in 1950 (Cheong & Goh, 2013). According to Cheong and Goh, Hong Kong was also increasingly dependent on the Chinese mainland for its growth as an international financial centre and gateway to China.

Cheong and Goh (2013) posit that as the leaders in Guangdong and Fujian provinces pressed Deng to carry out liberalisation of the command economy, Deng agreed to set up special economic zones in their provinces. It is entirely possible that Hong Kong

may have been seen as a model for these special economic zones, but Romer's (2009) theory is not documented. According to Cheong and Goh, several advantages may have influenced Deng to set up the zones in their provinces. The close proximity to the rapidly growing economies of Hong Kong and Taiwan, the common ancestry and dialect with the people in these economies and Southeast Asia, the experience of these two provinces in foreign contact, and the minimal risks involved in setting up these zones that were far away from China's capital were all favourable conditions for setting up the zones in these places. Critics of Romer's Hong Kong model claim posit that the special economic zones were set up on models of the export processing zones of Taiwan, Korea and Malaysia (Cheong, 2010; Cheong & Goh, 2013). These export processing zones had extensive regulatory controls that "were much closer to the Chinese situation than the free-wheeling economy of Hong Kong" (Cheong and Goh, 2013, p. 102). As a result of rising manufacturing labour costs, Hong Kong was the bulk of the foreign direct investments in these special economic zones. Hong Kong companies began relocating their manufacturing operations to these zones (Cheong, 2010; Cheong & Goh, 2013). It is this moving up north that is a deviation from the charter city model "having a demonstration effect on the hinterland" (Cheong and Goh, 2013, p. 102).

While the special economic zones are one kind of charter city that may be common within a sovereign state, Romer's proposal of having a developed country administer parts of a developing country is uncharted territory. It has not been successfully replicated since the United Kingdom transferred its sovereignty over Hong Kong to China. In 2008, Madagascar's then President Marc Ravalomananhad experimented with Romer's (2009) idea and planned to build two charter cities with a foreign-government sponsor, but a military coup soon put an end to the efforts (Ebner & Peck, 2022). Romer himself was later involved in a charter city project when he was appointed to the chair of the Transparency Commission to oversee the creation of a charter city in Honduras. However, he later resigned after discovering the government had signed a contract with a private firm without consultation with the Commission, and the project was soon declared unconstitutional (Ebner & Peck, 2022; J. Mason, 2022).

As many Hongkongers have taken up the British government's offer of a pathway to full British citizenship, the thesis explores a tangible solution to Chinese political repression: the creation of a United Kingdom-based Crown Dependency for Hongkongers. The new territory could function as a centre for economic activities and political resistance, offering an alternative for investment to China's "Belt and Road Initiative" and providing a space for identity formation in exile. This revolutionary shift aligns with the political aspirations of Hongkongers, as captured in the protest slogan "Liberate Hong Kong, Revolution of Our Times", offering a new path to autonomy and democratic freedoms.

I argue that the unfulfilled Joint Declaration promise of a representative government for Hongkongers renders it necessary for the British government to support the election of a Hong Kong Government-in-Exile on British soil. It would serve not only as a response to China's violation of the Joint Declaration but also offer a tangible example of prosperity tied to a liberal democracy. The British government has a history of hosting governments-in-exile during the Second World War, such as the Polish Government-in-Exile (Stola, 2012). These historical precedents, along with the British responsibility to honour its commitments under the Joint Declaration, further strengthens the case for a Hong Kong Government-in-Exile to be based in the United Kingdom.

The Unrealised Plans to Establish a New Hong Kong in the United Kingdom

Throughout Hong Kong's history, there have been various proposals to create a charter city for Hongkongers in the United Kingdom. These proposals were made against the backdrop of Chinese repression of Hong Kong. The earliest proposal of a charter city for Hongkongers appeared on October 25, 1983, in *News Letter* ("Ulster to adopt Hong Kong?", 1983). The piece cited the then University of Reading sociology lecturer Christie Davies as saying that Hong Kong's capitalist system had no future under a Communist regime. In the context of the ongoing Sino-British negotiations, Davies predicted that the British would sell out Hong Kong, and any guarantees made between Britain and China would be broken after the handover. Davies argues that a Hong Kong city-state in Ulster would provide an economic boost to Northern Ireland

while there would be a political boundary so that “the inhabitants in the Province would not be disturbed” (“Ulster to adopt Hong Kong?”, 1983, para. 5).

Against the backdrop of sectarian conflicts in Northern Ireland, Davies’ proposal led to some discussion among British government officials. In a letter addressed to David Snoxell of the Republic of Ireland Department, George Fergusson of the Northern Ireland Office wrote that Davies’ proposal may result in some advantages but also disadvantages (Fergusson, 1983, Ferguson to D. R. Snoxell, undated). First, the proposal would provide reassurance to the Unionists that the United Kingdom government intended to keep Northern Ireland but at the same time the transplantation could alienate the Catholic minority. Second, it would balance American doubts about the intention of the British government with a favourable outcome for the people of Hong Kong. Finally, there could be difficulties in the recognition of a third identity in Northern Ireland, considering the government’s framework on devolution. Fergusson also sought advice from Snoxell on whether the British citizenship of the Hong Kong Chinese would allow them into the then-European Community, citing the Gibraltarians and Falkland Islanders as precedents of this acceptance. Furthermore, Fergusson cited a recent precedent when fifty families from Vietnam successfully settled in Craigavon and Coleraine.

In reply to Fergusson, Snoxell saw several problems with Davies’ proposal (Ferguson, 1983, D. R. Snoxell to Ferguson, November 10, 1983). Snoxell argues that granting the Hong Kong Chinese a city-state may result in decolonised people from South-East Asia also asking for a city-state in the United Kingdom. The transplant could also drive the indigenous Catholics out of their own homeland. In addition, it was not clear whether the plan intended to transplant Kowloon and Hong Kong Island only or whether it included the leased New Territories. Snoxell, however, saw the merits of the plan, arguing that the proposal established that the Hong Kong Chinese would be comfortable with the Northern Ireland climate and would be in harmony with the inhabitants.

The Davies proposal, however, could have exacerbated the then-sectarian conflicts between the Protestants and the Catholics. The plantation of Ulster in 1611 was

already resented by the Catholic population when the Scottish Protestants took over 95 percent of the land (Cairns and Darby, 1998). The conflict was primarily between the Protestants who wanted Northern Ireland to remain part of the United Kingdom and the Catholics who wished to see unification with Ireland (Hewstone et al., 2006). According to Hewstone et al., the largely segregated schooling system contributed to the intergroup conflict. While the government discussion suggested that the transplantation of Hong Kong may assure the Unionists that the United Kingdom was committed to retaining Northern Ireland, it could have further marginalised the Catholics and exacerbated "The Troubles" at the time. While the government issued a White Paper on devolution, the arrival of a third identity may mean devolution could be more difficult to manage and potentially cause more conflicts.

Following the 1989 Tiananmen massacre, D. Mason's (1989) report *A Home for Enterprise* proposes a new Hong Kong colony to be built in Scotland. The report traces how Hong Kong has become a booming port under British rule due to its *laissez-faire* policy. However, the Tiananmen massacre made Hongkongers anxious about their future. Despite the Joint Declaration signed with China a few years earlier, it was feared that the Chinese would not hesitate to break their promises to Hongkongers.

At the time, the British government was debating the policy of granting a limited number of British passports to civil servants. Some quarters in British politics believed the right to domicile in the United Kingdom should be granted to all Hongkongers. D. Mason's report identifies a problem that it would not be practicable to accommodate the whole of Hong Kong in already congested Britain. For those who advocated granting full British citizenship to Hongkongers, they must also take responsibility for where Hongkongers would settle. The report then identifies Scotland as the potential site for a new Hong Kong because of "its history of liberal thought, its current economic success, its superior record of racial harmony and its extensive, sparsely populated Atlantic seaboard" (D. Mason, 1989, pp.18-19). He argues that a "deregulated, low tax, private enterprise economy" (p. 20) can showcase the intangible benefits the charter city could bring to Britain. In short, given Hong Kong's

history of economic success, D. Mason argues that the people of Hong Kong are more than capable of repeating this achievement in the new Hong Kong.

While both Davies and Mason referred to China's repressive events as justification for creating a new Hong Kong in the United Kingdom, neither set out the details of the governance structure of the charter city. The proposals appear to assume that the British government would build a charter city and send in a government to govern a population mostly consisting of Hongkongers. However, this structure may be viewed as a return to traditional colonial governance.

There is no doubt that British colonialism, whatever its imperfections, has done immense good for many of the territories it once governed (Gilley, 2018). Hong Kong stands as one of its most remarkable legacies. Under British rule, Hongkongers inherited a culture of legality, an open market, civil liberties, and the expectation of accountable government. They were not enslaved but empowered through English education, access to global trade, and a political order grounded in merit and moderation. These were not colonial impositions but the very conditions that allowed Hong Kong to become one of Asia's freest and most prosperous societies.

Gilley's argument that postcolonial states should either emulate colonial institutions or invite recolonisation exposes the central paradox of China's rule. By refusing to replicate Britain's accountable governance or to permit any form of external stewardship, Beijing has guaranteed the collapse of Hong Kong's success story. In destroying the British institutions that once defined Hong Kong's character, the CCP has made recolonisation of Hongkongers by Britain the credible path to Hong Kong's liberation. The BN(O) pathway, which has enabled millions of Hongkongers to return under British protection, represents a voluntary recolonisation that restores the civic dignity Beijing has brutally stripped away.

Yet, moral restoration requires more than refuge. The British government, having once pledged to grant Hongkongers a measure of self-government under the Joint Declaration, cannot simply resettle them as passive recipients of protection. Establishing a self-governing Crown Dependency or charter city would therefore signify not a nostalgic return to empire, but an attempt to address the unfinished

constitutional project of Hong Kong. Freedoms once practised in a liberal environment, but later curtailed under totalitarian rule, could find renewed institutional expression. In this sense, replicating Hong Kong's pre-1997 democratic structures would constitute a form of political restoration rather than domination.

During the 2019 Hong Kong protests, the Victoria Harbor Group was founded by Ivan Ko to search for a site the build an international charter city. Ko had been negotiating with the Irish government for land that would accommodate half a million people (Griffiths, 2020). According to Griffiths, Ko's plan was linked to the 2019 Hong Kong protests when many Hongkongers considered leaving. Although the original plan did not eventuate, Ko had been promoting his vision of a new Hong Kong through the Charter Cities Institute (Lutter, 2020; Lutter & Ko, 2020) and the Free Cities Foundation (Allen, 2024), founded by Dr. Mark Lutter and Dr. Titus Gebel, respectively, holders of PhDs in economics and international law. The latest rounds of interactions were with a local council in Kent (Allen, 2024). Since late 2024, Ko's company has been partnering with Thames Freeport to develop a twenty-first century charter city (Free Cities Foundation, 2024).

The Victoria Harbor Group is a private corporation, and while it has been established to negotiate with governments for building a charter city for Hongkongers, it is not itself a government. It is unlikely that the residents of the city would recognise the rules set up by a private company as legitimate. There is also the problem of representation. While a private company may be technically competent to construct the city and manage its infrastructure and services, it is not designed to undertake diplomatic representations of BN(O)s. Further, a private company would not have the competence to make and pass laws or to govern a city.

Following the announcement of the impending National Security Law, British policy analysts have again proposed a charter city to be established for Hongkongers (Ebner & Peck, 2022, p. 44). On May 28, 2020, the same day the National People's Congress decided to implement the National Security Law in the HKSAR, British think tank CapX published Bowman's (2020) article, "Let's Build Hong Kong 2.0 Here in the UK", on its website. Bowman argues the charter city can be a Crown Dependency which would

not only enable the United Kingdom to retain sovereignty of the land but also allow the charter city to be self-governing like the governance structure of the Isle of Man and Channel Islands. Rather than focusing solely on economics, Bowman proposes that the charter city would allow Hongkongers "to escape the Chinese regime, which is showing less and less respect for the rule of law in Hong Kong and for the Sino-British Joint Declaration in which it agreed to preserve 'one country, two systems' until 2047" (Bowman, 2020, para. 8). He argues that the charter city would be made up of industrious Hongkongers and draw in "new talent and investment from all around the world" (Bowman, 2020, para. 9). He envisions that Hong Kong 2.0 would provide well-paid jobs and affordable housing to young people. British citizens could also move into the charter city. This thesis analyses Bowman's proposal to establish a Crown Dependency for Hongkongers and how it can help fulfil the broken promise of political autonomy.

Crown Dependencies are not part of the United Kingdom but are self-governing territories under British sovereignty (Mut Bosque, 2020). A Crown Dependency has its own directly elected legislature and its own courts of law. As a British territory, the Crown is represented by a Lieutenant Governor. Examples of Crown Dependencies are the Channel Islands and the Isle of Man. In addition to the economic benefits, a parliamentary democracy could simultaneously fulfil the Joint Declaration's promise of political autonomy as a practical solution to the predicament facing Hongkongers.

The United Kingdom charter city for Hongkongers is a departure from Romer's (2009) charter city model in three respects. Although I have argued that the United Kingdom is desperately seeking to acquire capital and talents through the BN(O) route, the United Kingdom is first and foremost not a developing country seeking help in economic development that Romer's model envisions. Second, there is no possibility that the existing HKSAR government would come and run the Crown Dependency. Rather, in this thesis a government-in-exile is proposed. Third, the identity consciousness, the stateless nationalism, and the British nationality of Hongkongers in today's situation all add to the complexity of Bowman's (2020) unprecedented idea that requires further evaluation and debate. Yet, the success of the original charter

city that Romer claims to be Hong Kong could serve as a model for Hong Kong 2.0 in the United Kingdom and replicate Hong Kong's former economic success before the handover.

A Comparative Case Study of Political Resistance: Tibet and Hong Kong

Although the idea of a Hong Kong Government-in-Exile is not entirely new, it has not been documented in the academic literature. Survey results show that the majority of Hongkongers desire a Hong Kong Government-in-Exile either symbolically or operationally (Atlas, 2021). It is thus possible for the recently elected Hong Kong Parliament to evolve into a Hong Kong Government-in-Exile. I shall return to this conceptual framework later, but I first wish to argue the experience of the Tibetan Government-in-Exile can be drawn on as an analytical framework for the administration of the charter city. Although establishing a new government-in-exile is a departure from the existing framework for understanding governance of the charter city, this unique model of governance is a novel idea that contributes to knowledge for the unprecedented times we live in.

Romer's (2009) model of a charter city is administered by a charter document that outlines a set of rules and regulations for the charter city. Although the *Charter of the Tibetans in Exile* is also a charter, it is a constitutional document of the Central Tibetan Administration to rehearse governance for a future Tibet (Central Tibetan Administration, 2011, Article 3). Furthermore, Romer's reference to a charter document that sets out the rules and regulations for the charter city is an economics and urban planning concept. The content of the charter document for Hong Kong 2.0 would therefore look significantly different to the *Charter of the Tibetans in Exile*. Although the charter document for Hong Kong 2.0 will likely focus on economic policies and governance framework, it could also outline the civil and political rights of its residents such as the freedoms that were originally promised in the Joint Declaration. Given BN(O)s' main reason for emigration is highly likely to be of a political nature, the charter document could place a strong emphasis on advocacy for the restoration of Hong Kong's freedoms and autonomy that have been promised to Hongkongers in the Joint Declaration. It could include conditions under which

Hongkongers would return to their homeland and have the Hong Kong Government-in-Exile serve as the legitimate government of Hong Kong upon its return.

This model of governance and advocacy would therefore be similar to that of the Central Tibetan Administration. Although the specific contents and goals may differ, both the *Charter of the Tibetans in Exile* and Romer's vision of a charter document seek to establish some form of a governance framework. It needs to be clarified at this point that Dharamshala is not considered a charter city. Dharamshala is the seat of the Tibetan Government-in-Exile. While the Central Tibetan Administration has been granted the autonomy to run Tibetan settlements, the Tibetans ultimately follow Indian laws. The Central Tibetan Administration does not have the autonomous legal and governance structures that the envisioned Hong Kong 2.0 Crown Dependency will have. However, due to the similarities in political goals, the Tibetan experience of exile over the past six decades is still an invaluable asset for us to draw on.

In his monograph *City on Edge: Hong Kong under Chinese Rules*, Hung (2022) outlines Tibet's trajectory and compares it to the current situation in Hong Kong. According to Hung, the CCP originally supported the self-determination of minority nations during its revolutionary years. This was the CCP's strategy of gaining support from the ethnic minorities, but by the time the CCP gained power in 1949, it had abandoned the idea of federalism. Instead, it designated autonomous regions that were under the direct authority of Beijing. The CCP announced that as the Kuomintang had been overthrown and the situation had changed, advocacy for self-determination of ethnic minorities should no longer be given prominence. Hung argues that Tibet's relationship with the central authorities was strained because of a different understanding of autonomy. The differences in understanding are similar to the tensions we have seen in Hong Kong over the past decade. The CCP saw the arrangement as a transition to full assimilation, resembling the crisis in Hong Kong today.

Towards the end of the Chinese civil war, the CCP started working on strategies to integrate Tibet into the Chinese socialist state. Deng Xiaoping, then head of the

Southwestern Bureau, offered to the Dalai Lama that the Tibetan government would continue to run Tibet and preserve their way of life. Thus, the *Agreement of the Central People's Government and the Local Government of Tibet on Measures for the Peaceful Liberation of Tibet*, commonly known as the Seventeen Point Agreement, was signed in 1951. Chairman Mao himself dialogued with the Dalai Lama and offered a place for religion under the CCP. According to Hung (2022), Mao's kind words to the Dalai Lama remind us of how Deng also promised Hongkongers that they would retain Hong Kong's way of life for fifty years.

However, in 1956, the Tibet Autonomous Region Preparatory Committee (TARPC) was formed and seized power from the Dalai Lama government to initiate land reforms. This is analogous to the Liaison Office in Hong Kong that became "the second power centre beside the HKSAR government" (Hung, 2022, p. 115). The Dalai Lama himself was on the TARPC and opined that social reforms would be better carried out sooner by the Tibetans than later by Beijing's imposition. This caused the Tibetan middle-class to accuse the Dalai Lama was selling out Tibet's interests to the CCP. Anti-Chinese insurgency broke out in Tibetan regions in other provinces. When the anti-Beijing activists were overwhelmed by the People's Liberation Army (PLA), they retreated to Lhasa that offered them shelter. According to Hung, this made Beijing believe that it was the Dalai Lama government that was the black hand behind the uprising. The conflicts came to a showdown in March 1959 in Lhasa when the Dalai Lama was rumoured to be kidnapped. The rumour caused a full-scale rebellion against Beijing. As a result, the Dalai Lama and key officials in his government fled to India.

What followed were two waves of Tibetan refugees that made their journeys across the Himalayas to India on foot. When the Sino-Indian War broke out in 1962, the borders between Tibet and India were closed. By then, the first wave of exiles of around 80,000 Tibetans had already come to India (Kolas, 1996; McConnell, 2016). China was then isolated from the world and the exiled Tibetans had little contact with those left inside the borders. According to McConnell, the second wave of exiles began in 1986 that lasted until 1996 as 25,000 Tibetan refugees arrived in India when

travel restrictions previously imposed on them were loosened. From the late 1990s until the Tibetan unrest in 2008, an estimated 2000-3000 Tibetans were exiled to India illegally each year, but after that the flow stopped due to strict border controls.

The Dalai Lama, upon his arrival in India, established the Tibetan Government-in-Exile that oversaw the exiled Tibetans' welfare, education and preservation of Tibetan cultures. The government headquarters is located in Dharamsala, India. According to McConnell (2016), in 1963 a constitution modelled on Western concepts of parliamentary democracy set out a future Tibet for a time when the Tibetan exiles could be united with their homeland. The 1963 Constitution was revised in 1991 to form the *Charter of Tibetans in Exile*. The Charter was amended in 2011 when the Dalai Lama retired from politics in favour of a democratically elected leadership and distributed powers across the three organs of administration—the Executive, the Legislature and the Judiciary (Central Tibetan Administration, 2011). While the Tibetan Parliament oversees the departments of the Tibetan Government-in-Exile, makes laws, issues policy decisions, and manages finances, it also lobbies parliaments and NGOs across the world for the Tibetan cause (McConnell, 2016). The Judiciary is only able to hear and settle civil cases between Tibetans as the Central Tibetan Administration is not a sovereign government.

According to the website of the Central Tibetan Administration (n.d.), the government-in-exile runs seven portfolios. They are religion and culture, home, finance, education, security, information and international relations, and health. Thus, the departments serve the exiled Tibetans in a number of ways (McConnell, 2016). They include:

1. Re-establishing monasteries and nunneries,
2. Overseeing Tibetan schools, curriculum, and Tibetan textbooks,
3. Running Tibetan hospitals, health and medical centres in Tibetan settlements,
4. Managing the Tibetan settlements, assisting Tibetans to acquire and renew their Indian registration certificates,
5. Overseeing the annual budget, and,

6. Disseminating information about Tibet and liaising with international support groups.

Funding of the Tibetan Government-in-Exile presents some challenges. According to McConnell, in the first few years after the arrival of the Tibetan refugees, the Indian government funded educational and resettlement programmes with the help of international NGOs. This funding continues today. The Tibetan Government-in-Exile also secures funding through a voluntary tax from the Tibetan exiles. In short, the Tibetan Government-in-Exile is funded through a combination of the Indian government, international NGOs, and most importantly, the goodwill of the Tibetan exiles that enable it to exercise authority and foster allegiance from the exiled Tibetan community.

