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Hong Kong's Border Regime and its Role in National Sovereignty

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Abstract

Hong Kong's "One Country, Two Systems" government regime will end by 2047 and it will promote the country's integration into the People's Republic of China (PRC). To ensure a smooth transition, by eliminating the border and other forms of geographic barriers that separate the two countries, the PRC has been issuing measures to promote integration. However, despite on-going practices of integration, Hong Kong continues to strengthen its border with China through infrastructural and bureaucratic means, reinforcing a British-colonial era border regime. Thus, my research focuses on this contradiction between the elimination and reinforcement of the Hong Kong-China border as an attempt to understand the socio-political forces that have produced this dynamic. Analysing the historical conditions that have produced the Hong Kong-China border regime through the lens of material and visual culture, I have come to the conclusion that Hong Kong continues to invest in the border as a political strategy to resist Mainlandization so that its autonomy continues to be preserved.

Keywords: borders, border studies, Hong Kong, China, international relations, visual culture

Introduction

On January 6, 2018, the People's Republic of China's (PRC) State Council approved Guangdong's request to demolish the physical border which divides the Shenzhen Special Economic Zone from Hong Kong. The decision was made to promote integration between Mainland China and Hong Kong. The border between Shenzhen and Hong Kong is delineated with an 84.6 mile iron fence along the Shenzhen (or Shun Chun) river, the natural boundary dividing the two geographic bodies (Leung, 2018). While this decision is symbolic of the PRC's expansion of sovereignty into Hong Kong territory in response to the expiration of Hong Kong's border with the PRC in 2047, events like these are calling into question Hong Kong's status as an autonomous body -- one that consists of its unique set of laws, values, and culture distinct from those of mainland China.

Hong Kong's existence as a distinct country was legitimized after the Sino-British Joint Declaration was signed on December 19, 1984 (Constitutional and Mainland Affairs Bureau). Between 1842 and 1997, Hong Kong was a British crown colony. However, Hong Kong was officially handed over back to China after the declaration was signed. This negotiation established the "One Country, Two Systems" government regime, allowing Hong Kong to retain its current economic and political systems under the jurisdiction of the PRC. Basic Law, or Hong Kong's unique constitution, was also established. Therefore, Hong Kong is now essentially able to operate autonomously under Chinese rule as a Special Administrative Region (SAR). However, since this "One Country, Two Systems" regime is expected to expire in 2047, Hong Kong's autonomy is being threatened by the PRC's efforts to integrate Hong Kong into mainland China.

The process of Hong Kong's integration into the PRC, colloquially called "Mainlandization" (Tsung-gan, 2017), is occurring through recent infrastructural developments that transcend natural international borders. Just two months ago, the Hong Kong-Macau-Zhuhai bridge - a bridge that connects the three-regions to one another - opened to the public (Griffiths, 2018). Similarly, the West Kowloon railway station opened in September. It is the only terminus in Hong Kong where a high-speed bullet train can be taken to different parts of mainland China (Chung, 2018). By observing these new developments, one can see how the PRC is making strides to expand its influence into Hong Kong.

While the natural border separating Hong Kong and the PRC is being dismantled both in its physicality and its geographic proximity to the mainland, the government of Hong Kong continues to fortify its existing border control points. Lo Wu (or Luohu) Control Point, the busiest border crossing point in Hong Kong, has evolved from being an outdoor crossing-bridge

into a complex institution governed by high surveillance and strict border regulations. According to the Hong Kong Immigration Department's 2016 annual report, Hong Kong's border-crossing points have made impressive strides on safety and cross-border migration efficiency. It boasts about its technological advancements in implementing cutting-edge border technologies, and its achievements in reducing crime rates. The report also provides insight into the complex bureaucracy of the Hong Kong Immigration Department, where its array of border branches are briefly described. Thus, these advancements are testament to Hong Kong's interest in its borders with the mainland.

It is the contradiction between the PRC's efforts to erase its natural borders with Hong Kong and Hong Kong's continuous investments in its border ports that poses a range of questions. Why does Hong Kong continue to invest in the development of the border if the border will expire in 2047? How does the PRC's efforts in dismantling the natural border through the bypassing of geographical restrictions come into conflict with Hong Kong's efforts to protect it? What does this mean for Hong Kong's political and economic sovereignty? Thus, my research explores this contradiction expressed by the simultaneous creation and destruction of Hong Kong's natural borders with the PRC in an attempt to provide some insights into the questions I have posed.

