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Master's Thesis of International Studies

**The Practice of China's Holistic View
of National Security: The Enactment
of Hong Kong National Security Law**

August 2023

**Graduate School of International Studies
Seoul National University
International Cooperation Major**

FENG TIANNI

The Practice of China's Holistic View of National Security: The Enactment of Hong Kong National Security Law

Sheen, Seong-ho

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International Cooperation Major**

FENG TIANNI

Confirming the master's thesis written by

FENG TIANNI

August 2023

Chair Song, Jiyeoun (Seal)

Vice Chair Cheong, Young-Rok (Seal)

Examiner Sheen, Seong-Ho (Seal)

Abstract

It is widely believed that China's national security concept has gone through three stages since the founding of New China, with the third stage emerging with the coming to power of President Xi Jinping. The Holistic View of National Security Concept has guided the government's responses and actions on many issues and events as one of Xi's key ideas in the past nearly 10 years. The Anti-Extradition Law Amendment Bill Movement that began in 2019 in Hong Kong almost ended with the Corona-19 pandemic and the enactment of a national security law in Hong Kong, and this study examines the meaning behind the Hong Kong National Security Law while reviewing this event. What is the relationship between the 2019 Anti-ELAB Movement plus the Hong Kong National Security Law and the Holistic View of the National Security Concept plus Xi's regime? By careful examination, it is found that maintaining national security, especially political security, by enacting laws is one of the important changes in China's development of its national security concept to the holistic version, the changes in the national security concept were demonstrated by the enactment of the Hong Kong National Security Law. In addition, the content and characteristics of the legal provisions also reflect a different practice of maintaining national security than before, for example, vaguer in terms of wording and a lot of room for

interpretation, an increasing right of the central government regarding the Hong Kong issue, a more integrated combination of the national security education, and so on.

Keyword : the Holistic View of National Security Concept, Hong Kong National Security Law, Hong Kong Anti-Extradition Law Amendment Bill Movement, national security, political security, the rule of law governance

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Chapter I. Introduction

1. Background

The political and economic situation in the post–Cold War world has become more complex and diversified, among which China has surged in economic power after 30 years of reform and opening up, even surpassing Japan to become the second–largest economic power in the world. In addition to the development of its material base, the political situation in China has also changed, in which since Xi Jinping came to power, the Chinese government has entered a new era in its political performance that differs significantly from the previous one. In April 2014, Xi Jinping explicitly introduced an important concept: the “Holistic View of National Security” at the first meeting of the national security committee, which indicates the formation of his ideology. Since then, the Chinese government has begun to construct a comprehensive structure of adapting, learning and using this new national security concept and framework in its governance.

In particular, the interpretation of national security has developed under Xi's leadership into the “holistic view of national security”. Zhong (2018) concluded three generations of the national security concept in China, the first generation of China’s national security concept was the ‘Traditional National Security Concept’, which

indicated a focus on military security, political security, and other aspects of traditional security, starting from the end of WWII to the end of the 1970s when the primary goal of this period was to maintain the security of survival and protect the country from military threats. The second generation of China's national security concept was the 'Transformational National Security Concept', which indicated a focus on non-traditional security such as economic security. The period of the second generation was from the end of the 1970s to 2014 when the primary goal of this period was to drive economic development and improve people's living standards. The third generation starts from the period of Xi's regime, in particular after President Xi has formed his political theories. Unlike previous leaders who emphasized economic development and integration into international society, Xi's emphasis on national security is one of the hallmarks of the new era, especially a more comprehensive version of national threats. According to Ren Min Wang (people.cn)^①, Xi Jinping's new national security concept was born in line with the current situation. On the political front, China faces threats such as corruption and an incomplete system of rule of law; on the economic front, China is in a stage of transformation and upgrading, and therefore will encounter many new problems; on the ecological front, China faces threats such as haze and pollution; on the

^① Analyzing Xi Jinping's New National Security Concept – New Security Concept for Asia, Retrieved from: <http://world.people.com.cn/GB/8212/191606/385673/> (Chinese)

homeland security front, it faces geopolitical strife and provocations from the big power. Therefore, Xi's holistic view of the national security concept formed in such an environment is a national security system that responds to the intricate and complex security challenges of the present.

It is worth noting that the concept of "national security" in the holistic view of the national security concept is most different from the previous one in that it refers more to internal security than to external security. Only the interpretation of homeland security, military security, and nuclear security is close to the concept of "national security" in Western literature, while the rest of the concept is clearly focused on internal security. Therefore, when studying the concept of "national security" in China, it can be argued that it actually refers to the "internal security of the state".

One of the complex and diverse security threats that the Chinese government faces is the issue of Hong Kong. The massive demonstrations in Hong Kong in recent years began with the Umbrella Movement in 2014, which intend to protest against the election of Hong Kong's chief executive with the aim of fighting for "universal suffrage" and reclaiming the right to vote from the central government and the People's Congress. In 2019, an even bigger demonstration than the Umbrella Movement took place, which was sparked by the government's decision to amend the extradition ordinance. When facing similar demonstrations in Hong Kong, the actions and decisions made by the central government are quite different, with one of the

most significant ones being the enactment of the Hong Kong national security law. Therefore, this study argues that the handling of Hong Kong–related incidents after the formation of Xi Jinping's holistic view of national security can be studied as a specific example of the national security concept in China. Studying the background, process, and practical actions of this case will also help to understand China's new national security strategy and theoretical basis in a systematic and multifaceted manner, and will also help to better understand and predict China's actions to other similar issues.

2. Wording

Before embarking on a detailed analysis, this study needs to clarify the wording of this political concept. Since an official English translation in the Chinese government official documents is not yet found, other scholars decided to use similar but different wordings which both indicate the same Chinese phrase: “总体国家安全观 (Zong Ti Guo Jia An Quan Guan)”. Here listed several examples:

1. “the Overall National Security Concept”, Zhong (2018).
2. “Comprehensive National Security”, MERICS^② (2022).

^② "Comprehensive National Security" unleashed: How Xi's approach shapes China's policies at home and abroad, Retrieved from: <https://www.merics.org/en/report/comprehensive-national-security-unleashed-how-xis-approach>

3. “Holistic National Security View”, Fu (2021), Chen (2021), etc.
4. “Holistic Approach to National Security”, Ni (2021), Yuan (2021), etc.
5. “ Holistic View of National Security ” , Thai News Service Group^③ (2021), Hong Kong National Security Education Day website^④ , etc.

Since “overall”, “holistic”, “comprehensive” and so on are similar expressions, this study considers that it is not authorized and meaningful to specify a particular expression as an official English translation. However, considering that this study takes Hong Kong National Security Law as a case study, the English translation on the official Hong Kong National Security Education website becomes the reference for this study, which is the “ Holistic View of National Security”. It is hereby declared that if different expressions of the same concept are encountered in the cited literature, they are replaced by a uniform phrase in this paper.

-shapes-chinas-policies-home-and

^③ China: President Xi Jinping's holistic view of national security Guides China-Afghanistan Security Cooperation to a New High, Retrieved from: <https://www.proquest.com/docview/2491960164?parentSessionId=g%2FsWijcs%2BklxvaU%2BLKVtSQ449YtNZHEej1hnmghDMGU%3D&pq-origsite=primo&accountid=6802>

^④ Holistic View of National Security, Retrieved from: https://www.nsed.gov.hk/national_security/index.php?l=en&a=safety

3. Purpose of Research

As previously introduced in the background part, this research intends to introduce a case analysis of what is the Anti-Extradition Law Amendment Bill Movement and the Hong Kong National Security Law, as well as introduce a theory interpretation of what are the characteristics of the holistic view of national security concept and how are they reflected in specific cases. The logic of this research is to supplement theoretical study with cases and case studies with theory studies. In addition, since political security is emphasized in the holistic view of national security concept as the basis of a state's national security, this research is also going to propose a new research direction: the importance of political security in the study of China's national security concept. The current literature on the national security concept in China has been focusing on the development process for the national security concept and a focus on Xi's new concept, including the theory and its interpretation. Among diverse dimensions of a holistic national security concept, few scholars have tried to focus on political security in China since the difference between political security and the security of the country and the party is relatively ambiguous. While the terminology "political security" actually originated from the Copenhagen School of security studies and has a totally different meaning compared to the interpretation in China. Considering a gap in the literature exists in the current studies that can connect

several concepts together, this study aims to provide a linkage between a case of safeguarding national security and a new national security concept: the Holistic View of National Security. Thus, this research aims to answer the research questions below:

1. How is the Holistic View of China's National Security reflected in practice?
2. How the enactment of the Hong Kong National Security Law demonstrates the Holistic View of China's National Security?