The exiled Tibetans live in settlements and communities across India, Nepal, and Bhutan. The Department of Home manages these settlements through its Tibetan Settlement Offices (Central Tibetan Administration, n.d.). There are agriculturally based as well as handicraft and industrial-based settlements. The Indian government granted land to the Tibetans to establish these settlements and communities to assist in humanitarian relief efforts as well as help India's food supplies (McConnell, 2016). McConnell has interviewed several people in the settlements who described the relationship between the Settlement Offices with that of the Tibetan Government-in-Exile as one of a hierarchical structure of central and local governments.

Although in the first few years of settlement the Indian government was responsible for the settlements, it gradually transferred its authority over to the Tibetan Government-in-Exile. According to McConnell (2016), utilities are provided by Indian companies, but the Tibetan Government-in-Exile manages the physical infrastructures such as buildings and flood protections. The government-in-exile also provides welfare, education and health services to the settlements. McConnell argues that this transfer of authority gave the government-in-exile space for a rehearsal for the time when they could return to a free Tibet. The defined Tibetan spaces also enable the government-in-exile to exercise authority over the Tibetan exiles and to provide welfare, education and health services to the settlements. Thus, this

government-in-exile is “a practical means through which imagined futures are made present” (McConnell, 2016, p. 74).

While Indian laws ultimately apply to the Tibetans’ communities, the settlements appear to be autonomous spaces to practise government. McConnell (2016) argues that the granting of these autonomous spaces within Indian territories provides the government-in-exile opportunities for experimentation and training. The Tibetan communities are granted the freedom to regulate their own community issues and civil disputes, while Indian laws govern residence certificates and business licences. The primary rationale for maintaining the settlements is to preserve the Tibetan way of life by “Tibetanising” the settlements with Buddhist structures, Tibetan schools, and Tibetan symbols such as the parliamentary electoral system. According to McConnell, the success of nationalism through these symbolic links to the homeland is a validation of the settlement program that recreates a “mini-Tibet” in exile.

In many ways, Hongkongers are like the Tibetans. The obvious similarity between BN(O)s and the Tibetan exiles is that both peoples are oppressed by the Chinese government. The set of values held by both peoples is more appealing than CCP doctrines, but beliefs that contradict the values of the CCP work to threaten the Chinese leadership (Kolas, 1996). For the Tibetans, it is the practice of religion that gives them moral power; for Hongkongers, it is the civic-based values associated with a liberal democracy—the bedrock principles of Hong Kong—that are more legitimate than allegiance to the PRC. Both peoples are advocating an alternative system of government to Chinese rule. Both peoples want to return home when their homelands are free from CCP occupation. Despite the similarities, there are also several distinct differences between the two people groups.

The first apparent difference is the person and institution of His Holiness—the Dalai Lama. Tibetans are united around this undisputed spiritual leader. As mentioned above, many Tibetans followed the Dalai Lama to India after his government fled their homeland in 1959. The Dalai Lama is the representative of the Tibetan cause worldwide and his exiled government has received worldwide recognition and funding from aid organisations and the Indian government. While Hong Kong had

many admirable democratic legislators who have now fled in a similar way to how the Dalai Lama and his officials escaped in 1959, Hongkongers do not unite around a single leader. However, the Parliament could appoint a former colonial administrator or respected British figure to serve as a symbolic head, providing continuity and legitimacy. This approach draws on historical precedent from colonial governance and the Tibetan Government-in-Exile, where symbolic leadership help maintain institutional continuity. This model allows for analytical exploration of governance possibilities in exile.

The leadership of the Dalai Lama leads us to a second important difference. Tibet has been ruled by a Tibetan emperor, and later by the Dalai Lama, dating back to pre-modern times (McConnell, 2016). The Tibetans had been ruling themselves for many centuries. This contrasts with Hong Kong's relatively short history of civilisation. During the British rule of 156 years, Hong Kong Chinese were excluded from governance of Hong Kong until towards the end of the British colonial era (State Council of the People's Republic of China, 2021). However, in the postcolonial era, the HKSAR government has increasingly followed the instructions of the central government and lost the autonomy that they were given under British rule. Thus, Hongkongers have never had real self-rule in the whole of Hong Kong's civilisation dating back to 1842. There is no pre-existing framework that would bring Hongkongers into exile.

A government-in-exile usually established legitimacy in the homeland prior to exile but was exiled due to circumstances such as a coup or uprising, as in the case of the Dalai Lama. While the British Hong Kong government was a legitimate government before the handover, it ceased to exist after that date. Thus, if Hongkongers now establish a new government-in-exile, this would be another significant departure from the framework of governments-in-exile. Yet, this is a novel idea that invites further theoretical debate and contributes to academic knowledge of charter cities and governments-in-exile. A related difference between the histories of the two peoples is the rich cultural and religious traditions that the Tibetans possess throughout the centuries, contrasting with the Hong Kong culture that only began to

take shape in the 1970s. However, just as the Tibet nation is defined by the Buddhist doctrine, Hongkongers share a civic-based nation.

The third obvious difference is the extent of help that the Tibetan and Hongkonger exiles receive from host governments. Both peoples are aided by foreign governments. Hongkongers are aided through the BN(O) scheme while the Tibetans are aided by the Indian government. However, the extent to which the British government is willing to assist Hongkongers is at this point unclear. While the Indian government has funded resettlement and education programs to help the Tibetans (McConnell, 2016), the British government has put a "no recourse to public funds" clause to the BNO visa. This means that, unlike the Tibetans, Hongkongers are left on their own to find places to live and jobs to sustain themselves. It remains to be seen what attitude the United Kingdom would take should a Hong Kong Government-in-Exile similarly ask for land from the British government with an intention to self-rule the proposed charter city. Further, on December 4, 2023, the previous government announced a plan to cut immigration to the United Kingdom:

> It is clear that net migration remains far too high. By leaving the European Union we gained control over who can come to the UK, but far more must be done to bring those numbers down so British workers are not undercut and our public services put under less strain (GOV.UK, 2023).

The Home Secretary uses the othering strategy to describe people not of the United Kingdom as a strain on British society. The statement frames the immigrants as people who may undercut British workers. While the Home Secretary's announcement did not specifically mention BN(O)s, it is not difficult to surmise that BN(O)s could have been part of the consideration of this plan. In a report released on November 22, 2023, the Welcoming Committee for Hongkongers (2023) has shown that despite being highly educated, only half of BN(O)s surveyed have found work. I have argued that the British government's political intention was to gain the talents and capital they desperately needed following the effect of the pandemic and Brexit. Thus, it is likely that the British government has now realised that the actual situation some three years into the BN(O) scheme may not have been what they had imagined.

Despite the “no recourse to public funds” clause of the BNO visa, this continuing situation will obviously create a burden on the British government and put a strain on public services after BN(O)s are granted indefinite leave to remain.

The measures aim to restrict the number of dependents coming to the United Kingdom and increase the minimum income that the sponsors must earn to bring their dependents to the United Kingdom (GOV.UK, 2023). At the time of writing this thesis, it is unclear whether the measures will be applicable to BN(O)s. If they are, dependents of BN(O)s who wish to emigrate to the United Kingdom in the future may face more hurdles. Furthermore, the United Kingdom has not revealed the requirements for applying for citizenship following a year of settled status, with experts predicting that it may be difficult for BN(O)s to apply for citizenship when the first batch of BN(O)s qualifies (Liu, 2023). It is important to note that the newly elected Labour government has now proposed a minimum qualifying income and an upgrade of English language proficiency level for settlement application (Home Office, 2025). BN(O)s who fail to meet these requirements would therefore remain “second-class” within the metropole: British on paper but who otherwise do not enjoy full integration into the United Kingdom. We can therefore observe that the “no recourse to public funds” clause in the BNO visa and the more policy recent changes may have been designed once again to minimise British obligations and avoid moral responsibility owed to Hongkongers.

Another salient difference is the greater level of experience in emigration that Hongkongers possess. When the Tibetans were exiled in 1959, they had not experienced much of the outside world. Most Tibetans followed the Dalai Lama who were exiled to India. This lack of migration experience contrasts that of Hongkongers who had already emigrated to different parts of the world during the first wave of emigration in the 1980s. Thus, as a people Hongkongers have far more experience in emigration than the Tibetans did in 1959. This higher level of emigration experience as a people may put BN(O)s in an advantageous position because they are more likely to have access to the guidance of other Hongkongers who have already emigrated to

the West before themselves as well as advice from a plethora of emigration consultants in Hong Kong.

It is important to remember that Hongkongers are British nationals. Except for the post-1997 Hongkongers who apply for asylum or a BNO visa through a connection with a parent of BN(O) status, the exiles from Hong Kong are primarily British nationals holding BN(O) passports. Thus, the term "exile" carries a different meaning for Hongkongers. In the Tibetan context, "exile" means being forced to leave one's homeland and settle in a foreign land as refugees. However, by their British nationality, BN(O)s have been exiled to their mother country—the United Kingdom.

Although the emigrants of both the first and current waves of emigration were concerned about the political uncertainty of Hong Kong (K. C. Wong & Yan, 2022), there are some important differences between the two waves of emigration. During the former wave of emigration, Hongkongers who emigrated had some kind of connection with the places that they were going to (W. C. Ho, 2023). In that era, those kinds of connections could be kinship ties, or former classmates in Western countries who had already gone there before the emigrants themselves. According to W. C. Ho, Hongkongers of this current emigration wave, however, do not have the same kind of connections that their earlier counterparts had in the first emigration wave. While Hongkongers have long been part of the United Kingdom because of Hong Kong's shared history with Britain, we must remember that the 1962 Act severely restricted the right of entry of Hongkongers to enter the United Kingdom, and the 1981 Act further separated Hongkongers from their mother country. As the previous emigration wave did not include the United Kingdom, Hongkongers who moved to the United Kingdom under the BN(O) scheme, especially in the earlier years of the scheme, would not have such kind of connections.

In addition, while the primary factor for decisions of both waves to emigrate to the West was political uncertainty in the homeland, Hong Kong was not nearly the polarised political place that we see today. As this thesis has shown, political consciousness was only amplified from around 2012 when the government attempted to introduce national education into Hong Kong. Joshua Wong was

instrumental in raising the consciousness of the Hongkonger identity among the public (Lecours & Dupré, 2020). Thus, one could argue that the emigrants of the first emigration wave were either apolitical or held a variety of political views than the pro-democracy views of the current BN(O) wave. Emigrants in the previous wave were willing to emigrate to Western countries for the purpose of obtaining foreign nationalities as an insurance policy against political uncertainty and returned to Hong Kong to live as soon as they acquired their citizenship (Ching, 2018; Chuang, 1990; Kuah, 1996; Sussman, 2012; K. C. Wong & Yan, 2023). The BN(O) wave, however, generally does not believe they could ever return to Hong Kong as long as Hong Kong is under Chinese occupation (W. C. Ho, 2023).

Related to this aspect is the concept of the "astronaut" family (Kuah, 1996; Sussman, 2012). The term "太空人" [astronaut] is a play of words in Chinese that means a married man without a wife. During the previous wave, it was not uncommon for the man of the family (the husband and father) to maintain business operations or employment in Hong Kong while the wife and children lived in their adopted country. These men would regularly fly to and from the adopted country while waiting for their citizenship to be granted. This period was commonly known as the "emigration prison" (Kuah, 1996). This phenomenon could indicate that the emigrants of the previous emigration wave were still committed to Hong Kong despite political uncertainty.

In contrast, the emigrants of the BN(O) wave usually sold their homes in Hong Kong and emigrated to the United Kingdom with no intention to ever return (W. C. Ho, 2023). While BN(O)s may have been committed to preserving democracy in Hong Kong prior to their exile, they may have felt that they had no choice but to reluctantly leave their homeland and completely start a new life in the United Kingdom upon the implementation of the National Security Law. However, if the precedents of returning to Hong Kong are of any prediction of the current wave, the pessimism displayed by BN(O)s could indicate that some might return to Hong Kong if the political situation improved.

In this sense, the future Crown Dependency could serve as a transitional structure, similar to the Tibetan case in demonstrating how exile institutions operate under political constraints. The Central Tibetan Administration in Dharamshala has made it clear that the Tibetan government-in-exile will be dissolved once genuine autonomy is achieved. By contrast, a Crown Dependency established for Hongkongers-in-exile is conceived to persist beyond the restoration of autonomy in Hong Kong, continuing to function as an institutional and cultural hub. Historical experience from the first emigration wave of the 1980s and 1990s shows that not all expatriates return following political changes; some choose to remain abroad, maintaining transnational ties. Similarly, some residents of the Crown Dependency might remain, allowing it to evolve into a lasting space that preserves Hong Kong's democratic heritage and civic identity.

Further, the previous emigration wave usually had to meet some requirements of host countries before their visa was granted, such as professional skills, capital, and English language (see Skeldon, 1994). These kinds of requirements contrast with the current BN(O) route that sets the bar low, with the only basic requirement that the emigrants or their parents possess BN(O) status. Thus, there could be a range of emigrants taking up the current offer. Whereas emigrants of the former wave were predominately entrepreneurs or professionals concerned about economic opportunities and education for their children, the current wave of emigrants includes Hongkongers from different sectors of society, all of whom have the same democratic ideal.

The British government has estimated that up to 5.4 million Hongkongers are eligible for the BN(O) resettlement scheme ("UK BNO visa: Can Hong Kong residents now live in the UK?", 2021). While countries such as Canada and Australia have also introduced pathways for Hongkongers, the United Kingdom's scheme has the lowest eligibility threshold and is expected to receive the largest share of applicants. This demographic reality reinforces the relevance of the Crown Dependency proposal: if the United Kingdom has committed to supporting the resettlement of BN(O)s, it must also

consider long-term strategies, including dedicated territorial arrangements, to accommodate and empower this community.

It could be argued, therefore, that the current emigration wave is more likened to the Tibetans following their 1959 exile than the former wave. That is, BN(O)s are now escaping political suppression following the 2019 protests in a similar way to the kind of suppression following the 1959 uprising that drove the Tibetans into exile. As a result of this new political consciousness of BN(O) emigrants, a question worth exploring is how a Hong Kong Government-in-Exile would function for the purpose of what McConnell (2016) calls "rehearsing the state".

From Mini Tibet to Hong Kong 2.0: Addressing the Unfulfilled Promise of Political Autonomy Through a United Kingdom-Based Crown Dependency

Throughout the preceding chapters, we have seen how the United Kingdom and China negotiated the terms of sovereignty transfer in 1997 and how the future HKSAR government would function. The rounds of negotiations culminated in the Sino-British Joint Declaration signed between the two governments in 1984. However, this thesis has shown that, despite the legal treaty, China has repeatedly violated the terms of the agreement, particularly in relation to the democratisation of Hong Kong and the dismantling of its freedoms and autonomy by the imposition of the National Security Law in 2020.

The National Security Law has overridden these freedoms. The silencing of the democratic voice in Hong Kong, the derecognition of the BN(O) passport and its enclosed visa as proof of permanent departure, and the shutting down of *Apple Daily* and other pro-democracy media outlets are some of the most obvious examples that freedoms have been violated. In this sense, the United Kingdom has upheld its commitment to the Joint Declaration promises of human rights and freedoms by allowing Hongkongers to live, work, and study in the United Kingdom.

However, the promise of an elected autonomous government for Hongkongers has not yet been fulfilled. Although Hong Kong's legislature was fully elected prior to the handover, the CCP dismantled Hong Kong's democratic system immediately after the handover by replacing the democratically elected legislature with its own provisional

Legislative Council. The reform package for the universal suffrage election for the Chief Executive was rejected by Hong Kong's Legislative Council because it amounted to fake democracy, as this thesis has shown. Thus, the promise made to Hongkongers that the future HKSAR shall have a democratically elected representative government has not yet been fulfilled. While the United Kingdom has partially rectified the broken promises of freedom by opening the door for Hongkongers to settle in their mother country, it has not yet remedied the violation of political autonomy. This thesis posits that political autonomy can be realised through the Crown Dependency that would be governed by a democratically elected government-in-exile. Based on the Tibetan precedent, this thesis makes some recommendations on how self-government could be actualised.

The first step to realise the government-in-exile is for a group of exiled politicians and activists to re-establish their previously disbanded political organisations. Britain has already seen the emergence of campaign organisations supporting the Hong Kong cause (J. Chen, 2023). These groups include Hongkongers in Britain and the Hong Kong Umbrella Community. While the proposed United Kingdom headquarters of the Hong Kong Parliament coordinates overall strategy and maintains a permanent staff, the election of parliamentarians would be open to Hongkongers worldwide, ensuring that the institution represents the global diaspora rather than being limited to United Kingdom residents. The first-term parliament, for instance, elected four candidates from Hong Kong Democratic Independence Union in Taiwan, while other elected parliamentarians are based in the United Kingdom, United States, Canada, and Australia. Exiled individuals representing their organisations could declare themselves as candidates for future terms of the Hong Kong Parliament, which could serve as the peak organisation representing Hongkongers-in-exile.

Following the Tibetan model described by McConnell (2009), members of the Hong Kong Parliament could represent the original region that people emigrated from. Based on this model, the Hong Kong Parliament could in future establish constituencies, and candidates could run for election accordingly. When the current parliament-in-exile model matures, high-profile exiled public figures could serve as

influential candidates. For instance, in 2016 Nathan Law won one of the six seats in the Hong Kong Island constituency in the Legislative Council election. Thus, the Hong Kong Parliament could establish an imagined Hong Kong Island constituency while maintaining global participation.

Regardless of their party policy differences, the candidates could unanimously show how the lack of representation, as indicated by the 2021 electoral reform and the low turnout at the delayed 2020 Legislative Council election, points to the illegitimacy of the existing HKSAR government. While Chief Executive Lam has argued that the action of the government has restored stability in Hong Kong, this stability is likely based on people's fear of violating the National Security Law. Thus, while the promulgation of the National Security Law has achieved the desired results in terms of stability, it has stifled the freedom of speech promised in the Joint Declaration.

The right to hold any discussions on Hong Kong's independence and self-determination has been suppressed by the National Security Law, reflecting Xi Jinping's "red line" statement in 2017. That statement, as this thesis has shown, held the position that sovereignty over Hong Kong was a non-negotiable core interest of China, along with security and development interests. This non-negotiable stance is a reminder of the powerful hegemony of the state that seeks to persuade its subject of its legitimacy by banning public discourses. However, the suppression of freedoms violates the Joint Declaration promises and renders the imposition of the National Security Law an illegitimate action of the government. Since the imposition, many Hongkongers have fled to all parts of the world, facilitated not only by the BN(O) scheme but also humanitarian programs of Canada and Australia. The Hong Kong Parliament thus could be viewed as the legitimate representative government for Hongkongers globally. Once legitimate representation has been established, the group could potentially form a Hong Kong Government-in-Exile through two possible models.

The first proposed model aligns closely with the academic understanding of a government-in-exile: a displaced government operating from a host country but unable to exercise authority over its original territory (McConnell, 2016; Stola, 2012).

The forced relocation of Hong Kong legislators to the United Kingdom after the National Security Law came into effect could partially meet this definition. As discussed earlier, a newly established parliament-in-exile might appoint a former colonial official or another British individual to lead its executive branch, creating a formal Hong Kong Government-in-Exile. Patten's democratic reforms before the 1997 handover, later dismantled by the CCP, partially realised the promises of the Joint Declaration but fell short of universal suffrage for electing Hong Kong's leader. Similar to the Tibetan experience, this British figure could facilitate continuity and guide Hongkongers toward full democratic self-governance.

However, challenges to this model are evident. Governments-in-exile, like the Central Tibetan Administration, often lack international recognition (Görömbölyi, 2022). The lack of recognition is due to the absence of sovereign control over a physical territory (McConnell, 2011, 2009, 2016). Given China's significant global influence, it is improbable that a Hong Kong Government-in-Exile on British soil would gain formal recognition.

The second model adopts a parliamentary democracy framework, where the majority party forms the government. Disbanded political parties and organisations from Hong Kong could reorganise in exile under this model. This approach aligns with the objectives of the Hong Kong Parliament to elect a legislature through universal suffrage. As mentioned, a parliament-in-exile under British sovereignty could take the form of a Crown Dependency, a model characterised by an elected legislature and judiciary (Mut Bosque, 2020). The British official could play a symbolic role as the Crown's representative, providing much-needed mentorship to the new government. Hong Kong's pre-1997 economic success was, in part, enabled by a conducive political and legal environment. If similar conditions were re-established by the United Kingdom and other supporting actors, the Hong Kong diaspora's entrepreneurial capacity could potentially flourish within such a framework.