This contradiction will be unpacked by concentrating on Hong Kong's history during and after British-colonial rule, and I would use its geopolitical context to draw connections between the then and now. More specifically, I observe Hong Kong's border regime with mainland China and its wider political implications through the lens of material culture and spatial practices. Drawing from scholarly work produced by experts in Hong Kong's history and investigating 20th-century photographs taken in Hong Kong, I have come to the conclusion that Hong Kong

continues to invest in its border with China, despite its expiration in 2047, as a political strategy to protect and preserve its autonomy as a political, economic, and social geographic body that is distinct from China's.

It is imperative to emphasize that this study geographically frames Hong Kong as an island - one that is delineated by natural boundaries and coastal edges. The island of Hong Kong, which spans a total of 427.8 square miles (Central Intelligence Agency), should not be confused with "Hong Kong Island", which is a separate geographic body, albeit under the State of Hong Kong, that is located in the Southern-portion of Hong Kong. Thus, I focus on both the natural border between Hong Kong and China delineated by the Shenzhen River, as well as the man-made borders between the two political bodies.



Map of the Hong Kong-China border, illustrated by the black line. (Danielewicz-Betz & Graddol, 2014)

Historical Context

To understand the evolution of Hong Kong's border regime, it is important to underscore the significance that war and conquest had on its initial development. Hong Kong's entry into the international stage can be traced back to the First Opium War (1839-1842) between the British and China, to which Hong Kong was under Chinese rule at the time. After losing the war, China ceded Hong Kong to the British and the Treaty of Nanking was signed on August 29, 1842, which officially marked Hong Kong as a British crown colony. The British, however, were not satisfied with the conditions laid out by the Treaty, claiming it didn't promise the wealth and prosperity that controlling Hong Kong's ports would offer. Thus, the Second Opium War broke out in the 1850s, and it resulted in the colony's expansion into the Kowloon Peninsula. The Treaty of Tientsin, signed in June 1858, codified the colony's expansion into China, opening 10 more Chinese ports to trade and providing Western missionaries access to the Chinese hinterland (Carroll, 2007, pp. 13-23). The colony expanded again after the British acquired the New Territories, the 365-mile rural territory spanning between Kowloon and the Shenzhen River. During the Second Convention of Peking on June 9, 1898, the British negotiated a lease with China in which the British were given the New Territories for 99-years - a lease that would expire in 1997. The land was used by the British as military training grounds and real estate development (Carroll, 2007, p. 67). Thus, the expansion of the former British colony up to the Shenzhen River set the stage for border conflicts to ensue.

The conditions that propagated Hong Kong's border regime intensified during the Japanese occupation of Hong Kong. During the Sino-Japanese war in 1941, Japanese troops entered Hong Kong through the Shenzhen River border and wreaked havoc on the British military. After the British military surrendered in their battle against the Japanese, the Japanese

remained in Hong Kong and took control of the colony for almost four years under martial law. These four years marked a brutal period of history characterized by violence and rape in Hong Kong. As a result of these atrocities, the population in Hong Kong fell by half since many Hong Kongers either fled the country or died. It was not until August 30, 1945 when Japan finally surrendered and handed over Hong Kong back to the British (Carroll, 2007, pp.119-123). Thus, the Japanese occupation destabilized Hong Kong and created an environment of fear that would encourage a greater British military presence along the Shenzhen river border to ensure that the colony is protected from outside military forces.

The years following the Japanese occupation of Hong Kong was marked by a period of open borders and improved economic relations between China and Hong Kong. During this time period, Hong Kong's border was open to facilitate free trade with the mainland and the rest of the world. However, it wasn't until 1949 when the border militarized and closed in response to Chinese refugees. In 1949, the Chinese Civil War broke out between the Communist Party and the Nationalist Party (the Kuomintang), in which the Communists won. Due to the fear that the rise of Communist power instilled in the Chinese population, thousands of Chinese fled the country and migrated into Hong Kong. Given that the border remained open at the time, the British Colonial government allowed Chinese refugees to freely pour in under the assumption that the situation was temporary and that they would eventually return to the mainland once its political situation pacified. However, from November 1949 to December 1949, more than 210,422 refugees migrated into the colony (Madokoro, 2012, pp. 410-412). In response to the massive influx of refugees, the British decided to close its border with China because they were afraid that the colony was oversaturated with unskilled laborers who would damage the economy (Smart and Smart, 2008, p. 181). Likewise, because this occurred during the Cold War era, the

British wanted to prevent any Communist-influence into their colony. Thus, to signify the closure of the border and to keep migrants from freely crossing it, a fence was constructed along the Shenzhen River. This is the first instance of a physical demarcation between the two entities, and the beginning of its increased militarization and surveillance (Madokoro, 2012, p. 412).