4. Outline of this Paper

This paper consists of three main parts: firstly, the background and literature review, analyzing how the holistic view of national security concept is proposed, the various ideas it contains, the Hong Kong issue and the Hong Kong National Security Law will be introduced and discussed in detail. In the second part, the holistic view of national security concept and the Hong Kong National Security Law are analyzed separately, and the links between them are discussed in the third part. In the final part of the analysis, the linkage between the holistic view of national security concept and the Hong Kong National Security Law found in the second part will be organized and summarized again to form useful findings and conclusions, while the discussion and critique of the Hong Kong National Security Law will

also be launched. What features of the Chinese government's governance are reflected in this case study? How will the Chinese government react to other similar cases based on the current understanding of the situation and practices and the implications have it done?

Chapter II. Literature Review

1. Key Concepts

a. National Security & Holistic View of National Security

Following the different definitions of security by Wolfers (1985) and Baldwin (1997), the concept of “security” could be understood as “the absence of threats to acquired values” or “a low probability of damage to acquired values”. In other words, the possible exposure to threats or damages is the prerequisite for the concept of security to be valid. On the other hand, in addition to the threat to acquired values, the fear that acquired values might be threatened results in the pursuit of security. Subjects want to be sure of not being threatened, but this perception is subjective and depends on multiple factors. For instance, policymakers' perceptions of threats, influenced by subjective preferences, information shortages, and popular sentiment, can affect policy-making. Affected by Xi's perceptions of threats and some geographical challenges that happened in the last 2 decades, the Chinese government now usually describes national security in China as encompassing a wide range of areas, which emphasize maintaining stability and preserving the unity of the nation.

on. One of the specific manifestations is that the Chinese government has placed special emphasis on the concept of "sovereignty", as can be seen in the records of various government meetings in China as well as in the textual and promotional materials. Carrai (2019) argues that it was the country's distinctive historical experience and genealogy that shaped the concept of "Chinese sovereignty", and sovereignty has become a cornerstone of China's foreign policy which is widely used in different situations. Any event or actor that threatens "sovereignty" is considered an enemy of the country, as in the case of Hong Kong, where "infiltration by overseas forces" was considered the main cause of the demonstration, which, according to the central government, was an infringement of China's "one country, two systems" system. As described above, the Chinese government's specific shaping of China's national security starts with the building of the ideology of sovereignty, and the Chinese government plays an important role in maintaining "sovereignty."

In studying the concept of national security in China, the government's attitude is accounted as a very important part. It prefers to define national security as some specific explanation. Xi Jinping mentioned a total of 11 security elements in his speech, namely political, homeland, military, economic, cultural, social, scientific and technological, information, ecological, resource, and nuclear security. Liu (2014) believes that in addition to these 11 security components, there is also a "people's security" mentioned in Xi's other speeches. Thus, there are 7 traditional security elements, namely, people's sec

urity, political security, homeland security, military security, economic security, social security, and resource security; and 5 non-traditional security elements, namely, cultural security, scientific and technological security, information security, ecological security, and nuclear security. Quantitatively speaking, traditional security elements account for a higher proportion. Therefore, although the holistic view of national security concept is considered to be a security concept emphasizing non-traditional security elements, traditional security elements still account for many, both in terms of the content covered and the issues of concern. In the annual national security survey in recent years, most of the national security events that people are concerned about are also traditional security issues, so Liu believes that the traditional security elements included in the holistic view of national security concept cannot be ignored, which is also the focus of this study.

In addition, Chinese scholars provided different focuses compared to Western scholars who focus on its impact on the Western world and on diplomacy. They prefer to define and organize the structure and dimensions of the national security concept in China and also the new one, due to its complexity in nature. Zhong (2018) provided a "context-object-subject" framework for analyzing national security, which consists of three elements: the situation facing national security (security context), the threats to national security (caused by the object), and the behavioral strategies to maintain national security (implemented by the subject). This framework was established

on the basis of the Copenhagen School's securitization theory, and the author used it to delineate the three main generations of national security concepts after the founding of New China, making a contribution to the construction of a theoretical system of security concepts. The three generations he defines are: First, 'Traditional National Security Concept', which indicated a focus on military security, political security, and other aspects of traditional security, starting from the end of WWII to the end of the 1970s when the primary goal of this period was to maintain the security of survival and protect the country from military threats. Second, 'Transformational National Security Concept', which indicated a focus on non-traditional security such as economic security from the end of the 1970s to 2014 when the primary goal of this period was to drive economic development and improve people's living standards. And third, 'Holistic View of National Security Concept', which refers to a more comprehensive and integrated version of national security concept started from 2014 to present^⑤.

In addition to the development history of the national security concept, Chinese scholars' study of the holistic view of national security concept is biased toward the construction of structure and dimensionality. Sun and Ma (2019) studied the construction of the national intelligence work security system with Chinese characteristics under holistic view of national security concept, deconstructing the log

^⑤ Appendix 1.

ical structure of the holistic view of national security concept, and summarizing China's national security concept using concepts from Sun Tzu's Art of War, and providing practical guidance for intelligence work. Zhang and Ma (2019) discussed the structure of national security in the new era in several dimensions: time and space dimension, domestic and international environmental dimension, subject dimension, object dimension, field dimension, strategy and mechanism dimension, information and competence dimension, process and state dimension, subjective and objective criteria dimension. Their paper demonstrates the complex framework used by Chinese scholars to analyze the concept of national security, attempting to highlight the complexity and breadth of the definition of national security, the "multiple challenges" advocated by Xi Jinping. However, the literature also mentions that the causes of national security problems can be grouped into three categories: first, single manifestations that correspond to a single national security domain; second, multiple manifestations that correspond to a single national security domain; and third, single manifestations that compound several domains of national security. Among them, the political security problem is categorized as the first one. That is, if one wants to analyze China's national security, Chinese scholars are accustomed to interpreting a highly generalized concept of "national security" in a complex and ambitious way in the current context. However, if one looks only at the political security component, it can be discovered that scholars still consider it through the lens of traditional security strategies.

b. Political Security

The terminology of ‘Political Security’ originated from the framework of the Copenhagen School of security studies and was defined as the prevention of government repression, systematic violation of human rights, and threats from militarization (Emmers, 2007). However, China's political security is a concept not found in the Western national security literature (Ji, 2016). China's national political security consists of three parts: national security in light of political thoughts, national security in light of political systems, and national security in light of political activities (Liu, 2016). In addition, the key issue of a state is the ownership of national political power, thus the ‘national ownership security’ is the core content of national political security. It was officially confirmed that “The core content of political security is the regime and institutional security, the most fundamental of which is to safeguard the leadership and ruling position of the CCP and the socialist system with Chinese characteristics” in the Guideline for Xi Jinping's Thought on Socialism with Chinese Characteristics for a New Era (Publicity Department of the Chinese Communist Party, 2019). Under the principle of China's concept of political security, possible threats to political security include undermining national unity, subversion of the political system, and ideological infiltration (Zhong, 2018). In other words, political security in China is conceptualized as the security of the overall national system rather than the security of the political subjects.

Greitens (2017) mentioned the importance of political security in China's national security framework, he argues that China's conceptualization of national security translates into the security of the regime, or the CCP's security and its capacity to govern society. An academic forum in India, Observer Research Foundation summarized⁶ the CCP's efforts to promote Party-related tourist attractions and the emphasis on the history of the CCP among the political science of the GCSE as evidence of the CCP's efforts to ensure its security. It is said that Xi Jinping's response to the heightened threat perception is an increased mandate for the security establishment.

In general, Xi Jinping's leadership group concerns an increased threat to China's political security and has responded with an emphasis on maintaining the country's political security, as well as a variety of practical actions. This terminology of "political security" is regarded as referring primarily to the unassailability of Chinese Communist Party rule.

c. The Rule of Administration Governance Model & The Rule of Law Governance Model

One of the main differences between Xi Jinping's national security concept and the previous one is that the government started to enact national security laws and rules as an action guidebook to th

⁶ Preserving National Security, the Xi Jinping Way, Retrieved from: <https://www.orfonline.org/research/preserving-national-security-the-xi-jinping-way/>

e concept. According to Li (2019), the national security governance model has undergone a transformation from the administrative governance model to the rule of law governance model. The administrative governance model in China was under the context of the “Traditional National Security Concept”. Professor Li (2021) argues in his *Administrative Logic: Principles of Contemporary Chinese Government Governance*, that the contemporary Chinese government governance is built on Party leadership as the primary principle. The organizational pattern of the Chinese government is characterized by “integration”. Moreover, China's administrative governance model is based on dealing with "affairs", which include private affairs, community affairs, domestic public affairs, and international public affairs. This is in line with the national security concerns of traditional national security values. Administrative orders can maximize efficiency and facilitate the allocation of resources for security governance. But at the same time, the disadvantage is that it relies too much on the power of the chief executive or national security leader, which may encourage the alienation of governance power and corruption.