This model resonates with Chris Patten's views on countering China's influence and promoting a democratic global order. As a primary definer of the situation Patten

frames China as a threat to democratic freedoms, arguing for unified action among democratic societies:

> Here is an example of freedom, and the sort of freedom we take for granted in most Western societies, being under assault. If we allow it to go under, if we allow it to be buried in Hong Kong, then sooner or later it'll threaten everyone (BBC News, 2023, 48:51).

Patten's rhetoric employs framing, presupposition, and othering strategies to position China as a universal threat. His use of first conditionals emphasises the urgency of containing China's ambitions. This stance aligns with the objective of the Hong Kong Parliament, which seeks to rally global democracies to support the rights and freedoms of Hongkongers. One potential approach to achieve this objective could be the establishment of a diaspora-led hub known as Hong Kong 2.0 in the United Kingdom—one that fosters these freedoms for Hongkongers-in-exile, including entrepreneurial initiatives.

Hong Kong 2.0: Potential Roles and Challenges

Bowman (2020) argues that it was the low tax rate and *laissez-faire* policies that attracted investors to the original Hong Kong. Hong Kong 2.0 could therefore be an attractive place for start-up businesses, employment opportunities, and affordable accommodation. In an interview with the Charter Cities Institute, Ivan Ko argues that:

> By creating a new city, we are going to create a lot of jobs in different industry sectors. Like we might be building residential, offices, shopping centres, hospitals, private schools, you name it. We will be creating a lot of jobs and investment opportunities for the migrating Hong Kong people and also for the local people (Lutter, 2020, para. 18).

Furthermore, Ko cites three benefits to building a charter city for Hongkongers (Lutter, 2020). First, it would take the worry out of finding jobs as BN(O)s will be employed in the new jobs created. For instance, Hong Kong manufacturers could establish factories to complement the supply chain of the United Kingdom. Second, by living together in the charter city, the challenges that emigrants face in the new Hong Kong

can be resolved more easily by helping each other. Third, apart from Hongkongers, the brand-new charter city will be attractive to other British citizens who could also opt into the city.

Ko states that in order to be successful in building the charter city, support from the local and national governments is needed. He proposes that the United Kingdom grant Hongkongers some land and then Hongkongers could share revenues with the government once the city is operational. Alternatively, Hongkongers could enter a joint venture with the local government to build such a charter city. Ko argues that "an international charter city is almost like a solution for a massive influx of immigrating Hong Kong people" (Lutter, 2020, para. 28).

Since 2024, Ko's company has collaborated with Thames Freeport to develop a model for 21st-century urban growth with potential application across the United Kingdom (Free Cities Foundation, 2024). While the initiative focuses on business-to-government engagement, questions of governance and political autonomy remain unresolved. Freeport autonomy is primarily economic, aimed at attracting investment rather than granting self-governing powers, highlighting the limits of economic measures in meeting the political aspirations of displaced Hongkongers. In this context, the newly established Hong Kong Parliament could provide guidance on democratic governance and represent the diaspora's interests within the evolving framework. British policy debates also emphasise this integration of governance and economic incentives: the Institute of Economic Affairs, in its *Beyond Freeports* report, argues that Hong Kong–style self-governing cities could revitalise the UK by combining economic dynamism with innovative governance structures (Kichanova, 2025).

The experience of the British in establishing Hong Kong as a semi-autonomous charter city can be of benefit to the new Crown Dependency model. As mentioned in this thesis, Hong Kong's civilisation was begun by the British in 1842, and the 1843 Charter included provisions for the Legislative and Executive Councils that were appointed by the Governor (Legislative Council of the Hong Kong Special Administrative Region of the People's Republic of China, 1843). Under British

sovereignty, the original Hong Kong evolved into a semi-autonomous political and economic entity by the end of the colonial era. Thus, the British experience in the oversight of an autonomous territory consisting mostly of Hongkongers could facilitate the replication of the charter city with economic success as a free port, democratic participation, and continuation of the Hongkonger identity and culture under British sovereignty. The potential success of Hong Kong 2.0 could facilitate investments that align with an economic model emphasising democratic freedoms and self-determination. More importantly, Hong Kong 2.0 could be used as a base for advocacy work for Hong Kong's autonomy and human rights promised in the Joint Declaration. The Crown Dependency model would therefore align with the aspirations of Hongkongers.

Although the novel idea of a Crown Dependency may be theoretically possible, Bowman's (2020) proposal is not without challenges. The first and most obvious challenge concerns the legal basis for recognising an agreement between the United Kingdom and a prospective Hong Kong Government-in-Exile to establish a charter city in the United Kingdom. Historically, the colonial Hong Kong government derived its authority directly from the British Crown, while the United Kingdom itself maintained treaty relations with China through the Treaty of Nanking (1842), the Convention of Peking (1860), and the Convention for the Extension of Hong Kong Territory (1898). In contrast, any post-1997 Hong Kong Government-in-Exile would lack such delegated authority and thus require formal recognition by the United Kingdom. Should the United Kingdom extend such recognition, the new charter city could be established under British domestic law in the form of a Crown Dependency, while the United Kingdom retains sovereignty and responsibility for foreign affairs and defence. However, if the United Kingdom opts not to grant formal recognition, the arrangement will need to rest on an "equal" agreement between the two parties—one in which land is voluntarily provided for Hongkongers.

If the United Kingdom were unwilling to formally recognise a Hong Kong Government-in-Exile, the alternative model might resemble India's informal accommodation of the Tibetan Government-in-Exile. When the Dalai Lama fled to India in 1959, no treaty or

accord was signed granting the Tibetan administration sovereign authority. Instead, India allowed the establishment of Tibetan settlements and institutions under Indian jurisdiction, which operate with de facto autonomy but without any recognised governmental status. Similarly, Hongkongers in the United Kingdom could establish representative and cultural institutions to preserve their collective identity and manage community affairs within British law. However, such an arrangement may fall short of Crown Dependency status, as it would lack formal recognition and constitutional authority under the British Crown.

There would be practical challenges. Supposing the Hong Kong Government-in-Exile was formed on British soil, it would still create complex procedural steps to have part of the United Kingdom provided to Hongkongers as a Crown Dependency. This proposal obviously requires further study, and it is out of scope for this history project to deal with the British legal framework. However, the creation of a new British territory is not without precedent. For instance, the British excised the Chagos Archipelago from British Mauritius to form the British Indian Ocean Territory in 1965 (Petersen, 2019). Further, former British Dependent Territories were reclassified as British Overseas Territories in 2002.

Assuming legal matters were resolved, the charter city would still create significant diplomatic challenges with China. This thesis has shown that China will make every effort to combat foreign interference in internal matters. For instance, while the British have framed the BN(O) policy as its moral responsibility to Hongkongers, China has derecognised the BN(O) passport as a valid identity document and asked foreign countries not to accept this passport after the BN(O) route was implemented. China perceives the BN(O) offer to be the United Kingdom's interference with the internal affairs of Hong Kong, of which the National Security Law is defined by China as an internal matter. While the British could frame the hosting of the Hong Kong Government-in-Exile as its responsibility to fulfil its promise of political autonomy under the Joint Declaration, China may still see it as interference if the government-in-exile expressly advocates for political changes in Hong Kong. This leads to the

reasoning that China would put pressure on the international community not to recognise the Crown Dependency.

Although charter cities are focused on economics and urban planning, Bowman (2020) and Ivan Ko (Lutter, 2020) both suggest that the proposed charter city for Hongkongers is ultimately linked to political repression in the homeland rather than economics. Hongkongers already continue to express activism in exile, for example through grassroots organisations in the United Kingdom. Thus, if part of the United Kingdom is allocated to Hongkongers and the express policy of the Hong Kong Government-in-Exile is to advocate for the restoration of democratic freedoms in Hong Kong, China may perceive it as an act of subversion of state power. This may cause China to accuse the Hong Kong Government-in-Exile and British politicians involved with the granting of land to Hongkongers of violating the National Security Law. An arrest warrant may be issued. It would, however, be unlikely that China can succeed in bringing back these people to face trial because the United Kingdom has suspended its extradition treaty with China.

Importantly, Hong Kong 2.0 is a departure from the recognised model of charter cities. As mentioned, Romer's (2009) model is focused on economics and urban planning. However, BN(O)s are a unique case in the world. Contrary to the people who moved to the four special economic zones after the opening up of China, of which Romer claims to be charter cities, BN(O)s are a group of people whose motivation to emigrate to the United Kingdom is more likely to escape from political repression than making money. This was the same motivation when the Chinese moved to the British colony of Hong Kong. Economic prosperity was thus a byproduct rather than a primary motivation for the Chinese migrants to Hong Kong at the time. Political motivation was what Romer has apparently missed in his charter city theory, of which he claims Hong Kong was the model example. This political motivation fits in well with W. C. Ho's (2023) reluctant migrant theory, which states that Hongkongers do not emigrate for economic reasons or armed conflicts. Hongkongers' main motivation to emigrate to foreign countries is the threat that the CCP poses to their existing way of life that they wish to maintain. In short, Romer's model of charter cities does not align

with the proposed Hong Kong 2.0, but Bowman's (2020) proposal opens the door to a new understanding of the concept.

This leads us to the overall challenge of getting the Hong Kong Government-in-Exile recognised internationally. Based on the Tibetan experience, the Central Tibetan Administration has not been recognised as a legitimate government by any country in the world. Yet, it enjoys overwhelming international support. Görömbölyi (2022) posits that "whenever injustice is perceived against a weaker party in any situation, public opinion will not only be positive and supportive towards the said weaker party but will also be more active and passionate than in any other scenario" (p. 17). According to Görömbölyi, diplomatic activities of the Tibetan Government-in-Exile have expanded exponentially through digitalisation to proclaim the Tibetan cause. For instance, the Tibetan Ambassador in Washington Namgyal Choedup held an online meeting with the United States special coordinator for Tibetan issues Uzra Zeya in December 2021. This meeting "was widely shared and followed within both the Tibetan and the international communities" (Görömbölyi, 2022, p. 16). In a similar way, it is likely that the Hong Kong Government-in-Exile will not be recognised by any country. Yet, an institutionalised structure could help take the Hong Kong cause to the world through online diplomacy. Furthermore, the proposed model of the Hong Kong Government-in-Exile is a Crown Dependency government under the United Kingdom. If the United Kingdom recognises this self-government and grants land to the government-in-exile to build the charter city, countries that have strong diplomatic relations with the United Kingdom or interests in Hong Kong may be more likely to recognise this government.

Another challenge concerns the establishment of a governing body for the charter city. When the Tibetans were exiled in 1959, they already had a government in Tibet. This contrasts with Hongkongers because no leader from the HKSAR government is currently exiled. In most democratic countries, the leader of the nation usually belongs to a political party, of which the constituents democratically elected it to power. Hong Kong's case is different because the Chief Executive is not directly elected by universal suffrage but by a committee representing different sectors that

recommends the candidate for appointment by Beijing. The lack of experience in a democratically elected government may compound the difficulties of establishing a democratic Hong Kong Government-in-Exile. Thus, in contrast to Romer's (2009) model in which the British sent a Governor and his officials to govern Hong Kong, there is no existing government that can be sent for the future charter city. However, as argued, the Crown Dependency could invite a former governor to play a symbolic role in the government. The involvement of a British official as the Hong Kong figurehead could bring the different factions together.

The creation of a charter city in the United Kingdom for Hongkongers might also be perceived as modern-day segregation. The city would be built for Hongkongers, and it would separate them from the rest of the United Kingdom. This arrangement may remind some people of the early colonial days when Chinese were not allowed to enter areas exclusively occupied by the British. However, the benefits of having a separate administration outweigh the drawbacks. There is an element of anti-immigration in the United Kingdom's society ("Explainer: Why are there riots in the UK and who is behind them?", 2024). Some people in the United Kingdom could perceive Hongkongers to be taking away their jobs. They may feel that BN(O)s are a burden to their already-stretched economy. Thus, while the charter city may result in modern-day segregation, the creation of such a charter city could help address this sentiment and benefit the British economy by complementing its supply chain (Lutter, 2020). For instance, the Hong Kong Government-in-Exile could offer jobs to BN(O)s to join the Crown Dependency civil service, teachers could continue to teach in Hong Kong 2.0 schools with a modified curriculum, and Hong Kong-licensed medical practitioners would work in Hong Kong 2.0 hospitals or set up private practices. Most importantly, Romer's (2009) model emphasises on providing choices. Hongkongers will not be mandated to live in Hong Kong 2.0, and both Hongkongers and Britons could opt into the charter city voluntarily.

The Crown Dependency Citizen: A Call for a More Inclusive Solution in Unprecedented Times

This thesis proposes a new form of British nationality, referred to as Crown Dependency citizenship, designed as a variation of the full British passport. Prior to

the 1997 handover, the British government transitioned Hongkongers from BDTC to BN(O) status that allows Hongkongers to maintain a legal connection with the United Kingdom post-handover. Although optional, 2.9 million individuals registered for BN(O) status under the *Hong Kong (British Nationality) Order 1986* (UK). Following this precedent, the United Kingdom could enact legislation to introduce Crown Dependency citizenship, offering an alternative for Hongkongers willing to settle in the new land. Those opting to live in this land would gain full British citizenship in lieu of their BN(O) status, while others could retain their BN(O) status and follow the current pathway to British citizenship through the BN(O) visa scheme. This opt-in system aligns with Romer's (2009) concept of charter cities that emphasises voluntary participation.

However, a further solution is required for Hongkongers who have fought for Hong Kong's freedoms but do not have access to the present BN(O) scheme. Granted, the present scheme has been expanded to allow post-1997 Hongkongers to apply for the visa independently if they have a BN(O) parent, and a direct Crown Dependency citizenship could similarly be offered to post-1997 Hongkongers willing to settle in the democratic-resistance hub through the same parental route. However, the present BN(O) scheme falls short of others who are not eligible for the scheme. The thesis argues that the British government could amend the *British Nationality (Hong Kong) Act 1990* (UK) to select Hongkongers for British citizenship through another special points-based scheme, to be known as the "Crown Dependency Citizenship Selection Scheme" (CDCSS) (see Appendix 4 for a proposed framework). For instance, while the Act specifies that no person shall be registered as a British citizen under the BNSS after the handover, it could be amended to delete this clause because of today's unprecedented circumstances. Similarly, the Act could be amended to remove the limit of 50,000 people to allow those not eligible for the existing BN(O) pathway but connected to Hong Kong's democracy movement and willing to settle in the new land to now apply for Crown Dependency citizenship.

As mentioned in the thesis, the 1990 Act was created following the 1989 Tiananmen massacre as an "insurance policy" offered to 50,000 heads of household along with

their dependents. This was achieved through the BNSS. The offer allowed them to register for full British citizenship, providing an escape route to the United Kingdom in the event of a tumultuous political situation after the transfer of sovereignty to China. The thesis posits that those who registered for the British citizenship through the BNSS have aligned their values and interests with the British Empire. It argues that people who have registered as British citizens prior to the handover, including former Chief Executive Carrie Lam, have found their political security in the United Kingdom (K. H. Wong, 2024). Similarly, in today's situation, those who have fought for Hong Kong's democratic interests after the handover have essentially demonstrated that their values are aligned with the British (Yu, 2022, 2023). These Hongkongers could therefore be potential candidates to apply for Crown Dependency citizenship through the new selection scheme.

Proposal for a BN(O) Citizen Referendum: Addressing Historical Injustices

Following the Tibetan example, the thesis recommends that, out of respect for the autonomy promised to Hongkongers, a referendum be held for the 2.9 million current BN(O) status holders, as well as for those who would become British citizens either through the current BN(O) route or the proposed conversion to Crown Dependency Citizenship once it becomes operational (see Appendix 5). Furthermore, any post-handover Hongkongers who acquire British citizenship via the BN(O) parental route, or otherwise via the proposed Crown Dependency Citizenship Selection Scheme, should also be included. In total, this referendum could eventually encompass all eligible British Hongkongers, allowing them to collectively consider Hong Kong's political future. As mentioned in the preceding chapters, similar calls for a referendum were made by the pro-democracy party Demosistō, which was elected to Hong Kong's legislature in 2016 and advocated self-determination for Hong Kong's political future, before its disbandment in 2020. Given that the Hong Kong government has banned any discussion of self-determination, I argue that the British government, as a guarantor of the principle of "Hong Kong people ruling Hong Kong" under the Joint Declaration, could play a role in facilitating a referendum for BN(O) citizens. This referendum could be completed physically in the Crown Dependency and throughout the United Kingdom, and at the British embassy in Hong Kong and

elsewhere, or by alternative voting methods such as postal and online voting. Just as the Tibetans are waiting for the day when they could return to their homeland, Hongkongers are also working towards the eradication of CCP influence in Hong Kong's governance.

It needs to be reiterated that Hongkongers were not consulted before the 1972 decision nor during the Sino-British negotiations that led to the 1984 Joint Declaration. Hongkongers were not given the option of self-determination to become an independent nation, associate with another state, or integrate with an existing state. The transfer of sovereignty from the United Kingdom to the PRC was forced upon Hongkongers without any consultation with the people who were most affected by the transfer. While the Hong Kong Parliament aims primarily to restore the city's promised autonomy by eradicating CCP rule in Hong Kong, this referendum is proposed as a preparatory exercise. The referendum would allow Hongkongers to consider possible long-term arrangements—including independence, a British return, or federal arrangements within a post-CCP framework. It serves to envision future self-determination scenarios in which Hong Kong's promised autonomy to decide its own future is restored under the Joint Declaration, whether through the eradication of CCP control over Hong Kong or otherwise through the collapse of the Chinese regime resulting from internal pressures.

The Crown Dependency model is not only an academic or political concept. It is a culturally relevant possibility that addresses a tangible political failure. It can embody Hongkongers' aspirations for self-determination, a revival of past economic successes, and liberation from CCP control. It can translate these desires into actionable political change. This new Hong Kong could foster an alternative global discourse within the framework of "Global Britain", focusing on economic prosperity driven by democratic freedoms, self-determination, and resistance to totalitarian regimes. This vision contrasts sharply with the CCP's narrative of economic growth achieved through political subjugation and its "Belt and Road Initiative".

As Yu (2022) suggests, the United Kingdom can demonstrate support for Hong Kong through shared values and "promote international standards such as diplomacy,

democracy, freedom, and environmental protection under the 'Global Britain' banner" (p. 519). The potential establishment of a Crown Dependency could therefore embody such values while providing economic and institutional benefits for both the United Kingdom and Hongkongers. As Yu (2022) notes, the United Kingdom "needs an organisation to maintain its trade and international position" (p. 519). The proposed Hong Kong Crown Dependency could fulfil precisely this role, not merely as an organisation but as a constitutional and economic institution that reintegrates Hongkongers and their capital into the British system. Although China has derecognised the BN(O) passport to restrict capital outflows, Hongkongers could access their mandatory provident funds upon attaining British citizenship. The transfer of these funds could provide additional capital to the United Kingdom economy, supporting entrepreneurial and investment activities through the institution of the Hong Kong Crown Dependency.

Beyond economic considerations, the Crown Dependency could serve as a symbolic and organisational space for displaced Hongkongers, enabling the exercise of self-governance and the representation of their political and civic interests. This initiative would allow Hongkongers to preserve and enact the Joint Declaration's principles of autonomy and democratic governance in a new land. In this way, the Crown Dependency could function as a practical and symbolic institution: a platform for maintaining Hongkongers' civic identity, economic engagement, and political advocacy in exile. This approach aligns with the aspirations expressed in the revolutionary slogan "Liberate Hong Kong, Revolution of Our Times" [光复香港，时代革命].

Will a Crown Dependency Succeed? Historical Precedents, Figures, and Estimates

People fled the Chinese mainland to Hong Kong after the Second World War due to political uncertainty. From around 600,000 in 1945, the population reached 2.2 million by mid-1950, an increase of roughly 1.6 million or 3.7 times over five years (Hong Kong Yearbook, 2021). By contrast, there are currently 166,300 Hongkongers (as of June 2025) residing in the United Kingdom under the BN(O) pathway. Applying

the historical multiplier from post-war Hong Kong (~3.7x) to the current BN(O) population suggests that, under favourable governance and economic conditions, a self-governing Crown Dependency could plausibly attract ~615,000 migrants over a comparable period:

~166,300 x 3.7 = ~615,310

This baseline migration resembles the immediate post-war years in Hong Kong, when refugees began to arrive before the city's economic transformation had taken shape. It is worth noting that Hong Kong's defining conditions—its low-tax regime, positive non-interventionist government, and affordable public housing—were not established before the influx but developed in response to it. The colonial administration was compelled to design new governance and economic systems precisely because of the population surge and humanitarian pressure.

Similarly, a Crown Dependency could evolve in the same way: beginning with a manageable influx of migrants seeking stability, and gradually building the institutions, housing schemes, and fiscal framework that replicate the old Hong Kong model. In this sense, the modest figure of 166,300 BN(O) migrants serves as a foundation. This baseline is comparable to Hong Kong's 600,000 residents in 1945, upon which a self-sustaining, dynamic city could later emerge.