While the Shenzhen river border technically remained closed during the 1950s, border activity still continued. Native Hong Kongers would pass in and out of the country to visit family and purchase goods in the mainland. Illegal cross-border activity also thrived at the time, which led to an increased presence of security at the border. However, the refugee situation remained stable up until the spring of 1962, when over half a million Chinese refugees were marching into Hong Kong through the Shenzhen river border. The Chinese refugee caravan entering Hong Kong was due to the hostile conditions that the Great Leap Forward, Mao Zedong's initiative to industrialize the country under a collectivization regime, created in China. Thus, to deter refugees from entering the country, the British dispatched military soldiers and police officers to the Shenzhen River border, where 17, 656 Chinese migrants were arrested. In addition, seventy five of refugees attempting to enter Hong Kong were sent back to the Mainland through violent measures such as deportations, expulsions, and physical force. Because the border situation became too much for the British to regulate, they had no choice but to ask the PRC for assistance, in which the PRC sent military personnel to their side of the border. Thus, given that the British produced hostile conditions at the border, mainlanders did not see Hong Kong as a place of refuge anymore (Madokoro, 2012, pp.416-418).

The border further militarized in 1967 following the Leftist riots that broke out across Hong Kong. Inspired by China's Cultural Revolution, leftist Hong Kongers coalesced and organized protests resisting British colonial rule. Border ports, in particular, became active

spaces of confrontation for these protests to occur. Therefore, in response to the increased political activity at the Hong Kong-China border, the British and Hong Kong deployed more police officers and soldiers there. Additionally, the Hong Kong government took legal measures to restrict migration and access to the border by implementing tighter border controls that made it even more difficult for Hong Kong people and the Chinese to cross. Likewise, an additional fence was erected at the Lo Wu Control Point as an extra barrier of protection. It was constructed in response to the violent incidents that occurred there between law enforcement and protesters. However, since Hong Kong authorities sought it necessary to secure the entirety of the Shenzhen river border as opposed to solely a small portion of it, a thirty-foot wide fence was constructed along the river. Therefore, to ensure that these new barriers are protected, military and police officers have been permanently dispatched at the border (Madokoro, 2012, pp. 420-422).

While the restrictions at the border remained stringent, Hong Kong opened up its borders again to trade with China after 1978. After Mao Zedong died in 1976, Deng Xiaoping took control of the PRC. Implementing the Open Door Policy and other neoliberal economic reforms, China entered the international economic arena (Smart et al., 2007, p. 183). Thus, the British opened up Hong Kong's border ports to facilitate commodity flow with China. Border controls became further complicated in 1984, when the Sino-British Joint Declaration was signed.

After Hong Kong was officially handed over back to China in 1997, border controls were imperative in maintaining the "One Country, Two Systems" regime. In terms of immigration, cross-border migration has become asymmetrical. While Hong Kong citizens are now able to cross the border into China without any restrictions, mainland Chinese citizens must obtain a visa prior to entering Hong Kong. Nonetheless, after 1997, the Hong Kong-China border continued to fortify and securitize in response to technological and economic advancements.

Cutting edge border technologies such as the Automated Passenger Clearance Systems, and smart Hong Kong ID cards containing biometric information have been installed at the Lo Wu Control point to manage cross-border migration more efficiently. Additionally, Hong Kong is one of the China's biggest importers, dependent on the Mainland for food provision. Thus, careful inspection at the border is necessary to regulate and secure the flow of commodities and to ensure the safety of imported food. Additionally, border surveillance has significantly increased in response to public health crises. The Avian flu outbreak in 1997, as well as the SARs (severe acute respiratory syndrome) outbreak in 2003, led to deaths of many in Hong Kong and the populations of its trading partners (Smart et al., 2007, pp. 189-190). Therefore, in addition to the increased militarization, technological development, and securitization of the border, screening and surveillance also expanded to prevent lethal diseases from spreading.