On the contrary, the rule of law governance model requires implementation in accordance with the law, which cannot be easily revised by the chief executive or national security leader. At the same time, no one has the privilege of breaking the law under any circumstances, which means that national security work once carried out will not be easily ended. An important part of Xi Jinping's theoretical system is his discussion of the "Four Comprehensive (Si Ge Quan

Mian)" (Shi, 2015). Among them, here is the comprehensive promotion of the "rule of law". He links the rule of law with the comprehensive construction of a socialist modern state, emphasizing that Chinese modernization cannot be achieved without the rule of law and that the rule of law is a condition for development. But at the same time, he also emphasizes the importance of strengthening the Party's leadership over the rule of law (Xi, 2019), saying the Party's leadership is the most fundamental guarantee of the socialist rule of law. As said, "A comprehensive promotion of the rule of law is never meant to weaken the Party's leadership, but to strengthen and improve it." In other words, under such a change in the model of governance, the basis of governance formed under the Party's leadership becomes stronger and unshakable, and the Party and the government have the power to punish people or events that do not follow the rules according to the set rules.

2. China's National Security Policies and Practices

Overall, the emphasis on national security in the Xi Jinping era is unprecedented, it was a distinctive feature that has emerged under his leadership. Shirk (2018) mentions some of the political practices under Xi's leadership among his analysis of his personalistic rule. For example, it is well known that he strongly support and managed

to abolish term limits for state leader and centralized military power into state leader, whereas the PLA was run by generals rather than state leader during the Hu Jintao era. In addition to this, his crackdown on official corruption and disciplinary actions within the party is one of his well-known political achievements, but has also been criticized for using the policy to eliminate potential opponents and reinforce absolute loyalty to his leadership within the party. Ideologically, seven topics related to Western values that were considered subversive: universalism, press freedom, judicial independence, civil society, civil rights, historical mistakes of the party and nepotism within the elite were banned from discussion. Censorship became more nuanced and efficient. Propaganda about the Party and the "red culture" became pervasive. Putting his leadership in the context of Hong Kong society, there is a huge conflict with the long-standing civic culture of Hong Kong, especially in the areas of press freedom, judicial independence, and civil society. The specific analysis will be discussed in the next chapters.

Furthermore, his political practice also has the distinctive feature of being institutionalized and legalized. The Chinese Communist Party decided to establish the National Security Council (NSC) at the Third Plenary Session of the 18th Central Committee in November 2013, and Xi Jinping became the chairman of the new agency. According to Hu (2015), after President Jiang Zemin's 1997 visit to the United States, China began to seek to form a central coordinating agency for national security affairs, modeled on the U.S. National Sec

urity Council. However, the idea was not realized during the Jiang and Hu administrations. The author argues that the reason for the agency's formal establishment during the Xi Jinping era, rather than earlier, was not only Xi's leadership preference and his desire to tighten his grip on power, but also the growth of China's national strength and Xi's desire to enhance China's foreign policy capabilities to conduct "大国外交 (great power diplomacy)". The author also makes the important point that with the establishment of the CNSC, all institutional reforms under Xi's leadership must be institutionalized and translated into remarkable legal changes to China's political system. The article's analysis of Xi's "great power diplomacy" policy reflects the linkage between Xi's "great power diplomacy with Chinese characteristics" and his "holistic view of national security concept" which are inseparable and even influence each other.

In addition to the diplomatic aspect (national security on an international aspect), China's domestic security strategy has also been adjusted in the last decade, etc. the Xinjiang issue. The international community's portrayal of the Xinjiang issue differs significantly from China's domestic portrayal. While the international society accuses Xinjiang issue of "serious human rights violations," the Chinese government strongly rejects such accusations, arguing that the Xinjiang issue is not an ethnic, religious, or human rights issue, but rather an anti-violence and anti-secession issue^⑦. The Chinese governme

^⑦ Lies and Truth about Xing Jiang Issue, Retrieved from: http://www.xinhuanet.com/politics/2021-02/04/c_1127065561.htm (Chinese)

nt claims that its efforts in Xinjiang are counter-terrorism and de-extremism efforts. On the most controversial issue of "re-education camps," the Chinese government says that the vocational skills education and training center in Xinjiang is designed to achieve the goal of de-extremism through "three studies and one removal," i.e., learning the common national language, legal knowledge and vocational skills, and that there is no question of lifelong detention. Due to the huge difference and inconsistent accounts of the Xinjiang issue from both the Chinese and international sides, here we will discuss only some of the specific initiatives that have been identified simultaneously. First, the emphasis on ideological and political re-education, including but not limited to Mandarin education, emphasis on the dangers of religious extremism, etc. Second, the specific object of national security practice changed from the individual to the collective. The re-education in Xinjiang is collectivized mass re-education rather than the individual crackdowns and repressions that once took place (Greitens, Lee & Yazici, 2019). Further, the new national anti-terrorism law passed in 2015 introduced local implementing regulations in Xinjiang, making social stability a primary goal. Social security in the Xinjiang region is maintained using a large number of police forces in the form of grid-based social management and other measures. The rule of law has become the new model of governance, and both security spending and police recruitment have increased significantly compared to previous periods.

3. The Hong Kong National Security Law and its Implications

A number of scholars have begun to examine the effects of the enactment of the Hong Kong National Security Law on Hong Kong society, of which the negative effects constitute a major part. The view of most Hong Kong and Western scholars is that the law led to the truncation of Hong Kong's autonomy and exerted control over social, educational, and judicial institutions (Lo, 2021), leaving Hong Kong's jurisdiction nominally in Hong Kong but in essence in the hands of the central government. The first and notable result was the escape, arrest, and imprisonment of some local political activists.

Secondly, in terms of the legal system, as the Hong Kong National Security Law provides the Standing Committee of the Chinese National People's Congress with the power to interpret the law, de facto interpretations and amendments to the bill have taken place. The case[®] that Next Digital founder Lai Chi-ying hired a British lawyer to represent his defense has led the HKSAR government to initiate the process of amending the law regarding the restriction of over

[®] LAI Chi-ying National Security Law Case: What will be the impact of Hong Kong's legislative amendments to restrict the employment of overseas lawyers?, Retrieved from: <https://www.bbc.com/zhongwen/simp/chinese-news-65069676> (Chinese)

seas lawyers from appearing in court. It is said that the amendment will reduce defense counsel options for defendants and weaken the rights of defendants in NSA cases to a fair trial.

On the judicial aspect, the Hong Kong media say that^⑨ the post-HKNSL courts have focused on maintaining the "solemnity of justice" in political trials by imposing penalties that require anyone entering the courtroom to be quiet and discreet, while rejecting a political presence (usually on the side of the defendant) – in effect, is whitewashing the peace of "judicial independence" and continuing to add on so that political trials can continue to borrow the court's credit. In addition, due to the fact that "no bail" is the norm under the Hong Kong national security law, the standards for granting bail are high, and defendants are often held in custody for long periods of time even after their initial arraignment, or they must accept conditions of no public statements or media interviews while on bail. Court attendance is also prohibited for behavior that reflects a clear political orientation.

In terms of political participation, a study by Chan, Nachman & Mok (2021) suggests that Chinese mainlandization on political behavior is a threat to Hong Kong citizens who identify as HongKongers. Their study also empirically demonstrates that there may be a relationship between ambiguity of the two regions and their intentional p

^⑨ Chen Qing / Hong Kong Two Years After the National Security Law: The "Living Social Transformation" of the Iron Curtain of Justice, Retrieved from: <https://www.twreporter.org/a/opinion-hong-kong-national-security-law-two-years> (Chinese)

olitical participation causal relationship. It means that as the identity of HongKongers is getting ambiguous, the political participation of Hong Kong citizens is likely to decrease.

On the economic aspect, the HKSAR has lost some of its advantages in using its status as a different customs entity and in benefiting from China's "re-export" trade as a result of the Trump administration's sanctions against Hong Kong and the removal of special trade preferences from the United States (Teo, 2021). Moreover, for a long time, Hong Kong society has been divided into "yellow" and "blue" camps by political leanings, from large supermarket chains and large companies down to small street stores, which are heavily divided into different camps. The "yellow" camp, which supports the protesters and Hong Kong's independence, is favored by the protester consumers, while the "blue" camp may receive investment from the mainland but has a significantly smaller local market in Hong Kong. After the enactment of the Hong Kong National Security Law, protesters were unable to express their views through the previous means such as protests, but were able to do so by choosing where to consume, and the "yellow economic circle" proved to be ongoing even after the enactment.