While the 3.7× multiplier derived from the 1945–1950 post-war influx predates the formal establishment of charter city conditions in Hong Kong, it serves as a useful analogue for estimating initial migration to a Hong Kong Crown Dependency. This period reflects the immediate response of Chinese mainlanders to a sudden political rupture, as they fled to a city that remained unconstrained by administrative or infrastructural limits. In the contemporary 2025 context, no comparable sudden rupture exists. However, the early years of a Crown Dependency would likely still witness high latent demand for relocation. This demand would be driven by ongoing political, economic, and social pressures in Hong Kong, including restrictions on civic freedoms, uncertainties regarding career prospects and property ownership, and concerns about preserving Hong Kong's civic identity. Migration would occur before governance structures and policies are fully implemented.

Whereas Hong Kong's charter city conditions emerged organically from post-war migration and colonial policy rather than deliberate design, this study re-examines those historical dynamics as a precedent for imagining a contemporary model of political refuge under British jurisdiction. In this sense, the proposal to establish a new Hong Kong-style community on British land is a conceptual extension of Britain's historic responsibility to 5.4 million Hongkongers under the current BN(O) pathway. It underscores how decolonisation and recolonisation might be understood in the twenty-first century.

As discussed earlier in this chapter, citizenship in the Crown Dependency could be allocated through two parallel streams:

1. Registration pathway: Current BN(O) holders or those with a BN(O) parent who relocate to the Crown Dependency would have their status automatically converted into full Crown Dependency citizenship. This stream reflects the ~615,000 upper-bound estimate derived from historical multipliers and ensures that eligible Hongkongers and their dependents are accommodated.
2. Selection pathway: A Crown Dependency Citizenship Selection Scheme could recognise individuals who fought for Hong Kong's democracy but are ineligible for the BN(O) pathway. Drawing on the precedent of the British Nationality Selection Scheme (BNSS) of the 1990s, 50,000 head-of-household places could again be advertised. Assuming an average of 3.5 dependents per principal applicant, as in the 1990s selection scheme, this would yield a total discretionary allocation of approximately 225,000 citizenships:

$$50{,}000 \text{ heads} + (50{,}000 \times 3.5 \text{ dependents}) = 225{,}000$$

These two streams can be represented as:

$$\text{Total Crown Dependency population} = N\text{BN(O) migrants} + (N\text{heads} + N\text{spouses} \times 3.5 \text{ dependents})$$

Where *N*BN(O) migrants = ~615,000 and *N*heads = 50,000. Thus, in total, the Crown Dependency is estimated to have, within five years, a population of:

$$\sim 615{,}000 + (50{,}000 + 50{,}000 \times 3.5 \text{ dependents}) = \sim 840{,}000$$

This projected population of roughly 840,000 would represent a viable critical mass—large enough to sustain a diverse economy and civic life, yet small enough to remain manageable within the administrative framework of a British Crown Dependency. This approach balances automatic registration for eligible BN(O) holders with targeted recognition for democracy defenders, ensuring that citizenship allocation is both practical and precedent based.

It is important to note that the United Kingdom's estimate of 5.4 million eligible BN(O) holders for the existing BN(O) pathway includes both principal status holders and their dependents. However, this is expressed as an aggregate count of individual eligibility rather than as family or household units, making it demographically distinct from the 1990s BNSS, which applied a family-based calculation. By contrast, the 1990s BNSS applied a family-based calculation, assuming an average of 3.5 dependents and a spouse per principal applicant (*Hansard*, 20 December 1989 col. 281). Hence, the derived ~615,000 figure cannot be directly compared with the 225,000 discretionary citizenships, as they are based on fundamentally different demographic assumptions.

It should also be noted that since the imposition of the National Security Law, Hongkongers have migrated to countries other than the United Kingdom, such as Canada, Australia, and Taiwan, reflecting diverse preferences and global mobility. However, immigration thresholds in these countries are generally higher, as entry is typically based on skills, qualifications, or financial criteria, whereas the United Kingdom's BN(O) pathway is status-based and more accessible. The Crown Dependency is therefore not intended to attract the entire Hong Kong population, but rather to serve as a concentrated hub where governance design, low taxes, and entrepreneurial opportunity can later be deliberately structured.

While the United Kingdom has opened the door to 5.4 million BN(O)-eligible individuals, the strategic value of the Crown Dependency lies in its ability to create a high-impact, self-governing enclave, even if only a fraction of the BN(O) population chooses to migrate there. Unlike historical Hong Kong, a Crown Dependency in the United Kingdom would not have a nearby China-sized market to trade with. Its

strength would lie not in geographic adjacency to a large market, but in governance design, fiscal flexibility, low taxes, and the global connections of Hongkongers themselves, enabling it to specialise in sectors such as digital services, financial technology, and international trade networks. It could trade independently, set its own economic and regulatory policies, and attract investment and commercial activity from around the world.

The example of Shenzhen demonstrates that governance design and fiscal incentives can themselves be powerful drivers of growth. While there is some academic debate over whether Deng Xiaoping's special economic zones were inspired primarily by Hong Kong or by export-processing zones in Southeast Asia, Shenzhen's rapid development shows that Hong Kong-style policies—low taxes, efficient bureaucracy, and support for private enterprise—can generate significant economic activity. This suggests that the British model is successful and potentially replicable in a new context, provided the key institutional and fiscal features are maintained.

A self-governing city with attractive economic and governance conditions can therefore offer opportunities and autonomy that the United Kingdom mainland cannot provide. In this way, even a smaller number of migrants—through both the registration and selection streams—could generate disproportionately large economic and social impact, making the Crown Dependency a plausible and valuable venture.

Conclusion

A Review of Hong Kong's Political Struggles

This study was motivated by the Chinese imposition of the National Security Law and the British response through the BN(O) offer. As a Hongkonger with unrecognised dual nationality, this topic has been of much interest to me. By implementing the National Security Law in Hong Kong, the British government has accused China of violating the promises regarding freedoms and autonomy made under the Sino-British Joint Declaration. However, by responding with an opportunity for BN(O)s to live, work, and study in the United Kingdom with a view to permanent settlement and citizenship, the Chinese government has accused the British government of dishonouring the British memorandum.

The study was guided by four overarching questions regarding the historical BN(O) status and the expansion of its rights in response to the imposition of the National Security Law. It has provided a historical account of BN(O) status and its evolution. It has offered new research into the complexity of postcolonial identities and statecraft. The thesis has shed light on the *British Nationality Act 1981* (UK), and the implications it has on the current United Kingdom-China diplomatic relationship. This study has contributed to the ongoing debate about British responsibility towards Hong Kong and offered interpretation through the lens of a family to understand the motivation behind the BN(O) offer, particularly in the context of the post-Brexit political landscape. Finally, by drawing on Tibetan history to the Hong Kong situation, the study has proposed a political solution through the creation of a Crown Dependency to address the unfulfilled Joint Declaration promise of political autonomy.

Before July 1, 1997, Hong Kong was a British colony whose sovereignty belonged to the United Kingdom. However, the treaties that had Hong Kong ceded had not been recognised by the Chinese government. As the New Territories part of Hong Kong had been leased, it was impractical to return only that part of the British colony to the PRC. The British government thus decided to transfer the government of the whole of Hong Kong to the Chinese government on the expiry of the New Territories lease. Although Prime Minister Thatcher initially suggested continuing British

administration of Hong Kong, for practical reasons the British ultimately agreed that both sovereignty and administration would be transferred to the PRC. After twenty-two rounds of negotiations over two years, British Prime Minister Thatcher and Chinese Premier Zhao Ziyang signed the Sino-British Joint Declaration on December 19, 1984. The Joint Declaration set out how Hong Kong would be governed after the transfer of sovereignty from the United Kingdom to the PRC on July 1, 1997.

By the time the Joint Declaration was signed, Hong Kong had already developed into a separate identity from the Chinese mainland. When the border controls were put into place in 1950, Chinese immigrants to Hong Kong began to settle and started families in Hong Kong. The first baby boomer generation was born in Hong Kong in the post-war era. This baby boomer generation was thus the first generation of Hong Kong Chinese that identified themselves as separate from the Chinese mainlanders. The Hong Kong identity was reinforced by government reforms of the 1970s that turned Hong Kong into a civil society and built its own territorial institutions. Along with rapid industrialisation, economic growth, and public housing, Hong Kong developed its own television shows, movies and pop songs. Further, the previous "touch base" policy had ceased by 1980, and illegal immigrants from the Chinese mainland were repatriated if found in Hong Kong. These factors all reminded the Hong Kong Chinese that they were different from their counterparts on the Chinese mainland. Following the signing of the Joint Declaration, the British Hong Kong government was tasked with the democratisation of Hong Kong. Pro-democracy groups began to form in Hong Kong, while fears and anxiety set into Hong Kong's society that inspired tens of thousands of Hong Kong families to emigrate to the West. The 1980s and early 1990s thus became the first wave of mass emigration out of Hong Kong.

BN(O) status was introduced following the signing of the Joint Declaration. The status was initiated to alleviate the fears of the Hong Kong public due to political uncertainties. It was a response to the complaint that the United Kingdom was "discriminating against Hong Kong" by the separation of British nationality into different classes that distanced the Hong Kong Chinese from the United Kingdom.

Following the Tiananmen massacre, the British government offered full British citizenship to 50,000 key individuals and their families. However, ordinary citizens of Hong Kong were left with little choice but to take up the option of registering for a British nationality that did not afford them the right of abode in the United Kingdom. The rights of BN(O) status holders were expanded following the Chinese imposition of the National Security Law to offer Hongkongers a pathway to full British citizenship.

Hongkongers became more aware of their local identity after the handover of sovereignty. The 2003 withdrawal of the government's proposed security legislation demonstrated the CCP's goodwill in keeping with the Joint Declaration. Under the relatively liberal Hu-Wen administration, China experienced rapid economic growth. Along with the hosting of the 2008 Olympics, the progress made during China's golden decade convinced Hongkongers of their luck and auspicious ties to a rising China.

However, the raised consciousness of a separate Hongkonger identity and increasing resistance to Beijing's increasing hegemony formed around 2012. The title *On the Hong Kong City-State* that later became a best-seller had been released a year earlier. It later influenced many radicals to advocate for Hong Kong's independence. Three general complaints about the Chinese mainlanders were manifested around that time. The first complaint was about the excessive buying behaviour from Chinese mainlanders that caused supplies to run out in Hong Kong. Second, many Chinese women were giving birth in Hong Kong that would allow their children to become permanent residents of Hong Kong, and therefore, the children of these mainland women could receive free Hong Kong education. Third, many new migrants were receiving welfare.

Although mainlandisation had displeased Hongkongers, it was the introduction of the Moral and National Education policy for the 2012/2013 school year that became the catalyst to the Hong Kong nationalism discourse. The Moral and National Education curriculum was generally seen as brainwashing Hong Kong's youth. Activist group Scholarism was founded by a then fourteen-year-old secondary school student Joshua Wong, who became Hong Kong's face of resistance and played an

instrumental role in the rise of civil disobedience in Hong Kong in the years to come. The youth activism eventually forced the government to cancel the compulsory subject.

However, the main transformative event that paved the way to a Hong Kong independence discourse was the "31 August Decision" handed down by the NPCSC. That decision dictated the model for universal suffrage election of the Office of Chief Executive in 2017. This model effectively meant that two to three candidates who "love the country and love Hong Kong" would be nominated by a nominating committee for the Hong Kong public to vote for. This led to the accusation by the pro-democracy groups that the model amounted to fake democracy as it was unlikely that a pro-democracy candidate could ever be nominated for election. The "31 August Decision" turned into the 79-day protest from September 26, 2014, to December 15, 2014. This was known internationally as the Occupy movement. The Beijing model was rejected by the Legislative Council a year later, reinforcing the liberal democratic values of Hong Kong and its collective wish for universal suffrage elections. In 2016, six localist candidates were elected to the Legislative Council. Nathan Law became the youngest legislator in Hong Kong's history. In 2017, however, the candidates were disqualified for taking their oaths improperly.

When President Xi Jinping came to Hong Kong for the inauguration of Carrie Lam as the Chief Executive of the HKSAR, he decreed a "red line" that Hongkongers should not cross without specifying what it was. In 2018, twenty-year-old man Chan Tong-kai murdered his pregnant girlfriend while holidaying in Taiwan and later fled to Hong Kong. While he confessed his crime to the Hong Kong Police, he could not be charged with murder as Hong Kong did not have an extradition arrangement with Taiwan. The government saw this case as an opportunity to tighten the legal loophole. Thus, the Lam government introduced the *Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019* (HK), but the Bill would have sent people to the Chinese mainland where the legal system is different from Hong Kong's. It threatened to tear down the legal firewall between Hong Kong and the Chinese mainland. Hongkongers protested the Bill, and the protests evolved into what

became known as the 2019 Hong Kong protests. The protesters threw black paint at the PRC emblem on July 21, 2019, crossing that “red line” decreed two years earlier.

Universal suffrage elections again came to the forefront of the protesters’ demands. As a result of the protests, Hongkongers overwhelmingly voted pro-democracy candidates into office in the district elections on November 24, 2019, that resulted in a landslide win for the opposition camp in the districts. The protests appeared to have died down when the Coronavirus came to Hong Kong in early 2020. Since the “red line” had been crossed, the Chinese government promulgated the National Security Law in Hong Kong on June 30, 2020. The British government then responded by offering a British citizenship pathway to BN(O)s of Hong Kong. This BN(O) route thus became Hong Kong’s second emigration wave.

Unlike the former emigration wave, this current wave is likened to the exile of the Tibetans. The Dalai Lama and his government led the Tibetans to escape to India following their 1959 uprising. The Tibetan exile thus could be compared to the current exile of the pro-democracy politicians and BN(O)s. Both peoples have escaped suppression following an uprising. Both peoples have been helped by foreign governments—the Tibetans have been helped by the Indian government; Hongkongers are being helped by the British government. In contrast to the former emigration wave, the BN(O) route sets the bar low, with the only basic requirement being that the applicants or their parents are of BN(O) status. High-profile politicians such as Nathan Law have self-exiled to the United Kingdom or other democratic countries. Thus, while the emigrants in the former emigration wave in the 1980s and early 1990s may have been apolitical or even held a variety of political views, BN(O)s today appear to be thoroughly pro-democratic and see themselves as being oppressed by the CCP. In short, BN(O)s of today’s emigration wave have exiled because of political repression in the homeland following the 2019 Hong Kong protests in much the same way the Tibetans were exiled to India following the 1959 uprising.

Ahead of the promulgation of the National Security Law, Bowman (2020) proposed a charter city called Hong Kong 2.0 to be built in the United Kingdom. Victoria Harbor

Group came on board with this idea and began negotiating with the Irish government for land. They later started searching for land in England. In 2022, the Hong Kong Parliament Electoral Organising Committee was formed with the aim of forming a parliament-in-exile representing the interests of the Hong Kong diaspora worldwide, and in 2025, the first term parliament-in-exile was elected. This thesis synergises the two ideas and suggests that a charter city in the form of a Crown Dependency on British soil can be governed by a Hong Kong Government-in-Exile, addressing both the political aspirations of Hongkongers and the economic needs of the United Kingdom. Hong Kong's political struggles thus continue in exile in the post-National Security Law era.

Addressing the Research Questions

At the beginning of the thesis, I asked the following overarching research questions that guided the study. I now summarise my arguments.

1. What were the key political factors leading to the British government's creation of BN(O) status, and what have been the effects on the Hong Kong polity and on Hong Kong citizens?
2. To what extent has the creation of the BN(O) and subsequent related visa schemes been shaped by domestic political interests within the United Kingdom?
3. What effects has the BN(O) scheme had on the ongoing political relationship between the United Kingdom and Hong Kong?
4. In light of historical commitments, what options exist for the United Kingdom to support political autonomy for Hongkongers in practice?

There was a constant reiteration of a racial discourse by United Kingdom politicians using the othering strategy to prevent Hongkongers from coming to settle in Britain in the years following Thatcher's "rather swamped" interview. The division of British nationality into three classes, the original BN(O) status, and the BNSS were all designed to prevent Hongkongers from coming to the United Kingdom. During the Thatcher era, Hongkongers were seen as the Other as far as Britishness was concerned. Thus, on the one hand, BN(O) status safeguarded Hongkongers'

uncertainty about their future in a symbolic way; on the other hand, by not allowing Hongkongers to move to the United Kingdom, Thatcher kept the public discourse of othering Hongkongers from the Far East. However, there was a remarkable turnaround forty years after the 1981 Act, and Hongkongers are now seen as family and friends who share the same values as the United Kingdom. This relationship can be likened to a lost parental bond. Whereas in the colonial era, the United Kingdom has taken on a guiding role, it now sees Hongkongers as grown-up adults who are in trouble and steps in to help.

Although the British government has now offered BN(O)s a route to full British citizenship as a lifeboat to escape from CCP repression, the thesis found that the offer is still a "second-class" offer. The present scheme keeps BN(O)s waiting in limbo for five years without access to public funds. This defeats the humanitarian purpose of the visa as it leaves many vulnerable immigrants unable to access essential support. On the other hand, the skills and capital Hongkongers bring to the United Kingdom potentially benefit the British economy in the post-Brexit context immensely. The "no recourse to public funds" condition minimises public expenditure for at least five years.

While the United Kingdom has made strides in rectifying China's violation of the Joint Declaration by allowing Hongkongers to live and work in Britain, it has yet to fulfil its commitment to establishing a democratically elected autonomous government for Hongkongers. The BN(O) policy, while a step in the right direction, is insufficient in fully addressing the commitments made under the Joint Declaration. This study has analysed how a new Hong Kong Crown Dependency on British soil could address this broken promise while potentially reviving the United Kingdom economy. The project draws parallels with the Tibetans, challenges existing governance structures, and encourages exploration of alternative possibilities.

Contribution to Knowledge

The analysis of BN(O) status not only traces its evolution but also illuminates how postcolonial identity continues to be shaped by legal and institutional frameworks of nationality. Although Gilley's (2018) notion of "recolonisation" has been criticised for

its generalisation, the underlying question of whether former colonial powers can play a constructive role in restoring good governance acquires new meaning in the BN(O) context. The United Kingdom's invitation to millions of colonial subjects to settle in the metropole represents a voluntary and symbolic re-engagement, yet the replication of Hong Kong's civic and participatory systems within this new diasporic setting remains incomplete.

This historical study has contributed to the conceptualisation of a new Hong Kong as a practical and political solution to the predicament facing Hongkongers. It has contributed to a new understanding of charter cities. Bowman's (2020) proposal and Ivan Ko's idea of an international charter city for Hongkongers (Lutter & Ko, 2020; Lutter, 2020) both trace their origins to the passage of the National Security Law in Hong Kong. The study has suggested that Bowman's conceptualisation of a Hong Kong 2.0 Crown Dependency could be governed by an elected Hong Kong Government-in-Exile to give the exiled Hongkongers a voice in Hong Kong nationalism. Although this voice has yet to fully emerge, this model is adapted from the experience of the Central Tibetan Administration in Dharamshala, India.

Hong Kong 2.0 is a significant departure from Romer's (2009) model in three aspects. First, Romer's model is based on the original Hong Kong being a part of a developing China, of which the nation's leadership delegates the administration of a part of China to a foreign government—in this case, the United Kingdom—which administers the city autonomously with separate economics and urban planning rules and regulations. The current scenario is not what Romer had intended in 2009, as the United Kingdom is not a developing country seeking assistance in economic development. Second, there is no chance that a foreign government—in this case the HKSAR government—would come to the United Kingdom to administer the city. Third, Romer's model did not consider the political motivation of the BN(O) residents that Bowman (2020) has identified. The three deviations from Romer's model, together with this study's proposal of a Hong Kong Government-in-Exile administering the charter city, all add new dimensions to the charter city concept and contribute to new academic understanding of charter cities. This conceptualisation of a charter city for

Hongkongers challenges existing structures and provokes thoughts about alternative possibilities.

Finally, this study has contributed to a new understanding of governments-in-exile. While the Tibetans already had a government led by the Dalai Lama before their exile, Hongkongers do not have any exiled officials from the existing HKSAR government. This study's proposal is based on the recently elected Hong Kong Parliament representing the Hong Kong diaspora worldwide (HK Parliament, n.d.). The limited number of votes does not reflect the weakness of the idea but is largely the result of transnational repression. The nationality of Hongkongers, the vast majority being eligible for the BN(O) route, means that the future Hong Kong Government-in-Exile could be formed by a group of elected individuals on British soil. In contrast to the Tibetans, the Hong Kong Government-in-Exile will be a British institution representing Hongkongers worldwide. This anomaly has been created by the legacy of BN(O) status. Thus, the establishment of a government-in-exile from a non-existent body, and the British nationality of the people forming the new body, are significant departures from existing academic understanding of governments-in-exile.

Limitation of the Study

Although the collection of documents and the subsequent analysis went smoothly, one limitation of the study was my close personal affiliation with the topic being studied. I have personally lived through some of Hong Kong's sociopolitical events. Most notably, I have witnessed the 1981 Act that resulted in the separation of British nationality into categories, the Sino-British negotiations, the resulting Joint Declaration, the registration for BN(O) status, the BNSS, and the first emigration wave out of Hong Kong. However, as an Australian Hongkonger who later took up the Chinese government's initiative that allows Hongkongers to live and work in the Greater Bay Area, I was in a privileged position freed from all the emotional turmoil and political constraints that Hongkongers on the ground faced. In terms of researcher positionality, I consider myself an "insider" to the pre-handover events of Hong Kong that paved the way to the "flight response" to protect Hong Kong's way of life in Western countries, as W. C. Ho's (2023) theory has explained. Nevertheless,

I was also an “outsider” to the post-handover events because I had been away from Hong Kong. Given these factors and the current political climate, I acknowledge that I may be judged as one who is disloyal to Hong Kong, having abandoned my homeland and emigrated abroad. Thus, on the one hand, the interpretation of the pre-handover events may have been skewed with researcher bias; on the other, my “outsider” role in the post-handover period has made it possible to maintain objectivity in research.

Second, while this thesis has focused on the BN(O) visa scheme, other lifeboat schemes connected with the political repression in Hong Kong have not been considered. Canada and Australia, for example, have both offered Hongkongers routes to residency. These Commonwealth countries followed the British lead to offer havens to Hongkongers. These political schemes have not been considered because they were not the main policies that caught Hongkongers in a political storm. Rather, the primary trigger of the current controversy was the courageous decision of the British government to fulfil its moral responsibility towards Hong Kong. The BN(O) policy was the sole policy presented in this thesis to the exclusion of policies from other countries.

Third, the human cost of the brutality of the National Security Law has not been measured in this project. Many young activists and pro-democracy politicians not eligible for the BN(O) scheme have decided to seek asylum in the United Kingdom or elsewhere. Many BN(O)s have not been able to find employment or have been working in lower-level jobs because their qualifications are not recognised in the United Kingdom (Welcoming Committee for Hongkongers, 2023). Many of them have been experiencing post-traumatic stress disorder since arriving in the United Kingdom (Liang, 2022). Hongkongers who lack BN(O) status or were unable to afford emigration are mourning the loss of their homeland (W. C. H. Chan, 2024). These human emotional responses are obviously significant voices to consider. It is beyond the scope and expertise of a historical study to examine the human sufferings resulting from the National Security Law. Yet, these voices are exceedingly important to analyse in order to allow for people’s eventual closure, healing, and reconciliation.

Finally, the finding of politics being the primary motivation for BN(O)s emigrating to the United Kingdom has been inferred rather than derived through direct data. The data collection in this project has been completed through documentary research that necessarily meant that the data were not obtained through first-hand interviews. However, the announcement of the BN(O) route has explicitly stated that it is connected to the imposition of the National Security Law. Government statistics five years following the imposition of the National Security Law appear to suggest a significant number of Hongkongers have emigrated to the United Kingdom. The statistics could thus infer that the 166,300 Hongkongers settling in the United Kingdom have taken advantage of the BN(O) scheme to leave their homeland because of political reasons. While there may be other reasons for their exile, this thesis could not obtain these data without interviewing BN(O)s themselves.

Final Thoughts: Sovereignty, Governance, and Identity

The troubling events of 2019 that led to the promulgation of the National Security Law and the BN(O) offer have been a tough learning process for all Hongkongers. The British government has made a bold decision to offer a lifeline to BN(O)s. This courageous decision can rekindle hope for especially the younger generations of Hongkongers who can contribute to the future of British society in the years to come.

The tragic murder case at the heart of the controversy should not be overshadowed by the study. It is crucial to recognise the profound human suffering endured by the victim's parents, who have neither seen justice served nor received compensation for their daughter's death. Despite the alleged perpetrator's initial willingness to return to Taiwan to face justice, he has ultimately escaped accountability. The murder case, which catalysed the extradition Bill, the enactment of the National Security Law, and the United Kingdom's BN(O) response, carries far-reaching implications in three ways (K. H. Wong, 2024). First, it underscores the challenges of prosecuting cross-jurisdictional fugitives. Carrie Lam's intention to assist the grieving parents appeared noble on the surface, yet the situation spiralled into a diplomatic crisis involving China, the United Kingdom, and its allies. Second, the case reveals the inherent flaws in the "one country, two systems" framework. It highlights the Chief Executive's struggle to

reconcile conflicting interests and suggests that Carrie Lam's inexperience in foreign affairs and lack of political foresight contributed to the mishandling of the extradition Bill. Her apparent failure to account for the deteriorating Sino-United States relations likely exacerbated the situation and escalated it into a broader issue of sovereignty and security for China. Finally, the case symbolises the collective resistance of Hongkongers against the CCP's assault on Hong Kong's autonomy. Despite their efforts, the CCP emerged victorious, ultimately imposing a revised school curriculum in Hong Kong designed to promote their narrative of history. These developments demonstrate how a single criminal case became a discursive and institutional turning point, reshaping sovereignty, governance, and identity in Hong Kong in ways that will continue to define its historical trajectory. The thesis closes with the Hong Kong national anthem "Glory to Hong Kong", born of resistance to China's assault on the city's civic and political freedoms (dgx yhl, 2019). Composed amidst the 2019 protests, it embodies the determination of Hongkongers to assert a distinct identity and defend the liberal democratic values nurtured under British sovereignty (K. H. Wong, 2025). As both a symbol and rallying cry, the anthem underscores the enduring tension between a population that cherishes its autonomy and a totalitarian party-state determined to erase it.

The Hong Kong National Anthem: “Glory to Hong Kong” 香港人的國歌:《願榮光歸香港》

We pledge: No more tears on our land. In wrath, doubts dispell’d we make our stand. Arise! Ye who would not be slaves again: For Hong Kong, may Freedom reign!

Though deep is the dread that lies ahead, yet still, with our faith, on we tread. Let blood rage afield! Our voice grows evermore: For Hong Kong, may Glory reign!

Stars may fade, as darkness fills the air. Through the mist a solitary trumpet flares: Now, to arms! For Freedom we fight, with all our might we strike! With valour, wisdom both, we stride!

Break now the dawn, liberate our Hong Kong. In common breath: Revolution of our times! May people reign, proud and free, now and evermore. Glory be to thee, Hong Kong!

何以 這土地 淚再流，何以 令眾人 亦憤恨，昂首 拒默沉 吶喊聲 響透，盼自由 歸於 這裡!

何以 這恐懼 抹不走，何以 為信念 從沒退後，何解 血在流 但邁進聲 響透，建自由 光輝 香港!

在晚星 墜落 徬徨午夜， 迷霧裡 最遠處吹來 號角聲，捍自由 來齊集這裡，來全力抗對，勇氣 智慧 也永不滅!

黎明來到 要光復 這香港，同行兒女 為正義 時代革命，祈求 民主與自由 萬世都不朽，我願榮光歸香港!

References

Allen, T. (Host). (2024, January 13). Ivan Ko: Made in Hong Kong [Audio podcast episode]. In *Free cities podcast*. Free Cities Foundation. https://free-cities.org/ivan-ko-made-in-hong-kong/

Anderson, B. R. O'G. (2016). *Imagined communities: Reflections on the origin and spread of nationalism* (Rev. ed ed.). Anvil.

Asia Society. (2019, August 16). *Perspectives on Hong Kong's protests* [Video]. YouTube. https://www.youtube.com/watch?v=6hU05jdhDBU

Atlas. (2021). *Hong Kong Government in Exile survey results*. https://www.atlasmovement.org/atlas_hong_kong_government_in_exile_survey_results

Au, K. C., & Holland-Smith, D. (2024). The transforming journey of Hong Kong elites athletes and coaches migrating to the united kingdom via the British National (Overseas) visa scheme. *Sport in Society, 27*(4), 613-638. https://doi.org/10.1080/17430437.2023.2300421

Baker, H. (1994). Branches all over: The Hong Kong Chinese in the United Kingdom. In R. Skeldon (Ed.), *Reluctant exiles? Migration from Hong Kong and the new overseas Chinese*. Hong Kong University Press.

Baum, R. (1999). Britain's 'betrayal' of Hong Kong: A second look. *The Journal of Contemporary China, 8*(20), 9-28. https://doi.org/10.1080/10670569908724333

BBC News. (2019, September 17). *xiāng gǎng shì wēi: chén fāng ān shēng chēng zhōng guó dà lù kě jiè jiàn xiāng gǎng mó shì yōng bào pǔ shì jià zhí [Hong Kong protests: Anson Chan says Chinese mainland can learn from the Hong Kong model to embrace universal values*] [Video]. YouTube. https://www.youtube.com/watch?v=Q4-OFW8qhLQ

BBC World Service. (2022, September 15). *Britain's new Hongkongers* [Video]. YouTube. https://www.youtube.com/watch?v=hQzY69IBKY8

BBC News. (2023, January 2). *BBC jì lù piān: xiāng gǎng de zì yóu zhī zhàn (xià) [BBC documentary: Hong Kong's fight for freedom (2nd episode)]* [Video]. YouTube. https://www.youtube.com/watch?v=DB4QnUc0FBU

BBC News. (2024, January 29). *xiāng gǎng xíng huì zhào jí rén yè liú shū yí zhuān fang: 2019 nián shì wēi zhě shì tú tuī fān zhèng fǔ [Interview with Regina Ip, Convener of the Executive Council of Hong Kong: In 2019, protesters attempted to overthrow the government]* [Video]. YouTube. https://www.youtube.com/watch?v=9sNT_M7A1-c

Benson, M. (2023). Hong Kongers and the coloniality of British citizenship from decolonisation to 'Global Britain'. *Current Sociology, 71*(5), 743–761. https://doi.org/10.1177/00113921211048530

Benson, M., Nando, S., & Elena, Z. (2024a). *Humanitarian visas in a hostile environment: Historical legacies, geopolitical ties and everyday experiences.* Migzen. https://www.migzen.net/site/assets/files/5156/2024_new_humanitarian_visas_in_a_hostile_environment-1.pdf

Benson, M., Sigona, N., & Zambelli, E. (2024b). The UK's 'Safe and legal' humanitarian routes: From colonial ties to privatising protection. *The Political Quarterly (London. 1930), 95*(2), 263–271. https://doi.org/10.1111/1467-923X.13409

Blaxter, L., Hughes, C., & Tight, M. (2010). *How to Research*. McGraw-Hill Education.

Block, D. (2013). Issues in language and identity research in applied linguistics. *Estudios De Lingüística Inglesa Aplicada, 13*, 11-46. https://dx.doi.org/10.12795/elia.2013.i13.01

Bowman, S. (2020, May 28). *Let's build Hong Kong 2.0 here in the UK*. CAPX. https://capx.co/lets-build-hong-kong-2-0-here-in-the-uk/

British Nationality Act 1981 (UK).

British Nationality (Hong Kong) Act 1990 (UK).

Brittan, L. (1985, August 30). *Leon Brittan letter to Howe*. Margaret Thatcher Foundation. https://archive.margaretthatcher.org/doc18/850830%20brittan%20let%20PREM19-1486%20f4.pdf

Cairns, E., & Darby, J. (1998). The conflict in Northern Ireland. *The American Psychologist, 53*(7), 754-760. https://doi.org/10.1037/0003-066X.53.7.754

Carrico, K. (2022). *Two systems, two countries: A nationalist guide to Hong Kong* [Electronic book]. University of California Press.

CEBR. (2020). *UK GDP could be boosted by £12-40 billion from migration of skilled Hong Kongers*. https://cebr.com/reports/uk-gdp-could-be-boosted-by-12-40-billion-from-migration-of-skilled-hong-kongers/

Census and Statistics Department of the Government of the Hong Kong Special Administrative Region. (2023). *Population growth by component*. https://www.censtatd.gov.hk/en/web_table.html?id=110-01003#

Central People's Government of the People's Republic of China. (2019, September 3). *xīn wén bàn jiù xiāng gǎng dāng qián jú shì de kàn fǎ jǔ xíng xīn wén fā bù huì* [*Press conference of the Information Office on the current situation in Hong Kong*] [Press release]. https://www.gov.cn/xinwen/2019-09/03/content_5426949.htm#1

Central Tibetan Administration. (2011). *Charter of the Tibetans in exile*. https://tibet.net/wp-content/uploads/2021/04/English-Charter-final.doc.pdf

Central Tibetan Administration. (n.d.). *Departments*. https://tibet.net/

CGTN. (2019, December 11). *Junius Ho: I'm proud of my identity, will do my duty* [Video]. YouTube. https://www.youtube.com/watch?v=JxYKE5769OM

Chan, C. (2021). Can Hong Kong remain a liberal enclave within China?: Analysis of the Hong Kong national security law. *Public Law,* (2), 271-292. http://search.informit.org/doi/10.3316/agispt.20210528047540

Chan, E., & Chan, J. (2014). Liberal patriotism in Hong Kong. *The Journal of Contemporary China, 23*(89), 952-970. https://doi.org/10.1080/10670564.2014.882623

Chan, H. (2019, May 1). How a student's column in a US college newspaper sparked a fiery debate over 'Hongkonger identity'. *Hong Kong Free Press*. https://hongkongfp.com/2019/05/01/students-column-us-college-newspaper-sparked-fiery-debate-hongkonger-identity/

Chan, J. M. M. (2020, June 1). *Five reasons to question the legality of a National Security Law in Hong Kong*. VerfBlog. https://verfassungsblog.de/five-reasons-to-question-the-legality-of-a-national-security-law-for-hong-kong/

Chan, W. C. H. (2024). Loss of hometown: Young Hongkongers' collective grief following the 2019 social movement. *Journal of Loss & Trauma, 29*(3), 313-330. https://doi.org/10.1080/15325024.2023.2256226

Chau, C. (2022, October 20). UK expands BNO emigration scheme to Hongkongers born after 1997, as Beijing slams move as 'violation' of int'l law. *Hong Kong Free Press*. https://hongkongfp.com/2022/10/20/uk-expands-bno-emigration-scheme-to-hongkongers-born-after-1997-as-beijing-slams-move-as-violation-of-intl-law/

Chen, A. H. Y. (2016). The law and politics of the struggle for universal suffrage in Hong Kong, 2013–15. *Asian Journal of Law and Society, 3*(1), 189-207. https://doi.org/10.1017/als.2015.21

Chen, J. (2023). Hong Kong democracy movement in exile. In J. Chen & C. Shei (Eds.), *Routledge resources online: Chinese studies*. Routledge. https://doi.org/10.4324/9780367565152-RECHS23-1

Cheng, S. (2020, December 21). Hongkongers in self-imposed exile announce plans for 'shadow parliament'. *Hong Kong Free Press*. https://hongkongfp.com/2020/12/21/hongkongers-in-self-imposed-exile-announce-plans-for-shadow-parliament/

Cheng, S. (2021, March 15). Activists in exile launch '2021 Hong Kong Charter' solidarity movement to unite Hongkongers overseas. *Hong Kong Free Press*. https://hongkongfp.com/2021/03/15/activists-in-exile-launch-2021-hong-kong-charter-solidarity-movement-to-unite-hongkongers-overseas/

Cheong, K. (2010). Charter cities - an idea whose time has come or should have gone? *Malaysian Journal of Economic Studies, 47*(2), 165.

Cheong, K., & Goh, K. (2013). Hong Kong as charter city prototype – when concept meets reality. *Cities, 35*, 100-103. https://doi.org/10.1016/j.cities.2013.07.004

Cheung, G. & Lam, J. (2016, September 5). Rise of localists in Hong Kong polls set to bring headaches for Beijing, analysts say. *SCMP*. https://www.scmp.com/news/hong-kong/politics/article/2015349/rise-localists-hong-kong-polls-set-bring-headaches-beijing

Ching, F. (2018). Nationality vs ethnic identity. *Asian Education and Development Studies, 7*(2), 223-233. https://doi.org/10.1108/AEDS-09-2017-0095

Chow, S., Fu, K., & Ng, Y. (2020). Development of the Hong Kong identity scale: Differentiation between Hong Kong 'locals' and mainland Chinese in cultural and civic domains. *The Journal of Contemporary China, 29*(124), 568-584. https://doi.org/10.1080/10670564.2019.1677365

Chua, C. (1990). The Sino-British agreement and nationality: Hong Kong's future in the hands of the People's Republic of China. *UCLA Pacific Basin Law Journal, 8*(1), 163-176. https://doi.org/10.5070/P881021965

Chuang, R. L. (1990). “Home” insurance for British nationals in Hong Kong? *Asian Affairs, an American Review (New York), 17*(1), 31-42. https://doi.org/10.1080/00927678.1990.10553559

Citizenship and Social Development Web-based Resource Platform. (2015). *Liberal Studies curriculum and assessment guide (Secondary 4-6)*. https://cs.edb.edcity.hk/file/C_and_A_guide/201511/LS_CAGuide_e_2015.pdf

Citizenship and Social Development Web-based Resource Platform. (2021a). *Brief introduction to the contemporary situation of the country*. https://cs.edb.edcity.hk/file/teachers/ppt_for_teachers/lt1_t1t2lf1_1_e.pdf

Citizenship and Social Development Web-based Resource Platform. (2021b). *Brief introduction to the origin of the question of Hong Kong (the three unequal treaties and the background) and the process of Hong Kong’s return to China*. https://cs.edb.edcity.hk/file/teachers/ppt_for_teachers/lt1_t1t1lf1_1_e_r2.pdf

Citizenship and Social Development Web-based Resource Platform. (2021c). *Citizenship and Social Development curriculum and assessment guide (Secondary 4-6)*. https://cs.edb.edcity.hk/file/C_and_A_guide/202106/CS_CAG_S4-6_Eng_2021.pdf

Citizenship and Social Development Web-based Resource Platform. (2021d). *Constitutional relationship between the country and the Hong Kong Special Administrative Region (HKSAR) (China has indisputable sovereignty and jurisdiction over Hong Kong), legal basis of “one country, two systems” and*

the Basic Law.
https://cs.edb.edcity.hk/file/teachers/ppt_for_teachers/lt1_t1t1lf2_1_e.pdf

Citizenship and Social Development Web-based Resource Platform. (2021e). *The national symbols national flag, national emblem, national anthem) and stipulations as stated in Annex III to the Basic Law*.
https://cs.edb.edcity.hk/file/teachers/ppt_for_teachers/lt1_t1t2lf2_1_e_r.pdf

Citizenship and Social Development Web-based Resource Platform. (2021f). *Significance of safeguarding national security (i.e. a holistic approach to national security); the National Security Law and promoting long-term development of Hong Kong; and striking the balance between the rule of law and human rights*.
https://cs.edb.edcity.hk/file/teachers/ppt_for_teachers/lt1_t1t1lf3_1_e_r3.pdf

Commonwealth Immigrants Act 1962 (UK).

Conservative Party. (1979). *Conservative general election manifesto 1979*. Margaret Thatcher Foundation. https://www.margaretthatcher.org/document/110858

Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China. (1984a). *The Joint Declaration*. https://www.cmab.gov.hk/en/issues/jd2.htm

Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China. (1984b). *The Joint Declaration Annex I: Elaboration by the government of the People's Republic of China of its basic policies regarding Hong Kong*.
https://www.cmab.gov.hk/en/issues/jd3.htm

Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China. (1984c). *The Joint Declaration Annex II: Sino-British Joint Liaison Group*.
https://www.cmab.gov.hk/en/issues/jd4.htm

Constitutional and Mainland Affairs Bureau of the Government of the Hong Kong Special Administrative Region of the People's Republic of China. (1984d). *The Joint Declaration Memoranda (Exchanged Between the Two Sides)*.
https://www.cmab.gov.hk/en/issues/jd6.htm

Copyright Act 1968 (Cth).

Cunningham, C., Barstow, C., & Zhang, W. (2019, August 28). Why Chinese and Hong Kong students clash in Australia: the patriotic v the protest movement. *The Conversation*. https://theconversation.com/why-chinese-and-hong-kong-students-clash-in-australia-the-patriotic-v-the-protest-movement-122405

CWR NewsPost UK. (2022, July 2). *Vlog mī ／ péng dìng kāng: jì xù guān zhù xiāng gǎng bù ràng gòng chǎn dǎng biān zào gù shì ✶ luó jié sī xū yīng guó zhì cái*

*zhōng gǎng guān yuán ✶ gǎng rén: péng dìng kāng wú wàng jì xiāng gǎng duō xiè féi péng [Vlog Mi | Chris Patten: Continue to follow Hong Kong and prevent the Communist Party from fabricating stories * Rogers calls on Britain to sanction officials in China and Hong Kong * Hong Kong people: Chris Patten never forgets Hong Kong. Thank you very much Fat Pang [I love you] ｜Lord Patten New Book…]* [Video]. YouTube. https://www.youtube.com/watch?v=qXP_HIPJt00

Dagati, P. A. (1992). Hong Kong's lost right to self-determination: a denial of due process in the United Nations. *New York Law School Journal of International and Comparative Law, 13*(1), 153–179. https://search.proquest.com/docview/59617232

Deng, X. (1994). *Selected works of Deng Xiaoping volume III (1982-1992)*. (The Bureau for the Compilation and Translation of Works of Marx, Engles, Lenin and Stalin Under the Central Committee of the Communist Party of China, Trans.). Foreign Language Press.