In terms of education (Yam, 2020), a mass number of middle school students joined protests, formed human chains outside schools, and boycotted classes, of those actions that were considered inflammatory and therefore prohibited by law, and made the student body a key target for supervision. Yam refers to Articles 9 and 10 of

the Hong Kong National Security Law, which states that “the Hong Kong government will promote national security education and will take ‘necessary measures’ to monitor and regulate national security matters in schools and universities.” However, due to the Covid-19 pandemic, much classroom content and educational programs need to be put online, leading to (self-)censorship in the education field.

However, some scholars have also argued that Hong Kong National Security Law has brought about good effects, such as a marked improvement in the HKSAR government's ability to implement policies (Teo, 2021). The disappearance of large protest rallies after the Hong Kong National Security Law was conducive to the restoration of normal social order and economic recovery.

In addition to the impacts mentioned above, some scholars have also mentioned that although the Hong Kong National Security Law is not nominally used to deal with political issues in Hong Kong, in essence, it will become the most influential policy for Beijing to change the political direction of Hong Kong (Zhang & Xiao, 2020). This means that through this law, the central government's efforts to maintain political security and modify the political atmosphere in Hong Kong and its existing influence can be seen.

Chapter III. The Holistic View of National Security

1. Overview

The holistic view of national security concept is characterized by several features that are significantly different from the previous versions. First, its holistic nature is reflected in the addition and emphasis on non-traditional security as part of national security. It covers twenty key areas as well as several new types of security, and emphasizes the need to understand, practice, and promote holistic view of national security concept in a holistic manner from a macroscopic and holistic perspective^⑩. Part of the reason behind the introduction of this concept is the growth of China's national power, its increased economic and political position worldwide, and therefore increased inner and outer security threats. At the same time world competition in cyber, technology, and military areas has intensified, strength has increased, thus threats have also increased.

However, even with the addition of several emerging areas of security as part of national security, the national security concept's emphasis on political security is unprecedented. The primary goal of

^⑩ The Holistic View of National Security Concept, Retrieved from: https://www.nsed.gov.hk/national_security/index.php?a=safety (Chinese)

the first-generation national security concept was to protect the nation from military attack and to protect itself in a volatile international community. The tense world situation after World War II and China's too-weak national power in nearly all areas were reasons for choosing such a national security concept. The second-generation national security concept began with Deng Xiaoping's vigorous promotion of reform and opening up, which guided China's soaring economic power and dramatic rise in international status in a short period of time.

The third feature is the use of legal means to make the maintenance of national security an important and non-negligible civic duty. The introduction of China's national security law in 2015 was an important practical milestone after the formation of the third-generation national security concept. Prior to that, China's national security law had only laws addressing counterintelligence.

2. Analysis of the Holistic View of National Security

Among the government and propaganda departments' descriptions of the new national security concept, it mainly contains two dimensions: five elements and five pairs of relationships. The first and most important one is the five major elements, which are: people's security as the purpose, political security as the root, economic security as the foundation, military, cultural and social security as the

guarantee, and the promotion of international security as the backbone^①.

Among them, the propaganda keeps emphasizing that political security is fundamental, which is described in official materials as "adhering to the Party's leadership and the socialist system with Chinese characteristics without wavering, putting institutional security and regime security in the first place, and providing fundamental political assurance for national security". Reviewing the different definitions of political security in China and the West in the literature review chapter, it is clear that China's interpretation of political security mixes the security of the Party and the system with political security, i.e., if there is a possible security threat to political security, the threat is to the Party's leadership and the Chinese socialist system, not to the people's right to vote and participate in politics. Of course, China has never changed the leadership of the Communist Party or the socialist system since the founding of the country, and this has become known as a part of the people's daily life that they have long been accustomed to. But from another point of view, it is the constant reinforcement of this particular concept of "political security" in ideological and political education that makes the security of the Party and the security of the country one and the same.

In earlier descriptions of national security in China, "economic s

^① The rich connotation of the holistic view of national security concept, Retrieved from: https://nnsa.mee.gov.cn/qmgjanjyr/ztgjaqg/201704/t20170414_411574.html (Chinese)

ecurity" was also referred to as the foundation of national security, but more importantly, economic security was the more frequently mentioned security component rather than political security. This corresponds to the shift from the second to the third generation of national security in 2014, when the role and importance of economic security were still mentioned in an April 2014 report on China Communist Party News¹², despite the fact that Xi Jinping's holistic view of national security concept had already been proposed a short time earlier. According to the interview, national economic security is the ability of a country's economy as a whole to withstand external attacks, disruptions, crises and stable development, as well as the domestic and international environment in which a country's economy can exist and continue to develop. Such a domestic environment is mainly described as the regionalization and globalization of productivity development, the increasing opening to the outside world, and the country's need for world resources, energy and markets. However, it is clear that economic security is not described as much as political security and homeland security when describing national security today.

3. The Role of the CCP in Constructing the New Co

¹² Why "economic security" is considered the foundation of national security, Retrieved from: <http://theory.people.com.cn/n/2014/0422/c40531-24927787.html> (Chinese)

concept

On April 15, 2014, Xi Jinping, General Secretary of China's Central Committee, formally introduced the "Holistic View of National Security Concept" for the first time at the first plenary session of the Central National Security Commission. A year later, in May 2015, the draft of the new National Security Law of the People's Republic of China was introduced. 2 months later, the law was adopted at the 15th meeting of the Standing Committee of the 12th National People's Congress (NPC), and Xi Jinping signed Presidential Decree No. 29 on the same day to promulgate the law in accordance with the decision of the NPC Standing Committee. Article 4 of the law states, "Adhere to the leadership of the Communist Party of China on national security work, and establish a centralized, unified, efficient and authoritative national security leadership system." It also stipulates the responsibilities of the central national security leadership, the NPC and its Standing Committee, the State Council, the Central Military Commission, central departments and localities, including the two special administrative regions of Hong Kong and Macao, in safeguarding national security, and makes special provisions for state organs at all levels and their staff to carry out the principle of safeguarding national security when performing their duties^⑬. In short, it is a clear establishment in the law of the distribution of institutions a

^⑬ Policy Interpretation of the National Security Law of the People's Republic of China, Retrieved from: <http://szrzyj.ziyang.gov.cn/details.aspx?id=17591> (Chinese)

nd responsibilities for the maintenance of national security with the CCP as the core.

Following the introduction of the holistic view of national security concept, the Party and government propaganda departments responded quickly to incorporate the concept as part of their daily ideological and political propaganda and education. In 2019, a theoretical learning platform, "学习强国 (Xue Xi Qiang Guo, Learning the Strong Nation)", which is mainly composed of Party propaganda content and is supervised by the Propaganda Department of the Central Committee of the CCP, was introduced in mainland China. It was quickly introduced as a mandatory part of party and government institutions and university education. In this app, a wide variety of content related to the "holistic view of national security concept" can be found and national security offices and organizations created official accounts such as the "National Security Propaganda Studio" that publish content directly related to the new concept. The propaganda content is mainly in the form of videos, study materials, leaders' speeches videos, records of important meetings, and commentaries on current affairs, etc.

The role of the CCP and the importance of the body in the government sector can also be seen in the composition of the leadership of the Central National Security Commission (CNSC). The CNSC, announced in 2014, is the department responsible for the overall coordination of planning and implementation of China's national security-related work. The Committee is directly under the General Sec

etary of the CCP Central Committee and is chaired by Xi Jinping, the General Secretary of the CCP Central Committee, President of the State Council and Chairman of the Central Military Commission, with the Premier of the State Council and the Chairman of the Standing Committee of the National People's Congress as Vice Chairmen. While most of China's senior government departments are headed by government leaders, the rank of these three leaders is still a testament to the importance of this committee in the composition of the government.

Chapter IV. Enactment of the Hong Kong National Security Law

1. Background and Context

a. China's National Security Law

China passed its first national security law in 1993, but only set out the responsibilities especially the counterintelligence duty of the national security institutions, which has now been replaced by the Counterintelligence Law enacted on Nov. 1, 2014. In 2015, a new national security law was enacted. The concept of national security is clarified in the form of legal provisions for the first time, as "National security of our country means the state of state power, sovereignty, unity and territorial integrity, the well-being of the people, sustainable economic and social development and other vital interests of the country in a state of relative freedom from danger and internal and external threats, as well as the ability to guarantee a state of continuous security." The subjects that the law is intended to protect from threats are state power, sovereignty, unity and territorial integrity which are placed in the first half of the line. No doubt it is because of the threat of "one country, two systems" and the independence intentions of some regions and body leaders that China has been facing that they are the primary subjects that China's national

national security law seeks to preserve and protect. At the same time, unwavering support for the dominance of the CCP is also included as part of the maintenance of national security, because in the context of the law, the security of the Chinese Communist Party and government power is approximately equal to the primary and indispensable condition for national security and the well-being of the people.