Department of Justice of the Government of the Hong Kong Special Administrative Region (2021, January 30). *A correct understanding of Joint Declaration and British Memorandum*. https://www.doj.gov.hk/en/community_engagement/sj_blog/20210130_blog1.html

dgx yhl, T. (2019). “Glory to Hong Kong” [Song].

Dupré, J. (2020). Making Hong Kong Chinese: State nationalism and its blowbacks in a recalcitrant city. *Nationalism and Ethnic, 26*(1), 8-26. https://doi.org/10.1080/13537113.2020.1716436

Education Bureau of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China. (2020, December 9). *Taskforce on review of school curriculum*. https://www.edb.gov.hk/en/curriculum-development/renewal/taskforce_cur.html

Education Bureau of the Government of the Hong Kong Special Administrative Region of the People’s Republic of China. (2021, February 9). *Reform of Liberal Studies (Part I)*. https://www.edb.gov.hk/en/about-edb/press/cleartheair/20210209.html

Ebner, N., & Peck, J. (2022). FANTASY ISLAND: Paul Romer and the multiplication of Hong Kong. *International Journal of Urban and Regional Research, 46*(1), 26-49. https://doi.org/10.1111/1468-2427.13060

Enoki, M. (2007). Stages of democratisation of Central Tibetan Administration. *Journal of the Japanese Association for South Asian Studies, 2006*(18), 144-166. https://doi.org/10.11384/jjasas1989.2006.144

Explainer: Why are there riots in the UK and who is behind them? (2024, August 7). *Reuters*. https://www.reuters.com/world/uk/why-are-there-riots-uk-who-is-behind-them-2024-08-07/

Fairclough, N. (2015). *Language and power* (3. ed. ed.). Routledge.

Fazal, T. (2023). 'Documents of power': Historical method and the study of politics. *Studies in Indian Politics, 11*(1), 140-149. https://doi.org/10.1177/23210230231166179

Fergusson, G. D. (1983). *Proposal to relocate the inhabitants of Hong Kong in Northern Ireland*. The National Archives, Kew, United Kingdom.

Flowerdew, J. (1997a). The discourse of colonial withdrawal: A case study in the creation of mythic discourse. *Discourse & Society, 8*(4), 453-477. https://doi.org/10.1177/0957926597008004002

Flowerdew, J. (1997b). Reproduction, resistance and joint-production of language power: A Hong Kong case study. *Journal of Pragmatics, 27*(3), 315-337. https://doi.org/10.1016/S0378-2166(96)00036-7

Flowerdew, J. (1999). Description and interpretation in critical discourse analysis. *Journal of Pragmatics, 31*(8), 1089-1099. https://doi.org/10.1016/S0378-2166(99)00049-1

Flowerdew, J. (2004a). The discursive construction of a world-class city. *Discourse & Society, 15*(5), 579-605. https://doi.org/10.1177/0957926504045033

Flowerdew, J. (2004b). Identity politics and Hong Kong's return to Chinese sovereignty: Analysing the discourse of Hong Kong's first chief executive. *Journal of Pragmatics, 36*(9), 1551-1578. https://doi.org/10.1016/j.pragma.2004.03.002

Flowerdew, J. (2011). *Critical discourse analysis in historiography: The case of Hong Kong's evolving political identity* (1st ed.). Palgrave Macmillan. https://doi.org/10.1057/9780230336841

Flowerdew, J. (2016). A historiographical approach to Hong Kong Occupy. *Journal of Language and Politics, 15*(5), 529-548. https://doi.org/10.1075/jlp.15.5.02flo

Flowerdew, J. (2017). Understanding the Hong Kong umbrella movement: A critical discourse historiographical approach. *Discourse & Society, 28*(5), 453-472. https://doi.org/10.1177/0957926517710991

Flowerdew, J., & Leong, S. (2007). Metaphors in the discursive construction of patriotism: The case of Hong Kong's constitutional reform debate. *Discourse & Society, 18*(3), 273-294. https://doi.org/10.1177/0957926507075476

Flowerdew, J., & Leong, S. (2010). Presumed knowledge in the discursive construction of socio-political and cultural identity. *Journal of Pragmatics, 42*(8), 2240-2252. https://doi.org/10.1016/j.pragma.2010.01.007

Fokstuen, A. R. (2003). The right of abode cases: Hong Kong's constitutional crisis. *Hastings International and Comparative Law Review, 26*(2), 265-288.

Fong, B. C. H. (2020). Stateless nation within a nationless state: The political past, present, and future of Hongkongers, 1949–2019. *Nations and Nationalism, 26*(4), 1069-1086. https://doi.org/10.1111/nana.12556

Fong, B. C. H. (2022). Diaspora formation and mobilisation: The emerging Hong Kong diaspora in the anti-extradition bill movement. *Nations and Nationalism, 28*(3), 1061-1079. https://doi.org/10.1111/nana.12804

Foreign, Commonwealth & Development Office. [@FCDOGovUK]. (2020, July 2). *It constitutes a clear violation of the autonomy of Hong Kong, a direct threat to the freedoms of its people* [Tweet]. Twitter. https://twitter.com/fcdogovuk/status/1278363867249328129

The Foreign Correspondence Club, Hong Kong. (2020, February 22). *Anson Chan & Priscilla Leung – Beyond the protests: How can we rebuild Hong Kong?* [Video]. YouTube. https://www.youtube.com/watch?v=faafV11QID8

For the record: an enemy of the State. (2019, December 1). *The Epoch Times*. https://www.theepochtimes.com/china/for-the-record-an-enemy-of-the-state-3161995

Free Cities Foundation (2024, December 11). *Ivan Ko: The Journey to 21st Century City in Thames Freeport* [Video]. YouTube. https://www.youtube.com/watch?v=WD9eadOYHq0

Fugitive Offenders and Mutual Legal Assistance in Criminal Matters Legislation (Amendment) Bill 2019 (HK).

Fung, A. (2001). What makes the local? A brief consideration of the rejuvenation of Hong Kong identity. *Cultural Studies (London, England), 15*(3-4), 591–601. https://doi.org/10.1080/095023800110046713

Geneva Summit. (2023, May 20). *Frances Hui – "Glory to Hong Kong" | 2023 Geneva Summit* [Video]. YouTube. https://www.youtube.com/watch?v=4sPYmuxr-PM

Gilley, B. (2018). The case for colonialism. *Academic Questions, 31*(2), 167-185. https://doi.org/10.1007/s12129-018-9696-2

Giordano, K. (2023, August 15). Chinese fans back James Harden after NBA star calls 76ers president Daryl Morey 'a liar'. *SCMP*. https://www.scmp.com/sport/basketball/article/3231119/chinese-fans-back-james-harden-after-nba-star-calls-76ers-president-daryl-morey-liar

Goodstadt, L. F. (2005). *Uneasy partners: The conflict between public interest and private profit in Hong Kong* (1st ed.). Hong Kong University Press.

Görömbölyi, D. (2022). The on-line boom of Tibetan diplomacy. *New Zealand International Review, 47*(2), 15-18. http://search.informit.org/doi/10.3316/informit.331214029522081

Government of the Hong Kong Special Administrative Region of the People's Republic of China. (2021a). *The Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China*. https://www.basiclaw.gov.hk/filemanager/content/en/files/basiclawtext/basiclaw_full_text.pdf

Government of the Hong Kong Special Administrative Region. (2021b, January 29). *HKSAR Government follows up on China's countermeasures against British Government's handling of issues related to British National (Overseas) passport* [Press release]. https://www.info.gov.hk/gia/general/202101/29/P2021012900763.htm

GOV.UK. (n.d.-a). *British National (Overseas)*. https://www.gov.uk/types-of-british-nationality/british-national-overseas

GOV.UK. (n.d.-b). *British National (Overseas) visa*. https://www.gov.uk/british-national-overseas-bno-visa/print

GOV.UK. (2021, January 29). *Hong Kong BN(O) visa: UK government to honour historic commitment*. https://www.gov.uk/government/news/hong-kong-bno-visa-uk-government-to-honour-historic-commitment

GOV.UK. (2022, December 1). *Guidance: Observations in passports*. https://www.gov.uk/government/publications/observations-in-passports/observations-in-passports-accessible

GOV.UK. (2023, December 4). *Home Secretary unveils plan to cut net migration*. https://www.gov.uk/government/news/home-secretary-unveils-plan-to-cut-net-migration

GOV.UK. (2025, October 20). *How many people come to the UK via safe and legal (humanitarian) routes?* https://www.gov.uk/government/statistics/immigration-system-statistics-year-ending-june-2025/how-many-people-come-to-the-uk-via-safe-and-legal-humanitarian-routes#british-national-overseas-bno-route

Grant, A. (2018). *Doing excellent social research with documents: Practical examples and guidance for qualitative researchers* (1st ed.). Routledge. https://doi.org/10.4324/9781315177274

Greer, I. (2020, July 22). The foreign relations consequences of Britain's citizenship offer to Hong Kong. *Contemporary Review of Genocide and Political Violence*. https://crgreview.com/the-foreign-relations-consequences-of-britains-citizenship-offer-to-hong-kong/amp/

Griffiths, J. (2020, September 13). Hong Kong set the bar for charter cities. But it's not a blueprint that can be transported. *CNN*.

https://www.cnn.com/2020/09/12/asia/hong-kong-ireland-charter-city-intl-hnk/index.html

Gu, X., & Catalano, T. (2022). Representing transition experiences: A multimodal critical discourse analysis of young immigrants in children's literature. *Linguistics and Education, 71*, 101083. https://doi.org/10.1016/j.linged.2022.101083

Guardian News. (2019, September 3). *Carrie Lam 'would quit' as Hong Kong CEO if she had a choice – audio* [Video]. YouTube. https://www.youtube.com/watch?v=CeiE7LY5kMg

Hampton, M. (2011). Early Hong Kong television, 1950s-1970s. *Media History, 17*(3), 305–322. https://doi.org/10.1080/13688804.2011.591755

Hampton, M. (2012). Projecting Britishness to Hong Kong: The British Council and Hong Kong House, nineteen-fifties to nineteen-seventies. *Historical Research: The Bulletin of the Institute of Historical Research, 85*(230), 691–709. https://doi.org/10.1111/j.1468-2281.2012.00611.x

Hansard HL Deb vol 452 col 105 (21 May 1984) [Electronic version]. https://hansard.parliament.uk/Lords/1984-05-21/debates/a82377db-14ed-4c34-8795-edee4c4a3e41/HongKongFuture

Hansard HC Deb vol 89 col 1290 (16 January 1986) [Electronic version]. https://hansard.parliament.uk/Commons/1986-01-16/debates/c6fce1b4-6fbd-4ea4-b247-36ebd5da6e0a/HongKong(Nationality)

Hansard HC Deb vol 154 col 16 (6 June 1989) [Electronic version]. https://www.margaretthatcher.org/document/107689

Hansard HL Deb vol 508 col 750 (6 June 1989) [Electronic version]. https://hansard.parliament.uk/Lords/1989-06-06/debates/60c1cb2b-d7e1-4276-a9a2-d90e43db9921/EventsInChinaImplicationsForHongKong

Hansard HL Deb vol 514 col 281 (20 December 1989) [Electronic version]. https://hansard.parliament.uk/lords/1989-12-20/debates/295e5f91-3fcb-49cc-8929-add42ff9d4bf/HongKong

Hau, M. (2021). The official mind of British post-imperialism: Influencing parliamentary opinions during the Anglo-Chinese negotiations on the future of Hong Kong, 1982-84. *International History Review, 43*(6), 1198–1216. https://doi.org/10.1080/07075332.2021.1876135

Head, J. W. (1998). Selling Hong Kong to China: What Happened to the Right of Self-Determination? *Kansas Law Review, 46*, 283–1013.

Hewstone, M., Cairns, E., Voci, A., Hamberger, J., & Niens, U. (2006). Intergroup contact, forgiveness, and experience of "the troubles" in Northern Ireland. *Journal of Social Issues, 62*(1), 99-120. https://doi.org/10.1111/j.1540-4560.2006.00441.x

HK Parliament. (n.d.). *First-term Hong Kong Parliament*. https://hkparliament.org/

Ho, J. C. (2023). The internationalism of stateless nations: The case of Hong Kong. *Nations and Nationalism, 29*(1), 346-363. https://doi.org/10.1111/nana.12840

Ho, M. (2023). Hongkongers' international front: Diaspora activism during and after the 2019 anti-extradition protest. *Journal of Contemporary Asia, ahead-of-print*(ahead-of-print), 1-22. https://doi.org/10.1080/00472336.2023.2168208

Ho, W. C. (2023). The settling experience of Hongkongers in London. *China Review, 23*(3), 245-272. https://www.jstor.org/stable/48740213

Home Office. (2025). *A fairer pathway to settlement: A statement and accompanying consultation on earned settlement*. https://assets.publishing.service.gov.uk/media/691edda450b16caf978153d8/Command_Paper_final_-_reviewed7.pdf

Hong Kong activists Denise Ho and Joshua Wong testify at US congressional hearing on protests. (2019, September 17). *Hong Kong Free Press*. https://hongkongfp.com/2019/09/17/live-hong-kong-activists-denise-ho-joshua-wong-testify-us-congressional-hearing-protests/

The Hong Kong (British Nationality) Order 1986 (UK).

Hong Kong elections: 30.2 per cent turnout in first Legislative Council poll since Beijing overhaul. (2021, December 20). *SCMP*. https://www.scmp.com/news/hong-kong/politics/article/3160336/hong-kong-elections-all-eyes-final-turnout-first-big-test

Hong Kong e-Legislation. (2020). *The Law of the People's Republic of China on Safeguarding National Security in the Hong Kong Special Administrative Region*. https://www.elegislation.gov.hk/fwddoc/hk/a406/eng_translation_(a406)_en.pdf

Hong Kong protests: UK should not interfere, says Chinese ambassador. (2019, August 16). *BBC*. https://www.bbc.com/news/uk-49356495

Hong Kong Scots. (2024). *Submission to the United Nations Human Rights Committee: 140th session regarding the United Kingdom of Great Britain and Northern Ireland's compliance with the International Covenant on Civil and Political Rights*. https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCCPR%2FCSS%2FGBR%2F57444&Lang=en

Hong Kong Special Administrative Region Government. (2014a). *Decision of the Standing Committee of the National People's Congress on issues relating to the selection of the Chief Executive of the Hong Kong Special Administrative Region by universal suffrage and on the method for forming the Legislative*

Council of the Hong Kong Special Administrative Region in the Year 2016. http://www.2017.gov.hk/filemanager/template/en/doc/20140831b.pdf

Hong Kong Special Administrative Region Government. (2014b). *Report by the Chief Executive of the Hong Kong Special Administrative Region to the Standing Committee of the National People's Congress on whether there is a need to amend the methods for selecting the Chief Executive of the Hong Kong Special Administrative Region in 2017 and for forming the Legislative Council of the Hong Kong Special Administrative Region in 2016*. http://www.2017.gov.hk/filemanager/template/tc/doc/report/ce_report.pdf

Hong Kong Special Administrative Region of the People's Republic of China. (2020). *The Chief Executive's 2020 policy address: Striving ahead with renewed perseverance*. https://www.policyaddress.gov.hk/2020/eng/pdf/PA2020.pdf

Hong Kong Watch (2022, February 12). *Lord Patten - BNO visa scheme amendment - 10 Feb Full Speech in the House of Lords*. [Video]. YouTube. https://www.youtube.com/watch?v=kWvmamXdJW4

Hong Kong Yearbook (2022). *Hong Kong Yearbook 2021*. https://www.yearbook.gov.hk/2021/en/pdf/E22.pdf

Hongkongers in Britain (n.d.). *Cause and commitment*. https://hongkongers.org.uk/cause-and-commitment/

Hudson Timothy George Loh v. Director of Immigration and Another [2017] The High Court of the Hong Kong Special Administrative Region Court of First Instance HCAL 50/2015. https://legalref.judiciary.hk/lrs/common/search/search_result_detail_frame.jsp?DIS=107830&QS=%2B%7C%28HCAL%2C50%2F2015%29&TP=JU

Hui, F. (2019, April 21). Person of colour column: I am from Hong Kong, not China. *The Berkeley Beacon*. https://berkeleybeacon.com/person-of-color-column-i-am-from-hong-kong-not-china/

Hung, H. (2022). *City on the edge: Hong Kong under Chinese rule* (1st ed.). Cambridge University Press.

Hurd, D. (1985, October 16). *Hurd minute for Howe*. Margaret Thatcher Foundation. https://archive.margaretthatcher.org/doc18/851016%20Hurd%20mnt%20for%20Howe%2019-4131%20f289.pdf

Hurst, M. (2022). Britain's approach to the negotiations over the future of Hong Kong, 1979-1982. *International History Review, 44*(6), 1386-1401. https://doi.org/10.1080/07075332.2021.2024588

Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China. (1980). *Nationality Law of the People's Republic of China*. https://www.immd.gov.hk/eng/residents/immigration/chinese/law.html

Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China. (1996). *Explanations of some questions by the Standing Committee of the National People's Congress concerning the implementation of the Nationality Law of the People's Republic of China in the Hong Kong Special Administrative Region*. https://www.immd.gov.hk/eng/residents/immigration/chinese/law.html

Immigration Department of the Government of the Hong Kong Special Administrative Region of the People's Republic of China. (2022). *Annual Report 2022*. https://www.immd.gov.hk/publications/a_report_2022/en/chapter2.html

Immigration Department of the Government of the Hong Kong Special Administrative Region. (n.d). *Top talent pass scheme*. https://www.immd.gov.hk/eng/services/visas/TTPS.html

Inglis, C., & Wu, C. (1994). The Hong Kong Chinese in Sydney. In R. Skeldon (Ed.), *Reluctant exiles? Migration from Hong Kong and the new overseas Chinese*. Hong Kong University Press.

Internet Archive. (n.d.). *New word list March 2014*. https://web.archive.org/web/20140628081639/http://public.oed.com/the-oed-today/recent-updates-to-the-oed/march-2014-update/new-words-list-march-2014/

Jackson, J. (2002). In search of a home: Identities in transition in postcolonial Hong Kong. *English Today, 18*(2), 39-45. https://doi.org/10.1017/S0266078402002067

Jayawickrama, N. (1991). Hong Kong: The Gathering Storm. *Bulletin of Peace Proposals, 22*(2), 157–174. https://doi.org/10.1177/096701069102200203

Kan, M., Loa, S. P., & Richards, L. (2023). Generational differences in local identities, participation in social movements, and migration intention among Hong Kong people. *The American Behavioral Scientist (Beverly Hills),* https://doi.org/10.1177/00027642231192023

Kim, J., & Ng, S. H. (2008). Perceptions of social changes and social identity: Study focusing on Hong Kong society after reunification. *Asian Journal of Social Psychology, 11*(3), 232-240. https://doi.org/10.1111/j.1467-839X.2008.00262.x

Kichanova, V. (2025). *Beyond Freeports: Revitalising Britain with self-governing cities* [Working paper]. Institute of Economic Affairs. https://iea.org.uk/wp-content/uploads/2025/01/IEA_Kichanova-Beyond-Freeports_V2_Digital.pdf

Kolas, A. (1996). Tibetan nationalism: The politics of religion. *Journal of Peace Research, 33*(1), 51-66. https://doi.org/10.1177/0022343396033001004

Kuah, K. E. (1996). Negotiating emigration and the family: Individual solutions to the 1997 anxiety. *The Annals of the American Academy of Political and Social Science, 547*(1), 54-67. https://doi.org/10.1177/0002716296547001005

Lam, J. & Chiu, P. (2019, July 3). Former Hong Kong leader Tung Chee-hwa blames liberal studies at secondary schools for encouraging violent protests among young people. *SCMP*. https://www.scmp.com/news/hong-kong/politics/article/3017180/former-hong-kong-leader-tung-chee-hwa-blames-liberal

Langer, L. (2008). Out of Joint? – Hong Kong's International Status from the Sino-British Joint Declaration to the Present. *Archiv Des Völkerrechts, 46*(3), 309–344. https://www.jstor.org/stable/40800219

Lau, S. K. (1997). *Hongkongese or Chinese: The problem of identity on the eve of resumption of Chinese sovereignty over Hong Kong*. Hong Kong Institute of Asia-Pacific Studies, Chinese University of Hong Kong.

Law, N. (2021). *Freedom: How we lose it and how we fight back* [Electronic book]. Transworld Digital.