As for the significance of this law, it was the first emphasis to maintain political security as the fundamental duty. It says¹⁴ “maintaining political security means adhering to the leadership of the CCP, upholding the socialist system with Chinese characteristics, developing socialist democratic politics, improving the socialist rule of law, strengthening the constraints on the operation of power and supervision mechanisms, and safeguarding the rights of the people to be the masters of the country.” It establishes a centralized, unified, efficient and authoritative national security leadership system, and it also establishes a system in legal form for national security work and clarifies the duties, rights and obligations of state organs, citizens and organizations to safeguard national security. More importantly, it is a completely different code of conduct than the previous national security law, which included only counterintelligence aspects.

¹⁴ Legal guarantee of national security--Study and implement the National Security Law of the People's Republic of China, Retrieved from: http://www.npc.gov.cn/zgrdw/npc/xinwen/rdl/fzjs/2016-02/19/content_1963397.htm

b. The Legal System in Hong Kong

According to the Hong Kong legal system as described by the Hong Kong Department of Justice¹⁵, firstly Hong Kong is a common law jurisdiction, and the most unique aspect of the common law is that it is based on a system of judicial precedents that are not limited to decisions taken from a single jurisdiction, but can incorporate cases from all common law jurisdictions. Therefore, the judicial cases in Hong Kong are mainly referred to cases from other countries and regions under the common law system, mainly from the Commonwealth countries, which is not essentially the same as the Chinese legal system. The above-mentioned condition is implicitly and clearly explained in the Basic Law, quoted as “The courts of the HKSAR may refer to the jurisprudence of other common law jurisdictions.”, from Article 84 of the Basic Law. In addition, the Court of Final Appeal of the HKSAR may, as required, invite judges from other common law jurisdictions to sit on it.

At the same time, however, the Basic Law is a constitutional document promulgated after Hong Kong's reunification to replace the Letters Patent and Royal Instructions of the colonial era, with the power of interpretation belonging to the Standing Committee of the NPC. Although the Basic Law also provides that the Hong Kong courts may interpret the Basic Law on matters relating to the scope o

¹⁵ The common law and rules of equity, Retrieved from: https://www.doj.gov.hk/en/our_legal_system/the_common_law.html

f Hong Kong's autonomy, the ambiguity left in the middle as to whether the power to interpret the law lies with the Hong Kong courts or the Standing Committee of the National People's Congress, and under what circumstances, and to whom it is given, has been the trigger for several protest marches in Hong Kong.

For instance, the HKSAR government attempted to enact local legislation to implement Article 23 of the Basic Law around 2002 to 2003. Under the National Security (Legislative Provisions) Bill introduced at the time, the police would have been given powers including the ability to enter and search the homes of "suspected terrorists" without having to apply to the court for a search warrant. The amendment bill sparked a July 1 demonstration in 2003 involving 500,000 people, which resulted in the amendment bill being temporarily shelved. Also in 2019, the Anti-Extradition Law Amendment Bill Movement was triggered by the introduction of another law amendment draft. Demonstrators argued that the amendment draft to the Fugitive Offenders Ordinance, which allows for the extradition of criminal suspects from Hong Kong to Mainland China for trial, would lead to unfair trial situations especially in light of political crimes. More importantly, demonstrators argue that it was symbolic of a threat to the status of Hong Kong's independent jurisdiction on the basis of "one country, two systems" and the Basic Law.

In general, the unique situation of Hong Kong as a former colony that also has been formally returned to the Chinese government leaves a lot of unresolved issues. Considering the fears of a part of

the Hong Kong society about the 50-year period of "one country, two systems," or even the Chinese government's possible intention to end the 50-year limit prematurely, and its resistance to the socialist system and the jurisdiction of the central government, the question of the ownership of the legislative power and the power to interpret the law becomes most sensitive and important.

c. The Anti-Extradition Law Amendment Bill Movement

As briefly mentioned in the Introduction Chapter, the introduction of Hong Kong NSL was overwhelmingly due to a mass protest movement, the Anti-Extradition Law Amendment Bill Movement. It is a social movement that began in March 2019 and ended due to the Covid-19 pandemic and the enactment of the Hong Kong National Security Law. Although the government withdrew the draft amendments to the Fugitive Offenders Ordinance on October 23, 2019, the social movement continues to expand. The demands of the protesters have evolved from the initial withdrawal of the draft amendments to the Fugitive Offenders Ordinance, also known as the "anti-sending to China", to the "five demands", namely: "complete withdrawal" of the draft amendments to the Fugitive Offenders Ordinance, withdrawal of the characterization of "riot" of the movement, release of those arrested and withdrawal of charges, establishment of an independent commission of inquiry to investigate the alleged abuse of force by the police force, and resignation of Chief Executive Carrie L

am from office.” Later, the fifth demand changed from Carrie Lam's stepping down to "dual universal suffrage", i.e. direct election of both the Legislative Council and the Chief Executive. Finally, the slogan of the movement was changed to "光復香港，時代革命。(Liberate Hong Kong, the revolution of our times)", arguing that Hong Kong should belong to HongKongers rather than the mainland central government.

The conflict with Beijing is mainly in the following points: First, the suspension of the Fugitive Offenders Bill has been described as China's biggest political concession since Xi Jinping came to power¹⁶. In the past 20 years or so since Hong Kong's reunification, the relationship between the Chief Executive and the central government has not always been close, but in general the Chief Executive is still accountable to the central government. While the central government has promised Hong Kong a "high degree of autonomy," the aforementioned Basic Law, legislative system, and electoral system have ensured a certain degree of loyalty from the Hong Kong government to the central government. The flaw in this system is that Hong Kong's leaders often ignore public opinion, and in the end, when resistance rises and the central government is unable to intervene too much under the premise of "Hong Kong's autonomy," the Hong Kong government is left to deal with the situation on its own. At the

¹⁶ How Hong Kong's Leader Made the Biggest Political Retreat by China Under Xi, Retrieved from: https://www.nytimes.com/2019/06/15/world/asia/china-hong-kong-politics.html?_ga=2.122187149.746638031.1566589056-363015793.1566589056

same time, the pressure of the central government is always on Hong Kong leaders, so that they need to keep in mind the relationship with the central government. The fact that Carrie Lam went to Beijing several times during and after the movement reflects the complex and tense relationship between the Hong Kong society, the Hong Kong government and the central government. Second, the genuine universal suffrage that the protesters want is fundamentally in conflict with the current system of appointing the chief executive by the central government, and even less with the way elections are conducted in socialist countries, especially when contrasted with the mainland's electoral system.

In addition, the intensification of clashes between protesters and police during the movement, which even broke out into large-scale armed confrontations, was also one of the influencing factors for the enactment of the Hong Kong NSL. In subsequent protests, demonstrators started to throw firebombs and set fires, while the police used batons, pepper spray, tear gas, rubber bullets, sacks, and other weapons. One of the larger clashes was the Siege of the Chinese University of Hong Kong, which was triggered by the suspicious death of HKUST student Chow Tze Lok, who fell from a building during the protest, and the wounding of a protester in Sai Wan Ho by live ammunition at close range. During the protest, serious clashes erupted on the Bridge No. 2 in CUHK, with police firing more than 1,000 shots, firing over 2,000 tear gas and rubber bullets, and using water cannon trucks and other weapons to attack protesters, who

responded with petrol bombs, masonry, rock throwers and bows and arrows.

d. The 2014 Umbrella Movement

When analyzing the 2019 social movements in Hong Kong, the Umbrella Movement in 2014 should also be mentioned. Before the 2019 movement, the 2014 Umbrella Movement was considered one of the largest civil protests in Hong Kong's history, with an estimated 1.2 million participants, second only to the 1.5 million people who protested in 1989. The background of the 2014 protest was the 2014 NPC Standing Committee Resolution on Hong Kong (Decision 831), which stated that candidates for Hong Kong's Chief Executive must "love the country (China) and love Hong Kong" and that the new Chief Executive "will have to be appointed by the Central People's Government." This decision was considered a violation of the principles of free and fair elections and sparked massive protests in Hong Kong.

In the aftermath of the protests, the central government planned to further tighten its governance of Hong Kong, including several proposals raised during the 2015 Beijing "two sessions (NPC and CPPCC)": first, to amend Annex III of the Basic Law of the Hong Kong SAR to include the National Security Law of China and apply it to Hong Kong; second, to have the Standing Committee of the Nat

ional People's Congress interpret the law directly, indicating that the National Security Law is directly applicable to Hong Kong.