Law, N. (2023, August 23). *Nathan Law: Has China eradicated dissent in Hong Kong?* [Interview]. BBC Audio. https://www.bbc.com/audio/play/w3ct4p7s

Lecours, A., & Dupré, J. (2020). The emergence and transformation of self-determination claims in Hong Kong and Catalonia: A historical institutionalist perspective. *Ethnicities, 20*(1), 3-23. https://doi.org/10.1177/1468796818785937

Lee, C. W. (2008). Collective identity, individual identity and social movements: The right-of-abode seekers in Hong Kong. *Asian and Pacific Migration Journal, 17*(1), 33–60. https://doi.org/10.1177/011719680801700102

Lee, K., & Law, K. (2016). Hong Kong Chinese "orientalism": Discourse reflections on studying ethnic minorities in Hong Kong. In A. Pratt (Ed.), *Ethnic minorities: Perceptions, cultural barriers and health inequalities* (pp. 81-116). Nova Science Publishers.

Lee, L. (2007). Postscript: Hong Kong-a reflective overview. *Postcolonial Studies, 10*(4), 499-509. https://doi.org/10.1080/13688790701621466

Legislative Council of the Hong Kong Special Administrative Region of the People's Republic of China. (1843). *Letters patent (The Hong Kong Charter) 1843*. https://www.legco.gov.hk/general/english/procedur/companion/chapter_1/mcp-part1-ch1-n13-ce-a.pdf

Legislative Council of the Hong Kong Special Administrative Region of the People's Republic of China. (1996). *LegCo sitting (Hansard) 2 Oct 96: Official record of proceedings*. https://www.legco.gov.hk/yr96-97/english/lc_sitg/hansard/han0210.htm

Legislative Council of the Hong Kong Special Administrative Region of the People's Republic of China. (2020). *Decision of the National People's Congress on establishing and improving the legal system and enhancement mechanisms for the Hong Kong Special Administrative Region to safeguard national security*. https://www.legco.gov.hk/yr19-20/english/panels/se/papers/ajlscase20200707-ln135-e.pdf

Legislation.gov.uk (2020). *Impact Assessment, The Home Office*. https://www.legislation.gov.uk/ukia/2020/70/pdfs/ukia_20200070_en.pdf

Leung, J. H. C. (2019). Interpretive violence and the 'nationalization' of Hong Kong law: Notes on the oath-taking controversy. *Law and Literature, 31*(2), 221-238. https://doi.org/10.1080/1535685X.2018.1506408

Liang, M. C. (2022). Politics and PTSD: The case of Hong Kong BN(O) visa arrivals in the UK. *Anthropology Today, 38*(5), 4-8. https://doi.org/10.1111/1467-8322.12751

Lim, C. L. (2022). *Treaty for a Lost City* (1st ed.). Cambridge University Press. https://doi.org/10.1017/9781108976381

Lim, T. W. (2017). The future of Hong Kong governance: The pro-independence legislators' election fallout and Beijing's political voice in Hong Kong. *Asia & the Pacific Policy Studies, 4*(2), 343–353. https://doi.org/10.1002/app5.175

Liu, O. (2023, December 6). Hongkongers seeking citizenship through BN(O) visa scheme may face more hurdles under UK plan to cut number of migrants by 300,000 people. *SCMP*. https://www.scmp.com/news/hong-kong/society/article/3243995/hongkongers-seeking-citizenship-through-bno-visa-scheme-may-face-more-hurdles-under-uk-plan-cut

Lo, S. (2008). *The Dynamics of Beijing-Hong Kong relations*. Hong Kong University Press.

Lo, S. (2021). Hong Kong in 2020: National security law and truncated autonomy. *Asian Survey, 61*(1), 34. https://doi.org/10.1525/as.2021.61.1.34

Lo, Y. C. (2020). The last stand of colonialism? the unofficial members of the executive and legislative councils and the Sino-British negotiations over Hong Kong, 1982-1984. *Journal of Imperial and Commonwealth History, 48*(2), 370-394. https://doi.org/10.1080/03086534.2019.1689620

Longman (n.d.). Motherland. In *Longman dictionary of contemporary English online*. Retrieved April 18, 2024, from https://www.ldoceonline.com/dictionary/motherland

Lum, A. (2018, May 1). Government rewrites history of Hong Kong's 1997 handover, one inconvenient phrase at a time. *SCMP*. https://www.scmp.com/news/hong-kong/politics/article/2144200/government-rewriting-history-hong-kong-one-inconvenient

Lune, H., & Berg, B. L. (2017). *Qualitative research methods for the social sciences* (Ninth edition, global edition ed.). Pearson.

Lutter, M. (Host). (2020, July 13). Building a New Hong Kong with Ivan Ko (Number 8) [Audio podcast]. In *Charter cities podcast*. Charter City Institute. https://chartercitiesinstitute.org/podcast/charter-cities-podcast-episode-8-ivan-ko/

Lutter, M. & Ko, I. (2020, June 5). Chartering a future for Hong Kong. *City Journal*. https://www.city-journal.org/article/chartering-a-future-for-hong-kong

Maden, C. (2019, October 13). No whitewash and no witch hunt; Hong Kong needs a truth and reconciliation commission. *Hong Kong Free Press*. https://hongkongfp.com/2019/10/13/no-whitewash-no-witch-hunt-hong-kong-needs-truth-reconciliation-commission/

Mark, C. (2017). To 'educate' Deng Xiaoping in capitalism: Thatcher's visit to China and the future of Hong Kong in 1982. *Cold War History, 17*(2), 161-180. https://doi.org/10.1080/14682745.2015.1094058

Mark, C. (2020). Decolonising Britishness? The 1981 British nationality act and the identity crisis of Hong Kong elites. *Journal of Imperial and Commonwealth History, 48*(3), 565-590. https://doi.org/10.1080/03086534.2019.1638619

Mason, D. (1989). *A home for enterprise*. Adam Smith Institute.

Mason, J. (2022, April 25). *Honduras repealed its charter city law. What happened and what happens next?* Charter Cities Institute. https://chartercitiesinstitute.org/blog-posts/honduras-repealed-its-charter-city-law-what-happened-and-what-happens-next/

Mathews, G., Ma, E. K., & Lui, T. (2008). *Hong Kong, China: Learning to belong to a nation*. Routledge.

Mathews, G. (2020). The Hong Kong protests in anthropological perspective: National identity and what it means. *Critique of Anthropology, 40*(2), 264-269. https://doi.org/10.1177/0308275X20908303

McConnell, F. (2009). De facto, displaced, tacit: The sovereign articulations of the Tibetan Government-in-Exile. *Political Geography, 28*(6), 343-352. https://doi.org/10.1016/j.polgeo.2009.04.001

McConnell, F. (2016). *Rehearsing the state: The political practices of the Tibetan Government-in-Exile* (1st ed.). John Wiley & Sons, Inc. https://doi.org/10.1002/9781118661192

Morris, P., & Vickers, E. (2015). Schooling, politics and the construction of identity in Hong Kong: The 2012 'moral and national education' crisis in historical context. *Comparative Education, 51*(3), 305-326. https://doi.org/10.1080/03050068.2015.1033169

Mushkat, R. (2011). The Dynamics of International Legal Regime Formation: The Sino-British Joint Declaration on the Question of Hong Kong Revisited. *European Journal of International Law, 22*(4), 1119–1144. https://doi.org/10.1093/ejil/chr071

Mut Bosque, M. (2020). The sovereignty of the Crown Dependencies and the British Overseas Territories in the Brexit era. *Island Studies Journal, 15*(1), 151–168. https://doi.org/10.24043/isj.114

Newcomers to provide windfall for developers. (1995, December 4). *SCMP*. https://www.scmp.com/print/article/141416/newcomers-provide-windfall-developers

Ng, K. (2022, June 21). 76 per cent of young people polled identify as 'Hongkongers', while only 2 per cent think of themselves as 'Chinese'. *SCMP*. https://www.scmp.com/news/hong-kong/society/article/3182541/76-cent-young-people-polled-identify-honkongers-while-only-2

Oslo Freedom Forum. (2019, June 6). *Denise Ho | Under the umbrella: Creative dissent in Hong Kong* [Video]. YouTube. https://www.youtube.com/watch?v=uDfTPTxzRZs

Oxford (n.d.). Quisling. In *Oxford English dictionary*. Retrieved January 20, 2024, from https://www.oed.com/search/dictionary/?scope=Entries&q=quisling

Patten, C. (2022). *The Hong Kong diaries* [Electronic book]. Penguin.

Patten finds a fan in the Dalai Lama. (1996, June 10). *SCMP*. https://www.scmp.com/article/163034/patten-finds-fan-dalai-lama

Peacock, R. (2011). The South African Truth and Reconciliation Commission: Challenges in contributing to reconciliation. In R. Letschert et al. (Eds), *Victimological approaches to international crimes: Africa* (pp. 315-334). Intersentia. https://doi.org/10.1017/9781839703089.01

Pei, M. (2020, September 1). Investigation of a death long feared: How China decided to impose its national security law in Hong Kong. *China Leadership Monitor*. https://www.prcleader.org/post/investigation-of-a-death-long-feared-how-china-decided-to-impose-its-national-security-law-in-hong

people.cn. (2019, November 6). *zhōng gòng zhōng yāng guān yú jiān chí hé wán shàn zhōng guó tè sè shè huì zhǔ yì zhì dù tuī jìn guó jiā zhì lǐ tǐ xì hé zhì lǐ néng lì xiàn dài huà ruò gān zhòng dà wèn tí de jué ding* [*Decision of the Central Committee of the Communist Party of China on several major issues concerning adhering to and improving the socialist system with Chinese characteristics and advancing the modernization of the National governance system and governance capacity*]. http://cpc.people.com.cn/n1/2019/1106/c64094-31439558.html

Petersen, C. J. (2019). Not an internal affair: Hong Kong's right to autonomy and self-determination under international law. *Hong Kong Law Journal, 49*, 883–903.

Phillips, T. & Cheung, E. (2016, August 26). 'Liberate Hong Kong': pre-election calls for independence from China grow. *The Guardian*. https://www.theguardian.com/world/2016/aug/26/liberate-hong-kong-calls-independence-china-elections-loom

Phuntsog, N. (2020). Fostering benign Tibetan nationalism: Tibetan schooling passions in the diaspora. *Intercultural Education (London, England), 31*(2), 190-207. https://doi.org/10.1080/14675986.2019.1702314

PORI. (2022, December). *Strength of identity – combined charts*. https://www.pori.hk/pop-poll/ethnic-identity-en/q-strength-combined.html?lang=en

Purbrick, M. (2022) The Hong Kong Diaries, *Asian Affairs, 53*(4), 983-985. https://doi.org/10.1080/03068374.2022.2115766

Richburg, K. (2019, September 2). *Bringing Hong Kong back from the brink*. Australian Strategic Policy Institute. https://www.aspistrategist.org.au/bringing-hong-kong-back-from-the-brink/

Romer, P. (2009, July). *Why the world needs charter cities* [Video]. TED Conferences. https://www.ted.com/talks/paul_romer_why_the_world_needs_charter_cities/transcript?language=en

Rühlig, T. (2020). Hong Kong: The end of the city of protest? *Contemporary Chinese Political Economy and Strategic Relations, 6*(3), 993-1038. https://search.proquest.com/docview/2506467766

Sautman, B. & Yan, H. (2015). Localists and “Locusts” in Hong Kong: Creating a yellow-red peril discourse. *Maryland Series in Contemporary Asian Studies, 2*(1). http://digitalcommons.law.umaryland.edu/mscas/vol2015/iss2/1

Sheep Village 2.0 (n.d.). *Download e-book*. https://www.sheepvillage.uk/ebook

Shih, S. (2011). The Concept of the Sinophone. *PMLA : Publications of the Modern Language Association of America, 126*(3), 709–718. https://doi.org/10.1632/pmla.2011.126.3.709

Sigauke, A. T. (2013). Citizenship education in the social science subjects: An analysis of the teacher education curriculum for secondary schools. *The Australian Journal of Teacher Education, 38*(11), 126-139. https://doi.org/10.14221/ajte.2013v38n11.1

Skeldon, R. (1994). Hong Kong in an international migration system. In R. Skeldon (Ed.), *Reluctant exiles? Migration from Hong Kong and the new overseas Chinese*. Hong Kong University Press.

Smart, J. (1994). Business immigration to Canada: Deception and exploitation. In R. Skeldon (Ed.), *Reluctant exiles? Migration from Hong Kong and the new overseas Chinese*. Hong Kong University Press.

State Council of the People's Republic of China (2014). *The practice of the "One Country, Two Systems" policy in the Hong Kong Special Administrative Region*. https://english.www.gov.cn/archive/white_paper/2014/08/23/content_281474982986578.htm

State Council of the People's Republic of China (2021). *Full text: Hong Kong Democratic Progress Under the Framework of One Country, Two Systems*. https://english.www.gov.cn/archive/whitepaper/202112/20/content_WS64895ee2c6d0868f4e8dcd80.html

Stola, D. (2012). The Polish government-in-exile: National unity and weakness. *Holocaust Studies, 18*(2-3), 95-118. https://doi.org/10.1080/17504902.2012.11087314

The Straits Times. (2019, July 7). *Issues affecting Hong Kong youths* [Video]. https://www.youtube.com/watch?v=heYzJJkl1tw

Summers, T. (2018). The Hong Kong Special Administrative Region at 20. *Asian Education and Development Studies, 7*(1), 89–101. https://doi.org/10.1108/AEDS-07-2017-0069

Summers, T. (2022). Britain and Hong Kong: The 2019 protests and their aftermath. *Asian Education and Development Studies, 11*(2), 276-286. https://doi.org/10.1108/AEDS-09-2020-0205

Sussman, N. M. (2012). Reforming family among remigrants: Hongkongers come home. *International handbook of Chinese families* (pp. 53-76). Springer New York. https://doi.org/10.1007/978-1-4614-0266-4_4

Thatcher, M. (1978, January 27). *TV Interview for Granada World in Action*. Margaret Thatcher Foundation. https://www.margaretthatcher.org/document/103485

Thatcher, M. (1984, December 21). *Press Conference in Hong Kong*. Margaret Thatcher Foundation. https://www.margaretthatcher.org/document/105821

Thatcher, M. (1990, January 10). *Interview for Daily Telegraph*. Margaret Thatcher Foundation. https://www.margaretthatcher.org/document/107872

To, Y., & Chan, Y. W. (2023). Same god but different? Politico-religious dynamics and the new Hong Kong Christian diaspora in the United Kingdom. *The American Behavioral Scientist (Beverly Hills),* https://doi.org/10.1177/00027642231194189

Toru, K. (2020). Development of the Hong Kong pro-democracy protest into a "new cold war": Shift from opposing the fugitive offenders (amendment) bill to

opposing the Hong Kong national security law. *Asia-Pacific Review, 27*(2), 94-108. https://doi.org/10.1080/13439006.2020.1835304

Tsang, S. Y. (2004). *A modern history of Hong Kong*. I.B.Tauris.

Tse, J. K. H., & Waters, J. L. (2013). Transnational youth transitions: Becoming adults between Vancouver and Hong Kong. *Global Networks (Oxford), 13*(4), 535-550. https://doi.org/10.1111/glob.12014

Tse Patrick Yiu Hon v. HKSAR Passports Appeal Board and Another [2002] The High Court of the Hong Kong Special Administrative Region Court of Appeal CACV351/2001. https://legalref.judiciary.hk/lrs/common/search/search_result_detail_frame.jsp?DIS=12939&QS=%2B%7C%28CACV%2C351%2F2001%29&TP=JU

Tse, T. K. C. (2007). Remaking Chinese identity: Hegemonic struggles over national education in postcolonial Hong Kong. *International Studies in Sociology of Education, 17*(3), 231–248. https://doi.org/10.1080/09620210701543908

Tse, T. K. (2014). Constructing Chinese identity in postcolonial Hong Kong: A discursive analysis of the official nation-building project. *Studies in Ethnicity and Nationalism, 14*(1), 188-206. https://doi.org/10.1111/sena.12073

Tsui, F. & Yu, S. (2023). *Activism in the face of repression: UK universities as allies for Hong Kong activist students and academics* [Working paper]. University of York Centre for Applied Human Rights. https://static1.squarespace.com/static/58a1a2bb9f745664e6b41612/t/65017d927e43bb679b00d74d/1694596499261/02+Activism+in+the+face+of+repression+-+UK+universities+as+allies+for+Hong+Kong+activist+students+and+academics.pdf

Tuck, E. & Yang, K.W. (2012). Decolonization is not a metaphor. *Decolonization: Indigeneity, Education & Society, 1*(1), 1-40.

UK BNO visa: Can Hong Kong residents now live in the UK? (February 1, 2021). *BBC*. https://www.bbc.com/news/world-55825479

Ullah, A. K. M. A., & Azizuddin, M. (2022). Colonial hangover and 'Invited' migration: Hong Kongers to the UK. *International Studies (New Delhi), 59*(2), 180-191. https://doi.org/10.1177/00208817221101222

Ulster to adopt Hong Kong? (1983, October 25). *News Letter*.

UN Watch. (n.d.). *Speaking truth to power: Human rights defenders UN testimony*. https://unwatch.org/testimony/speaker/frances-hui/

United Nations Human Rights. (1960). *Declaration on the Granting of Independence to Colonial Countries and Peoples*. https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-granting-independence-colonial-countries-and-peoples

United Nations Human Rights. (1976). *International Covenant on Civil and Political Rights*. https://www.ohchr.org/sites/default/files/Documents/ProfessionalInterest/ccpr.pdf

Vickers, E. (2023). The motherland's suffocating embrace: Schooling and public discourse on Hong Kong identity under the national security law. *Comparative Education, ahead-of-print*(ahead-of-print), 1-21. https://doi.org/10.1080/03050068.2023.2212351

Vickers, E., & Kan, F. (2003). The reeducation of Hong Kong: Identity, politics, and education in postcolonial Hong Kong. *The American Asian Review, 21*(4), 179. https://search.proquest.com/docview/211358999

Vines, S. (1996, May 20). Tycoons take battle with Patten to Major. *Independent*. https://www.independent.co.uk/news/world/tycoons-take-battle-with-patten-to-major-1348428.html

Video: Remove China from UN rights council, urges Hong Kong activist Denise Ho as diplomat interrupts twice. (2019, September 17). https://hongkongfp.com/2019/09/17/live-hong-kong-activists-denise-ho-joshua-wong-testify-us-congressional-hearing-protests/

Walsh, P. M. (2020). *Q&A: The new Hong Kong British National (Overseas) visa*. The Migration Observatory at the University of Oxford. https://migrationobservatory.ox.ac.uk/resources/commentaries/qa-the-new-route-to-citizenship-for-some-hong-kong-residents/

Wang, J. (2017). *Discursive strategies and identity construction: A study based on the PAs of the HK governments pre- and post-transition*. Jinan University Press.

Wang, Y. (2020, Sep 1). In China, the 'Great firewall' is changing a generation. *Politico*. https://www.politico.com/news/magazine/2020/09/01/china-great-firewall-generation-405385

Welcoming Committee for Hongkongers. (2023). *From HK to UK: Hong Kongers and their new lives in Britain*. https://www.britishfuture.org/wp-content/uploads/2023/11/HK-to-UK-report.Final_.pdf

White House condemns China for 'Orwellian nonsense' over how US airlines should refer to Taiwan, Hong Kong and Macau (2018, May 6). *SCMP*. https://www.scmp.com/news/world/united-states-canada/article/2144844/white-house-condemns-china-orwellian-nonsense-over

White, R. M. (1987). Hong Kong: Nationality, Immigration and the Agreement with China. *The International and Comparative Law Quarterly, 36*(3), 483–503. https://doi.org/10.1093/iclqaj/36.3.483

Wodak, R., & Fairclough, N. (2010). Recontextualizing European higher education policies: The cases of Austria and Romania. *Critical Discourse Studies, 7*(1), 19-40. https://doi.org/10.1080/17405900903453922

Wong, B. (2022, September 7). 5 Hong Kong speech therapists behind controversial children's books convicted on sedition charge. *SCMP*. https://www.scmp.com/news/hong-kong/law-and-crime/article/3191679/5-hong-kong-speech-therapists-behind-controversial

Wong, H. C., & Tsapali, M. (2023). The future of Cantonese and traditional Chinese among newly arrived Hong Kong immigrant children in the United Kingdom – A study on parents' attitudes, challenges faced and support needed. *Cambridge Educational Research e-Journal, 10*, 14-31 https://doi.org/10.17863/CAM.104606

Wong, J. (2020). *Unfree speech: The threat to global democracy and why we must act, now* [Electronic book]. Virgin Digital.

Wong, K. C., & Yan, M. C. (2023). Leaving the homeland again for my family's future: Post-return migration among Hong Kong Canadians. *Journal of International Migration and Integration, 24*(2), 467-486. https://doi.org/10.1007/s12134-022-00955-0

Wong, K. H. (2024). From mass protests to national security: A critical analysis of Carrie Lam's political responses during the 2019 Hong Kong protests. *Journal of Postcolonial Linguistics, 10*, 1-25.