However, the proposal to implement a national security law in Hong Kong has not been implemented for various reasons. First, the police force was accused of "cooperation with the criminals" and the abuse of lynching, which caused the satisfaction rate of the police force to plummet and the trust in society to drop. Second, the identity of Hong Kong people as "Chinese" has dropped to a new low after the 2104 movement. After the movement, the identity index of "Chinese" is 25 points lower than that of "HongKongers", which has dropped to a new low since 1997^①.

2. Analysis of the Content and Provisions of the Law

The Hong Kong National Security Law^② was introduced as an appendix to the Basic Law. Its main content is to provide for the establishment of an agency for the maintenance of national security in Hong Kong and the specific duties of the agency, the definition of offenses and penalties, and the vesting of jurisdictional powers. It is noteworthy that the power of interpretation of the Law is vested in the Standing Committee of the National People's Congress, and it

^① Hong Kong people identify themselves as Chinese New low since 1997, Retrieved from: <https://web.archive.org/web/20141225032123/http://hk.apple.nextmedia.com/news/art/20141223/18978607>

^② Appendix 2.

provides that the provisions of this Law shall apply in the cases of inconsistency between the provisions of local laws of the Hong Kong Special Administrative Region and this Law.

There are four main charges listed in the provisions: secession, subversion of state power, terrorist activities, and collusion with foreign or overseas forces to endanger national security. The maximum penalty for violating this law is life imprisonment. As for the four charges, Hong Kong legal profession has pointed out that the definitions of the four charges are broad and vague, leaving much room for interpretation and specific operation. According to an interview conducted by BBC with Hong Kong University legal scholar Damian Cheung quoted in the BBC press release[®], International human rights standards generally define "secession" to include the use of force, or the threat of force, to protect the rights to freedom of expression and peaceful assembly, but under Hong Kong National Security Law, the charge of "secession" is not based on the presence of force. The definition of terrorist activity under Hong Kong National Security Law is also vague, as long as it involves organizing different illegal actions to achieve political demands, it can be categorized as terrorist activity. The crime of "collusion with foreign forces" may also restrict the normal international communication between Hong Kong people and foreign media, and the subjective definition of "causing Hong Kong residents to hate the central government and the H

[®] Hong Kong National Security Law: 5 disputes, Retrieved from: <https://www.bbc.com/zhongwen/simp/chinese-news-53250603> (Chinese)

ong Kong government through various unlawful means with potential
ly serious consequences" could easily become a tool used by the re
gime to target dissidents.

The second controversy concerns the challenge to Hong Kong's
judicial independence and "autonomy". Brendan Clift (2020) argues
that the law allows cases to be transferred to mainland jurisdiction
s while the courts in Hong Kong are stripped of their powers of int
erpretation and supervision, leaving Hong Kong's "autonomy" intact.
In addition, the National Security Council is not subject to interferen
ce by any organization or individual, information about its work is n
ot made public, and its decisions are not subject to judicial review.
This means that it has public authority in Hong Kong but is not sub
ject to the supervision of the courts, and that local government age
ncies are required to cooperate fully in the execution of their duties
when necessary. However, the Central Government's approach to th
e controversy is to state that the procedure for initiating jurisdiction
is clearly and strictly regulated by law, and that the authority resp
onsible for enforcement remains with the HKSAR.

3. Impacts of the Law

For the Hong Kong society, emeritus professor Siu-kai Lau (20
21) pointed out the Law has brought about significant changes in th
e political psychology of citizens, political power balance, the relatio

nship between the government and the legislature, the behavior of the judiciary and so on. To add on these, especially for Hong Kong people, the impact is mainly in following areas:

1. A large number of protesters have been arrested. As of October 31, 2022, a total of 10,279 people were arrested, which is the highest number of arrests for any social movement in Hong Kong ever. After the enactment of the National Security Law, about 1170 people were convicted.

2. It Changed the way Hong Kong citizens participate in politics. In the few decades after the 1997 handover, the only ways for Hong Kong people to engage in controversial political issues were through elections or protests. However, with the enactment of the National Security Law in Hong Kong, protest is no longer a feasible way to fight for political rights.

3. National Security Education has become part of Hong Kong people's daily life. The National Security Education Day on April 15, as defined in the National Security Law of the People's Republic of China promulgated in 2015, has been introduced in Hong Kong. The government, educators, primary and secondary school teachers and students are required to participate in learning the meaning of National Security Education Day and participate in various activities.

4. The freedom of speech for the press media in Hong Kong is challenged. Many journalists are worried that the press monitoring the government's political performance will be regarded as a threat

to national security in the future^②, as a result of the suspension of Apple Daily and the arrest of many media professionals who were active in the Anti-ELAB Movement. Many international media branches in Hong Kong are also carefully considering writing future news stories within the scope of permission of the Hong Kong National Security Law.

5. Hong Kong's immigration wave. After the enactment of the Hong Kong National Security Law, a large number of Hong Kong citizens who had participated or indirectly participated in the protests chose to emigrate to the United Kingdom or other countries. These Western countries have also relaxed their policies towards immigrants from Hong Kong, and many countries have granted refugee and political asylum to some of the protesters. For example, U.S. President Joe Biden announced that Hong Kong residents who enter the U.S. before August 5, 2021 will be able to apply for Employment Authorization (EAD), and the U.K. has relaxed and allowed Hong Kong residents holding British National (Overseas) passports to apply for British citizenship after 6 years of residence in the U.K. from January 31, 2021. Hong Kong society already has difficulties reconciling the gap between the rich and the poor and the imbalance of social resources, such as property prices, etc. The current social atmosphere here, especially the changes in the education sector, has made some

^② Interviewing different sectors in Hong Kong, have their lives been changed after the National Security Law?, Retrieved from: <https://www.wainao.me/wainao-reads/People-under-the-HK-Security-Law-cn> (Chinese)

e parents consider making adjustments to their children's future academic plans.

For mainland China and the central government, the example of the Hong Kong National Security Law is one of the best examples of the holistic view of national security concept in practice. The law's ability to deter protests has shown the world how the central government handles similar protests and how effective they are. It is a change and choice of the central government to govern by the rule of law rather than the rule of administration, guided by the holistic view of national security concept. However, it is damaging to the international reputation of the Chinese government. With the enactment and enactment of the Hong Kong National Security Law, the central government has been subjected to unprecedented accusations and protests from the Western world, especially in the areas of human rights and political freedom.

To the international society, the United States played an important role of protest against Beijing. The U.S. passed the Hong Kong Human Rights and Democracy Act, which found that Beijing's actions in the campaign were an act of destruction of “one country, two systems”, and on July 17, 2020 sanctioned Chinese and Hong Kong officials (over 42 people) for human rights violations and undermining Hong Kong's autonomy under the Hong Kong Autonomy Act.

Chapter V. Evaluation

1. The Relations Between The Holistic View of National Security Concept and The Hong Kong National Security Law

As mentioned in Chapter 3 of the detailed analysis of the holistic view of national security concept, one of the features of the practical application of the holistic view of national security concept in the face of national security threats is the implementation of its provisions in the form of laws and institutions. Just as the new national anti-terrorism law passed in 2015 introduced local implementing regulations in Xinjiang, in the face of the massive protest demonstrations in Hong Kong, the central government chose to control and regulations into concrete form. At the same time, the holistic view of national security concept emphasizes that political security is fundamental to national security, which could be regarded as the reason why the central government reacts quickly, decisively, and forcefully when its regime or sovereignty is threatened or violated. The combination of these two features, the rule of law model of governance and the emphasis on the importance of political security, led to the enactment of the Hong Kong National Security Law as an inevitable outcome to a certain extent. In addition to this, the Party and ce

entral government pay specific attention to the promotion and education of the holistic view of national security concept, which is also reflected in the enactment of the Hong Kong National Security Law and the need for students in the HKSAR to receive ideological and political education, also celebrating National Security Education Day on April 15.

The enactment of the Hong Kong NSL has several peculiarities. First, the law was passed by the National People's Congress (NPC) and directly states that the power to interpret the law is vested in the NPC (the central government), which conflicts with the conditions of Hong Kong's previous legal system (common law system, controversies Article 23 of the Hong Kong Basic Law²¹), etc., and directly and forcefully resolves the controversy without discussion, despite much criticism. Second, the content of the provisions of the Hong Kong National Security Law is strongly characterized by the content of the provisions of the China's law system, that is, it is more vague in terms of wording and has a lot of room for interpretation, which is also similar to the characteristics of the holistic view of natio

²¹ The Hong Kong Basic Law Article 23:

“The Hong Kong Special Administrative Region 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.”

nal security concept reflected in the propaganda.

2. Comparison of the Hong Kong National Security Law with the Macau National Security Law

Macau, another SAR located in the southwest of Hong Kong, has been described as "much more stable" than Hong Kong in many different contents. The Law on the Protection of National Security (Macau) was passed in 2009 and has not been amended in 11 years. The law is a constitutional provision created to complement Article 23 of the Macau Basic Law which is similar to Article 23 of the Hong Kong Basic Law, and was scheduled to be passed much earlier but was delayed by the 2003 demonstrations in Hong Kong regarding Article 23 of the Basic Law. Still, as a national security law adopted before the holistic view of national security concept was proposed, and as Macau and Hong Kong are both special administrative regions of China, the Macau National Security Law has sufficient reference value.

The provisions of Macau and Hong Kong National Security Law reveal differences in the wording of the national security laws enacted before and after 2014 when the holistic view of national security concept was introduced. Firstly, the Hong Kong National Security Law sets out the "general provisions" and the duties and institutions responsible for safeguarding national security in the first two cha

pters before specifying specific crimes and penalties, whereas the Macau National Security Law does not contain any similar descriptions, nor does it include the institutions responsible for safeguarding national security and their duties in the law. Secondly, the Macau National Security Law has clearer and more explicit provisions for criminal acts.

The second crime in Macau National Security Law is the same as the first crime in Hong Kong's National Security Law, which is the crime of "secession". The former, however, specifies in detail the criminal act: violence or other serious unlawful means. The other serious unlawful means are also specified in detail²². While in Hong Kong National Security Law, secession is a crime regardless of whether force is used or threatened. Beyond that, there is no specific description of the practices or actions of the crime of secession.

With regard to the crime of colluding with foreign countries or forces outside the country to endanger national security, the Hong Kong National Security Law includes an additional provision that the crime of colluding with foreign countries or forces outside the country to endanger national security shall be committed through various unlawful means to arouse hatred of the Central People's Government or the Government of the Hong Kong Special Administrative Region and may cause serious consequences. In Macau National Security Law, whether a foreign political organization or group commits a

²² Appendix 3.

n act against national security in Macau or whether a political organization or group in Macau establishes ties with a foreign political organization or group and commits an act against national security, the criteria for determining such an act are specific and actual acts, such as receiving instructions or directions, or accepting money or things of value, assisting in the collection, preparation, or public dissemination of false or obviously distorted information; recruiting personnel; or recruiting and distributing information; recruiting or facilitating a meeting place, funding, or publicity for recruitment activities; making promises or gifts; or intimidating or defrauding others.

The above two similar crimes are described differently in the two different national security laws in Macau and Hong Kong, which can reflect the difference in the holistic view of national security concept after its introduction.

There are several reasons why Macau National Security Law passed smoothly and why it received little or no resistance. First, Macau's mainstay industries: tourism and gambling are highly dependent on China, while Hong Kong's mainstay industries: finance, trade and logistics are largely dependent on the global market. Hong Kong used to be China's main window for foreign trade and the main reason why Shen Zhen was able to develop, which is enough to see how closely connected Hong Kong is to the foreign economy. Second, after the handover, Macau's GDP per capita more than quadrupled in 2018 to US\$122,435, nearly twice that of Hong Kong and seven

n times that of the rest of China²³. A survey shows the difference in anti-China sentiment between Macau and Hong Kong people²⁴: the rate of Macau people distrusting the Beijing government has never exceeded 20%, while by comparison the rate of trusting the Beijing government is much higher than the rate of distrust, at over 50%.

In contrast, around 2012, the rate of distrust of the Beijing government exceeded the rate of trust for Hong Kong people. From this data, it could be seen that the attitude of Macau people towards the national security law and the central government from before to now is extremely different from that of Hong Kong that it is inevitable that the national security law can be successfully implemented in Macau.

3. Analysis

Apart from scholars, overseas media criticism of Hong Kong National Security Law has focused on several aspects. Firstly on the legal aspect, the Chinese authorities passed the law directly without any accountability or transparency²⁵, and also without consulting th

²³ As Hong Kong rebels, why is Macau so quiet?, Retrieved from: <https://merics.org/en/comment/hong-kong-rebels-why-macau-so-quiet>

²⁴ Appendix 4.

²⁵ Hong Kong's national security law: 10 things you need to know, Retrieved from: <https://www.amnesty.org/en/latest/news/2020/07/hong-kong-national-security-law-10-things-you-need-to-know/>

e Hong Kong public²⁶. And because Hong Kong's chief executive will have the power to appoint judges to hear national security cases, they are concerned about whether judicial autonomy already exists in name only²⁷. The law also provides that some trials will be conducted behind closed doors. Thus in general, the criticism on the legal front could be concluded as that the legislative process and use of the law has been forced without hindrance, which has sparked greater controversy.

On the political front, the fact that the power to interpret the law rests with Beijing rather than any Hong Kong judicial or policy body, and that Hong Kong's Office for the Protection of National Security can send some cases to mainland China for trial²⁸, has triggered concerns over "one country, two systems" and a re-examination of the relationship between Hong Kong and the mainland.

The law is more controversial in terms of human rights. Although Beijing and the Hong Kong government have explained that the law was enacted for a legitimate purpose: to maintain national security and will not be used for other purposes such as political purification. However, the Western media and the UN Human Rights Committee, among others, have raised concerns that firstly, people suspect

²⁶ Top rights experts urge repeal of Hong Kong's national security law, Retrieved from: <https://news.un.org/en/story/2022/07/1123432>

²⁷ Hong Kong national security law: What is it and is it worrying?, Retrieved from: <https://www.bbc.com/news/world-asia-china-52765838>

²⁸ Hong Kong national security law: What is it and is it worrying?, Retrieved from: <https://www.bbc.com/news/world-asia-china-52765838>

ed of breaking the law can be wiretapped and monitored²⁹. Second, the law will also apply to non-permanent residents and "persons from outside [Hong Kong] non-permanent residents of Hong Kong"³⁰. This means that the law will apply to almost everyone. Finally, because of the law's unclear definition of "national security," and also the crimes, the full potential for transferring cases from Hong Kong to mainland China, and the provision that it overrides any Hong Kong law in the event of a conflict, the UN Human Rights Committee has expressed concern that the protection of the human rights of the Hong Kong public will be lost. The law also allows the commissioner to arrest users, order the removal of online content³¹, block websites, and arrest local employees of overseas technology companies if they do not comply with removal requests, with the possibility of a two-year prison sentence in the case of online use. The Hong Kong government is also pushing for a real-name SIM-card system that is similar to mainland China, and these initiatives have led to a great deal of criticism of human rights.

Lastly, in the handling of Hong Kong's international relations, harsher management of foreign NGOs and news agencies has already led to some withdrawals from Hong Kong of a portion of the branch

²⁹ Hong Kong national security law: What is it and is it worrying?, Retrieved from: <https://www.bbc.com/news/world-asia-china-52765838>

³⁰ Top rights experts urge repeal of Hong Kong's national security law, Retrieved from: <https://news.un.org/en/story/2022/07/1123432>

³¹ Hong Kong Is Unrecognizable After 2 Years Under the National Security Law, Retrieved from: <https://thediplomat.com/2022/06/hong-kong-is-unrecognizable-after-2-years-under-the-national-security-law/>

hes of foreign agencies established in Hong Kong, which has had a negative impact on the economic development of Hong Kong.

Chapter 6. Conclusion

In general, this study examines the meaning behind the Hong Kong National Security Law enacted after the Anti-Extradition Law Amendment Bill Movement, that is, as a practice of Xi Jinping's ideology of the Holistic View of National Security Concept, providing a reference value for studying and interpreting the concept.

From the Umbrella Movement in 2014 to the Anti-ELAB movement in 2019, the central government has been faced with how to deal with the declining reputation of the Hong Kong police force, the continuing decline of Hong Kong people's "Chinese" identity, dissatisfaction with the central political system, young people's ideological preferences, and economic stagnation and social unrest, all of which have occurred again in Hong Kong. This time the central government, guided by a well-developed holistic view of national security concept, has chosen to tighten its governance of Hong Kong by legal means, rather than continuing to leave it unchecked.

The findings of this study could be concluded that the Holistic View of National Security Concept is characterized by the importance of political security, the importance of supplementary means of action such as laws and institutions, strong and swift action in the face of security threats, and the importance of ideological education. The enactment of Hong Kong National Security Law emphasizes, fi

rst, national sovereignty and territorial unity and integrity, and second, adherence to one China and the leadership of the government, which is consistent with the emphasis on political security in the Holistic View of National Security Concept. Secondly, the Hong Kong government did not promulgate a national security law after the Umbrella Movement in 2014, nor did it set up a special institution to maintain national security in Hong Kong, while the prompt enactment of a national security law after the protest movement in 2019 also reflects the feature of using the law to maintain national security under the guidance of the Holistic View of National Security Concept. Finally, the Hong Kong region has strengthened national security ideological education for the whole society after the enactment of the Hong Kong National Security Law, which is also in line with the operational characteristics of the Holistic View of National Security Concept.