Wong, K. H. (2025). A Critical EAP perspective on "Glory to Hong Kong": Language, identity, and resistance. *English Language Teaching Educational Journal*, *8*(2), 92–104. https://doi.org/10.12928/eltej.v8i2.14037

Wong, K. H. (2026, February 10). Jimmy Lai's Conviction Signals the End of Free Political Speech in Hong Kong. *CAS Commentary Board*. https://doi.org/10.52698/HVWP2767

Wong, K. T., Zheng, V., & Wan, P. (2021). Local versus national identity in Hong Kong, 1998-2017. *Journal of Contemporary Asia, 51*(5), 803–827. https://doi.org/10.1080/00472336.2020.1799235

Wong, S. H., Ho, K., Clarke, H. D., & Chan, K. C. (2023). Does loyalty discourage exit? evidence from post-2020 Hong Kong. *Journal of Asian and African Studies (Leiden), 58*(1), 101-119. https://doi.org/10.1177/00219096221124935

Wu, W. (2021). Politics, textbooks, and the boundary of 'official knowledge': The case of liberal studies in Hong Kong. *Pedagogy, Culture & Society, 29*(4), 537-554. https://doi.org/10.1080/14681366.2020.1765846

Xiao, B. & Zhou, C. (2019, August 10). Hong Kong protests spread across Australia revealing deep divisions in Chinese community. *ABC News*. https://www.abc.net.au/news/2019-08-10/hong-kong-protests-spread-across-australia/11398832

Xinhuanet. (2017, July 1). *zài qìng zhù xiāng gǎng huí guī zǔ guó 20 zhōu nián dà huì jì xiāng gǎng tè bié xíng zhèng qū dì wǔ jiè zhèng fǔ jiù zhí diǎn lǐ shàng de jiǎng huà* [*Speech at the celebration of the 20th anniversary of Hong Kong's return to the motherland and the inauguration ceremony of the fifth government of the Hong Kong Special Administrative Region*]. http://www.xinhuanet.com//politics/2017-07/01/c_1121247124.htm

Yeung, C. K. (2020, September 2020). National security law won't heal Hong Kong. People need a second chance through victim-offender reconciliation. *SCMP*. https://www.scmp.com/comment/opinion/article/3102642/national-security-law-wont-heal-hong-kong-people-need-second-chance

Yip, A. (2015). Hong Kong and China: One country, two systems, two identities. *Global Societies Journal, 3*(0), 20-27. https://escholarship.org/uc/item/15v5j7w3

Yu, A. (2022). Hong Kong, CANZUK, and Commonwealth: The United Kingdom's role in defending freedom and the global order under 'Global Britain'. *Round Table (London), 111*(4), 516-521. https://doi.org/10.1080/00358533.2022.2105532

Yu, A. (2023). British values, Hong Kong voices: Tracing Hong Kong's Britishness and its influences on British immigration policies. *African and Asian Studies, 22*(4), 418-451. https://doi.org/10.1163/15692108-12341616

Yu, A., & Lam, S. K. N. (2023). HSBC's betrayal of Hong Kong BN(O) holders highlights need for corporate responsibility. *Round Table (London), 112*(2), 187-188. https://doi.org/10.1080/00358533.2023.2201067

Yue, R. (2023). *A study report on Hong Kong migrants recently arrived in the UK*. University of Liverpool. https://livrepository.liverpool.ac.uk/3171386/

Zhang, A. (2023, November 1). Hong Kong repeats its mistake with yet another hard sell on patriotic education. *SCMP*. https://www.scmp.com/comment/opinion/article/3239756/hong-kong-repeats-its-mistake-yet-another-hard-sell-patriotic-education

Zhao, S. (2021). From affirmative to assertive patriots: Nationalism in Xi Jinping's China. *The Washington Quarterly, 44*(4), 141-161. https://doi.org/10.1080/0163660X.2021.2018795

Zhu, H. (2023). A Chinese law wedge into the Hong Kong common law system: A legal appraisal of the Hong Kong national security law. *Northwestern University Journal of International Human Rights, 21*(1), 43-108. https://search.proquest.com/docview/2781496565

Zhu, J., & Zhang, X. (2019). *Critique of Hong Kong nativism: From a legal perspective* (1st ed.). Springer Singapore. https://doi.org/10.1007/978-981-13-3344-6

Appendix 1: Copyright Request to PORI

Re: Seeking copyright permission for thesis

Secretariat of HKPORI <secretariat@pori.hk>
Fri 14/06/2024 11:25 AM
To:Ka Hang Wong <KaHang.A.Wong@student.uts.edu.au>
Cc:enquiry@pori.hk <enquiry@pori.hk>

Dear Ka Hang Wong,

Thank you for writing to us and your interest in using our research materials.

We open the copyrights of our research materials to the world, so please feel free to use the mentioned graph in your thesis, and just follow the standard citation practice of academic research.

Best of luck with your thesis.

With Regards,
Secretariat of HKPORI

On Thu, 13 Jun 2024 at 19:38, 'Ka Hang Wong' via HKPORI <enquiry@pori.hk> wrote:

> Dear Sir or Madam
>
> My name is Ka Hang Wong and I am completing a PhD degree at the University of Technology Sydney (UTS) in Australia. As part of this, I am writing a thesis which will be publicly shared online via compulsory submission to the UTS institutional repository, OPUS. My thesis contains copyright material that I believe is owned or managed by the PORI, and therefore I need your permission to reuse the information under Australian copyright law.
>
> The image that I wish to include in my thesis is the *Strength of Identity – Combined Charts* (https://www.pori.hk/pop-poll/ethnic-identity-en/q-strength-combined.html?lang=en). I wish to seek from you a non-exclusive licence to include the graph for an indefinite period in the digital version of my thesis to be made freely available by OPUS, for the non-profit purpose of disseminating my research.
>
> I would welcome the opportunity to use the graph in my thesis, and I would be grateful if you would give me your permission. If you are able (or unable) to grant permission, please notify me in writing in response to this email. If you are not the copyright owner of this work, I would appreciate any information you could provide on who I might be able to contact. Thank you for your time.
>
> Kind regards,
>
> Ka Hang Wong MAppLingTESOL
> PhD Candidate
> Faculty of Arts and Social Sciences
> University of Technology Sydney

Appendix 2: Copyright Request to EDB

Reply to your email

Citizenship and Social Development Section/EDB <cs@edb.gov.hk>
Thu 4/07/2024 1:23 PM
To:Ka Hang Wong <KaHang.A.Wong@student.uts.edu.au>

Dear Ka Hang Wong,

Regarding the use of materials of the Web-based Resource Platform for Citizenship and Social Development, please refer to the "Terms and Conditions on Using the Web-based Resource Platform for Citizenship and Social Development" (https://cs.edb.edcity.hk/en/copyright_cs.php). Please note the resources as mentioned in the preceding mail should be for non-commercial internal use related to the teaching of Citizenship and Social Development. As such, the resources quoted should be in line with the curriculum of Citizenship and Social Development.

Regards,
WONG Pak-lam
Curriculum Development Officer (Citizenship and Social Development)

From: Ka Hang Wong <KaHang.A.Wong@student.uts.edu.au>
Sent: Friday, June 21, 2024 9:21 AM
To: EDBInfo/EDB <edbinfo@edb.gov.hk>
Subject: Fw: Seeking copyright permission for thesis

Dear Sir or Madam

I refer to the email below. I wonder if you are able to respond as to whether or not I could reproduce the attached slides in my thesis.

Kind regards

Ka Hang Wong
PhD Candidate

From: Ka Hang Wong <KaHang.A.Wong@student.uts.edu.au>
Sent: Thursday, 13 June 2024 7:45 PM
To: edbinfo@edb.gov.hk <edbinfo@edb.gov.hk>
Subject: Seeking copyright permission for thesis

Dear Sir or Madam

My name is Ka Hang Wong and I am completing a PhD degree at the University of Technology Sydney (UTS) in Australia. As part of this, I am writing a thesis which will be publicly shared online via compulsory submission to the UTS institutional repository, OPUS. My thesis contains copyright material that I believe is owned or managed by the EDB, and therefore I need your permission to reuse the images under Australian copyright law.

The images that I wish to include in my thesis is attached in a Word document (see attached). The PowerPoint slides have been downloaded from the Citizenship and Social Development Web-based

Resource Platform. I wish to seek from you a non-exclusive licence to include the images above for an indefinite period in the digital version of my thesis to be made freely available by OPUS, for the non-profit purpose of disseminating my research.

I would welcome the opportunity to use the work in my thesis, and I would be grateful if you would give me your permission. If you are able (or unable) to grant permission, please notify me in writing in response to this email. If you are not the copyright owner of this work, I would appreciate any information you could provide on who I might be able to contact. Thank you for your time.

Kind regards,

Ka Hang Wong MAppLingTESOL
PhD Candidate
Faculty of Arts and Social Sciences
University of Technology Sydney

UTS UNIVERSITY OF TECHNOLOGY SYDNEY

Appendix 3: Proposed Terms of Reference for a Hong Kong Truth and Reconciliation Commission in the United Kingdom

Opening Apology

The Government of the United Kingdom of Great Britain and Northern Ireland sincerely apologises for the policies and arrangements, including the British Nationality Selection Scheme (BNSS), which, in the years leading up to and following the 1997 handover, contributed to divisions within Hong Kong society and constrained the political agency of its people. We recognise the pain, anxiety, and structural pressures imposed on Hong Kong citizens navigating these circumstances. We acknowledge in particular the collective trauma experienced during the 2019 Hong Kong protests and the imposition of the National Security Law, which led to widespread arrests and incarceration of civic voices. For these consequences, and the enduring impact on Hong Kong society, we say sorry. This apology forms the opening of the Hong Kong Truth and Reconciliation Commission (HKTRC), which seeks to examine the historical record, acknowledge the consequences of policy choices, and explore avenues for understanding and reconciliation.

By linking past policy decisions to the contemporary BN(O) citizenship pathway, the HKTRC can frame the latter as a corrective mechanism, reinforcing the continuity of civic agency and the preservation of Hong Kong's liberal-democratic identity. In the context of the proposed Hong Kong Crown Dependency, this process not only documents historical injustice but also establishes the institutional foundation for a diaspora-led, exit-based model of political resistance and governance outside the direct control of the People's Republic of China, thereby helping to fulfil the promises of the Sino–British Joint Declaration.

Introduction

This document establishes the HKTRC in the United Kingdom as an independent, non-judicial body tasked with historical inquiry and evaluation of past political decisions concerning British nationality arrangements and their consequences. It draws inspiration from South Africa's Truth and Reconciliation Commission. The Commission shall operate on the following guiding principles:

a) Truth-seeking;
b) Respect for human dignity and civil liberties;
c) Inclusivity of historical voices;
d) Transparency and accountability.

Purpose

The purpose of the HKTRC is to:

a) Investigate and compile as complete a historical record as possible of key political, legal, and citizenship decisions affecting Hong Kong following the

Tiananmen Square massacre in 1989 and the enactment of the National Security Law in 2020;

b) Examine the consequences of these decisions, particularly allegations that Hong Kong's freedoms, autonomy, and political identity were undermined through the actions or inaction of current or former British citizens;
c) Assess historical responsibility of relevant actors;
d) Provide a platform for testimony from affected individuals, including victims, dissidents, and other stakeholders;
e) Offer recommendations to prevent future violations of rights or treaty commitments.

Scope

The Commission will examine events and decisions following 4 June 1989 (Tiananmen Square massacre and British Nationality Selection Scheme) and 30 June 2020 (Hong Kong National Security Law and BN(O) scheme). This period is chosen as a definable historical arc in which expectations of political reform and protections for autonomy intersected with escalating central state control.

The Commission's work may cover, but is not limited to:

a) Assumptions and miscalculations made by the British government regarding political reform under a one-party Chinese Communist state, particularly the expectation that selective conferral of British citizenship upon elites would secure the preservation of British liberal values after the handover;
b) The design and implementation of the British Nationality Selection Scheme (BNSS) and its stratifying effects on Hong Kong society;
c) The implementation of the British National (Overseas) (BN(O)) citizenship pathway following the imposition of the National Security Law, and its significance as a partial redress of earlier British policy miscalculations;
d) The role and obligations of the Sino-British Joint Declaration;
e) Structural and political pressures on civil liberties, rule of law, and autonomous institutions in Hong Kong as a result of China's continuing breach of the Joint Declaration;

Testimony and Participation

The Commission may invite:

a) Victims of rights violations;
b) Dissidents impacted by the 1989 Tiananmen Square massacre*;
c) Hong Kong citizens subjected to the National Security Law;
d) Policy makers, diplomats, civil society leaders, and historians**.

Participation does not imply judicial liability; rather, it contributes to a shared historical record.

Notes:

*Inviting dissidents affected by the 1989 massacre would add important contextual depth to the Commission's inquiry by incorporating lived experiences from both Hong Kong and mainland political movements.

**Some key historical figures, such as Margaret Thatcher or Zhao Ziyang, are deceased. Their perspectives will be represented through archival materials, official records, speeches, and memoirs to ensure that the Commission has a comprehensive understanding of past decisions and their consequences.

Reporting

The Commission shall prepare:

a) Interim reports on specific themes (e.g., BNSS, nationality policy effects);
b) A final comprehensive report, including findings and recommendations for policy, historical education, and institutional reform.

The HKTRC's reports and recommendations may be:

a) Published in academic and policy venues;
b) Used to inform public understanding, educational curricula, and diplomatic discourse;
c) Utilised by governments, diasporic bodies, and civil society in seeking accountability.

Appendix 4: Crown Dependency Citizenship Selection Scheme Proposed Framework

The British Nationality Selection Scheme (BNSS)

Following the 1989 Tiananmen massacre, the British Nationality Selection Scheme (BNSS) was introduced under the *British Nationality (Hong Kong) Act 1990* to grant full British citizenship to 50,000 heads of household and their dependents, totalling approximately 225,000 individuals. The scheme aimed to maintain confidence in Hong Kong prior to the 1997 handover by offering citizenship to key personnel whose continued service was deemed essential to public administration, business, and security.

Applicants were assessed through a points-based system with a maximum of 800 points, distributed as follows:

	Criteria	*Maximum Points*
A	Age	200
B	Experience	150
C	Education and Training	150
D	Special Circumstances	150
E	Proficiency in the English language	50
F	Connection with the United Kingdom	50
G	Public or community service	50
	Total	800

In practice, additional age-weighting applied, awarding up to 200 points to applicants aged 31–40, with lower scores for older or younger candidates. Selection emphasised administrative experience, English competence, and loyalty to British institutions—attributes seen as vital for Hong Kong's transition period.

Proposed Crown Dependency Citizenship Selection Scheme (CDCSS)

The proposed Crown Dependency Citizenship Selection Scheme (CDCSS) would adapt the BNSS framework to recognise Hongkongers who have demonstrated civic integrity and democratic commitment following Hong Kong's transfer of sovereignty to China. Unlike the BNSS, the CDCSS would exclude BN(O) passport holders, who would be eligible for automatic conversion to full British citizenship upon permanent settlement in the Crown Dependency.

The CDCSS would therefore apply primarily to non-BN(O) Hongkongers and others residing in exile in other countries who have shown tangible contributions to the preservation of civil liberties, freedom of speech, or community leadership in Hong Kong.

Applicants would be assessed through a points-based system with a maximum of 800 points, distributed as follows:

	Criteria	*Maximum Points*
A	Age	200
B	Experience	150
C	Education and Training	150
D	Defence of Civic and Democratic Values	150
E	English language and Civic Knowledge	50
F	Connection with the United Kingdom	50
G	Public or community service	50
	Total	800

Under *Criteria D*, applicants could receive the highest weighting for verified acts of public courage—such as participation in peaceful protests, community organisation, humanitarian assistance, or documented defence of democratic freedoms. The emphasis shifts from bureaucratic stability to civic virtue, aligning the selection process with United Kingdom's contemporary commitment to human rights and liberal governance:

Level	*Description*	*Points*
Exceptional	Demonstrated outstanding leadership or personal risk in defence of civic freedoms and democratic values (e.g., organising or participating in pro-democracy campaigns; recognised community advocacy; imprisonment, injury, or persecution due to activism; openly displaying historic emblems such as the colonial flag; performing or promoting "Glory to Hong Kong"; symbolic acts of protest during Chinese national ceremonies; involvement in the Hong Kong Parliament or government-in-exile planning; publication or distribution of *Sheep Village* or similar educational materials; and other acts of civic resistance to political repression).	150
High	Sustained involvement in civic or humanitarian initiatives supporting freedom of speech, rule of law, or community resilience (e.g. volunteer medic, legal aid, civic education).	120
Moderate	Occasional participation in lawful demonstrations, verified donations, or community-service contributions linked to public integrity.	80
Limited	Membership in civic or professional organisations upholding ethical or democratic principles, but with no leadership or sustained activity.	40
Neutral	No evidence of civic involvement or political participation.	0

Negative	Evidence of active support for the National Security Law and/or Article 23; involvement in repression of civil liberties.	Disqualified

Applicants are *not* expected to self-disclose adverse information. Instead, disqualification would occur only when reliable evidence is available from:

- Publicly verifiable sources (e.g. official sanctions lists or court records);
- Documentation from reputable human rights organisations; or
- Employment or active involvement in institutions directly enforcing the National Security Law or Article 23.

In practice, most applicants will simply gain no points for civic participation unless credible positive evidence is provided. Disqualification is reserved for *high-profile cases* with substantiated records of collaboration in political repression.

Commentary

The continuity between the BNSS and the CDCSS lies in their merit-based structure and moral rationale: both seek to safeguard British values through selective naturalisation. However, the philosophical emphasis has evolved. Whereas the BNSS rewarded administrative loyalty, the CDCSS would recognise moral courage and public integrity under authoritarian pressure.

The Crown Dependency model also differs from colonial Hong Kong in that its success would not depend on proximity to a large external market. Instead, its strength would lie in global connectivity, digital innovation, and the diasporic networks of Hongkongers. English language proficiency and civic knowledge remain relevant not for exclusionary reasons, but as instruments of integration into the constitutional and legal fabric of the British Commonwealth.

Appendix 5: BN(O) Citizen Referendum Proposed Wording

Government-in-Exile of the Hong Kong Crown Dependency of Great Britain and Northern Ireland

Liberate Hong Kong, Revolution of Our Times

Preamble

Whereas the people of Hong Kong were historically excluded from meaningful participation in the negotiations and decisions determining the transfer of sovereignty over Hong Kong;

Whereas the Sino–British Joint Declaration constituted an international treaty registered with the United Nations, guaranteeing Hong Kong a high degree of autonomy, civil liberties, and the rule of law for fifty years;

Whereas the subsequent imposition of the Hong Kong National Security Law by the People's Republic of China has fundamentally breached the spirit and substance of those guarantees;

Whereas successive British nationality policies, including the British Nationality Selection Scheme (BNSS) and British National (Overseas) status, have shaped Hong Kong's political identity, stratified its society, and displaced questions of collective self-determination into individualised citizenship pathways;

Whereas the expansion of the BN(O) rights in response to the erosion of Hong Kong's autonomy represents a partial historical correction, yet does not resolve the question of Hong Kong's ultimate constitutional future;

Whereas governments-in-exile have historically served as legitimate custodians of political continuity during periods of occupation, regime collapse, or constitutional rupture;

Now therefore, in recognition of the right of peoples to self-determination under international law, and contingent upon a fundamental political transition in the People's Republic of China, this referendum is proposed to ascertain the constitutional preferences of BN(O) citizens regarding the future status of Hong Kong.

Eligibility

You are eligible to vote in this referendum if you fall within one of the following categories:

a) A holder of British National (Overseas) (BN(O)) status;
b) A child of a BN(O) status holder;
c) A British citizen who acquired citizenship through the BN(O) pathway, including those admitted under b);
d) A Hong Kong Crown Dependency citizen who obtained that status through conversion from BN(O) status;

e) A Hong Kong Crown Dependency citizen selected under the Crown Dependency Citizenship Selection Scheme (CDCSS).

Exclusion note:

Individuals who obtained British citizenship under the British Nationality Selection Scheme (BNSS) are excluded from this referendum, on the grounds that the BNSS was predicated on political loyalty to the post-handover order rather than resistance to its erosion. The Thatcher government's strategy relied on the expectation that Hong Kong's colonial-era elites would act as custodians of liberal-democratic values. In practice, the withdrawal of British power removed the incentive for such alignment, leading many to accommodate, rather than resist, the post-handover Chinese Communist political order. For the purposes of this referendum, such individuals are therefore **not** considered members of the pro-democratic Hong Kong political community.

Referendum Question

In the event of an overthrow or collapse of the Chinese Communist government, and the consequent restoration of Hong Kong's right to political self-determination, which of the following constitutional futures would you support for Hong Kong?

a) **Independence** — Hong Kong becomes a sovereign and independent nation, with the Government-in-Exile assuming full governing authority upon transition;
b) **Federal Affiliation** — Hong Kong affiliates with other provinces within a federal Chinese system, while remaining under the governance of the Hong Kong Government-in-Exile;
c) **Restoration of British Governance** — Administrative authority over Hong Kong returns to the British colonial government.