In studying the Holistic View of National Security Concept, it is found that Chinese scholars have focused more on elaborating and refining their interpretation of the Holistic View of National Security Concept by analyzing the agenda and contents of various government meetings and speeches of the leader. Most of the literature analyzing Hong Kong National Security Law, on the other hand, only explains the meaning of the law and its impact on various aspects. Therefore, the contribution of this study is to fill the gap in the previous studies with the interpretation of two things in an integrated way.

Considering that China is already in Xi Jinping's third leadership term, this study believes that in the short term, the policy style guided by the Holistic View of National Security Concept will not change significantly, so the study of the Holistic View of National Security Concept and its practice is still of great research necessity and reference significance.

Although after the enactment of the national security law, there is another episode stopped the protests that is the Covid-19 pandemic, but the central government obviously has no intention to let the situation of 2019 repeat itself. With the Hong Kong National Security Law, it is very difficult for Hong Kong people to express their dissatisfaction and fight for their rights in the form of protests as before.

Besides Hong Kong, China still has many unresolved issues in political security as well as other security aspects at present. In the future, when facing the Taiwan issue, Xinjiang and Tibet issues, scholars or media can also make policy predictions and further studies with reference to previous practices and results when predicting policy directions. Overall, the most important belief is to understand the significance and representative value of the Holistic View of National Security Concept as a guideline under Xi's governance.

Finally, this study does not explore the theoretical aspects too deeply because the focus of the study of the Holistic View of National Security Concept is very different between the Chinese and Western scholars. Therefore this study argues that it is more important

to explore what actions the Holistic View of National Security Concept brings about than to explore what exactly is the essence of the Holistic View of National Security Concept. However, future research can explore more possible theoretical explanations from the point of difference between Chinese and Western scholars studying the Holistic View of National Security Concept. In addition, the legal aspects of Hong Kong National Security Law are also worthy of further study. There is still much room for discussion on the content of the law and the various outcomes and effects of its enactment, and the comparison with Macau National Security Law can also serve as a direction for other studies.

Appendix

1. The Three Generations of China’s National Security Concept, Zhong (2018).

Gen.	Concept	Content	Period	Primary Goal
1st	Traditional National Security Concept	A focus on military security, political security, and other aspects of traditional security.	The end of WWII – the end of the 1970s	To maintain the security of survival and protect the country from military threats.
2nd	Transformational National Security Concept	A focus on non-traditional security such as economic security.	The end of the 1970s – 2014	To drive economic development and improve people’s living standards.
3rd	Holistic View of National Security Concept	1. political security, people’s security, homeland security, military security, economic security, financial security, resource and energy security, food security, cultural security, scientific and technological security, network and information security.	2014 – present	security and development

		<p>curity, social security, ecological security, nuclear security, outer space and the international seabed area and polar security, and security of overseas interests.</p> <p>2. "According to the needs of economic and social development and national development interests, the task of safeguarding national security will be continuously improved".</p> <p>----- The National Security Law of the People's Republic of China</p>		
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2. The Table of Contents of The Hong Kong National Security Law (English translation)

Table of Contents

Chapter I General Provisions

Chapter II Duties and Agencies of the Hong Kong Special Administrative Region for the Maintenance of National Security

Section I Duties and Responsibilities

Section II Institutions

Chapter III Offences and Penalties

Section I. The crime of secession

Section II Subversion of State Power

Section III terrorist activities

Section IV collusion with foreign countries or foreign forces to endanger national security

Section V. Other Punishment Provisions

Section VI Scope of Effect

Chapter IV Jurisdiction, Application of Law and Procedures

Chapter V The Central People's Government in the Hong Kong Special Administrative Region to safeguard national security

Chapter 6 Supplementary Provisions

3. MACAU SPECIAL ADMINISTRATIVE REGION NATIONAL SECURITY

LAW, Article 2 (English translation)

Secession

1. Any person using violence or practising other grave illegal acts to try to separate territory from the state or subject it to the sovereignty of another state, shall be sentenced to a prison term of 10–25 years.

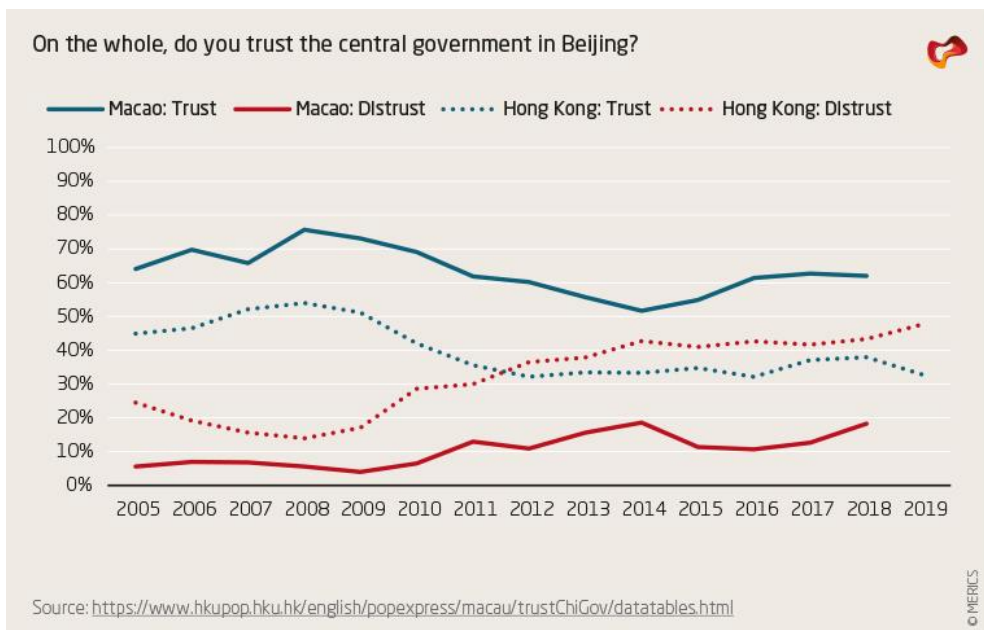
2. Any person who has undertaken preparatory acts for the crimes set out in the previous paragraph shall be punished by a prison term of a maximum of 3 years.

3. For the purposes of this law, the following conduct shall be considered “other grave illegal acts”:

- (1) Crimes against the life, physical integrity and personal freedom of another person;

- (2) Acts that damage or threaten the security of transport, communications or other public infrastructure facilities, including telegraph, telephone, radio, television and other electronic communications systems;
- (3) Arson, the release of radioactive substances or toxic or asphyxiating gases, contamination of food or water supply for human consumption or the spread of diseases; or
- (4)** Crimes involving the use of nuclear energy, firearms, incendiary devices, biological or chemical weapons, explosive devices or substances, parcels or letters containing dangerous devices or substances.

4. On the whole, do you trust the central government in Beijing? (Source: <https://www.hkpop.hku.hk/english/popexpress/macau/trustChiGov/datatables.html>)



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Abstract in Korean

중국의 국가 안보 개념은 신중국 건국 이후 세 단계를 거쳤으며, 시진핑의 집권과 함께 세 번째 단계가 등장한 것으로 널리 알려져 있다. 총체 국가 안보 개념은 지난 10년 가까이 시진핑의 핵심 사상 중 하나로 다양한 이슈와 사건에 대한 정부의 대응과 행동을 이끌어 왔다. 2019년 홍콩에서 시작된 송환법 개정안 반대 운동은 코로나19 팬데믹과 홍콩 국가보안법 제정으로 거의 종결되다시피 했는데, 본 연구에서는 이 사건을 검토하면서 홍콩 국가보안법의 의미를 살펴보다. 2019년 송환법 개정안 반대 운동에 홍콩 국가보안법을 더한 것과 국가안보 개념에 대한 전체론적 견해와 시진핑 정부 사이에는 어떤 관계가 있는가? 면밀한 검토를 통해 국가 안보, 특히 정치 안보를 유지하는 것으로 나타났다, 법을 제정하는 것은 중국의 국가 안보 개념을 전체적인 버전으로 발전시키는 데 있어 중요한 변화 중 하나이며, 국가 안보 개념의 변화는 홍콩 국가보안법의 제정으로 입증되었다. 또한 법률조항의 내용과 특성도 이전과는 다른 국가안보 유지 관행을 반영하고 있는데, 예를 들어 표현의 모호성과 해석의 여지가 많은 점, 홍콩 문제에 대한 중앙정부의 권리 증대, 국가 안보 교육의 보다 통합된 조합 등.

키워드: 총체 국가 안보 개념, 홍콩 국가보안법, 홍콩 송환법 개정안 운동, 국가 안보, 정치 안보, 법치주의 거버넌스