An Analysis of the Sha Tau Kok Border Control Point and its Relationship to the Hong Kong Border Regime

To understand the Hong Kong-China border regime on a grassroots level, I would show the Sha Tau Kok border crossing by unpacking the photos taken there. Located inside the Frontier Closed Area (FCA), the Sha Tau Kok border crossing point is the least used control point to enter mainland China. Sha Tau Kok is historically known to be a small rural border village. Designated as an FCA by the Hong Kong government, people are restricted to enter the space unless special permission is given. However, Sha Tau Kok is still home to fishing and farming communities of Hakka descent, remaining a traditional town that is untouched by outside forces (David, 2012). However, its border tells a different story.

Figure 1



Sha Tau Kok border before the 1950s, as delineated by the rock on the lower-left corner (Forman, 1949)

Taken by Harrison Forman (Figure 1), an American photojournalist for the New York Times, this photo depicts Sha Tau Kok back in the 1950s. More specifically, this photo is taken on Chung Ying Street, which translates to China England Street. The stone on the lower-left corner of the photograph is the border crossing point that separates the Chinese territory from the British territory. The stone is located in the center of Chung Ying Street, dividing the street equally into their respective territories. This stone is coined the “Anglo-Chinese boundary stone” because it was strategically placed here by the British in 1889, after the British acquired the New

Territories, to delineate its territory with China (Emily and Michelle and Olivier, 2013). This land boundary was placed in the middle of the street by J.H.S Lockhard and Huang Tsun-hsin due to a disagreement over whether the Chinese or the British should exercise ownership over the village (Kelly, 1987, pp.39-40).

Observing this photograph, one can notice the two British guards are leisurely standing around the building behind the right side of the boundary stone. Based on their location, I would assume that the British territory is to the right of the stone. The British guards are dressed in casual Hong Kong military attire, wearing clothing that exposes their arms and legs. Based on what they are wearing, there does not seem to be any immediate threats to the space. Moreover, the British guard without the sunglasses looks like he's carrying a baton on his black belt. The British guard with the sunglasses, however, seems to not be carrying any weapons. The lack of machinery on them, once again, reinforces the lack of danger the area posits.

The casual attire and the lack of machinery on the British guards calls into question the magnitude of the border point's political significance. As mentioned earlier, the 1950s was a time when borders were being increasingly militarized and policed in response to the influx of mainland Chinese refugees pouring into Hong Kong. However, looking at the photograph of the Sha Tau Kok border crossing point, this migration pattern doesn't seem to exist. There is no large crowd of people, nor is there any concentrated human activity depicted in the photograph that would indicate an occurring of any refugee crisis.

Nonetheless, the lack of British guard personnel surrounding the Sha Tau Kok border point indicates that this crossing point is not heavily used by migrants. This makes sense given its geographic location astray from the Shenzhen River - the natural boundary where main immigration points such as Lo Wu and Lok Mau Chau are located. Additionally, because the

border crossing point literally exists in the middle of the road separating the colony from China, the subjectivity of a “Chinese refugee” is blurred, given that Chinese residents can freely cross the invisible border without needing to go through screening or security. The stone’s seemingly arbitrary location makes it difficult to determine if Chinese residents who live on Chun Ying Street are even recognized by the PRC as Chinese citizens.

Essentially, the lack of military defense depicted in this photo implies that during the 1950s, border surveillance had yet to be formalized into a significant institution. The case of Sha Tau Kok must be taken lightly, however, given its exceptional nature as being a border entry point that is not along the Shenzhen River.

Figure 2



Hong Kong soldiers (left) and PRC soldiers (right) walking side-by-side (Gwulo, 1997)

Figure 2, taken by an unknown photographer, was captured in 1997, after the British officially handed over their former colony Hong Kong back to China. This photograph is a more modern depiction of Chung Ying Street and the border crossing stone. Compared to the photograph of the stone taken in the mid-20th century, one can observe the differences within the urban landscape. What once looked like a humble, traditional village town now looks more modern and vibrant. To the left of the border stone are two Hong Kong military soldiers, and to

the right are two PRC military soldiers -- as promptly identified based on their attire. Based on the placement of the soldiers, it is safe to assume that the left side is Hong Kong territory while the right is PRC territory. Looking at the side of PRC territory, the newly erected wall lined with different colored flags may be a landmark of Chinese sovereignty of the space.

While it was noted in Figure 1 that the right side of the boundary stone is British territory, that doesn't necessarily mean that the right side of Figure 2 is now Hong Kong territory. It could be that Figure 2 was taken in front of the boundary stone rather than behind, or vice versa, which would change the orientation of the two territories. However, based on the outfits that the soldiers are wearing in Figure 2, it is safe to assume that the right side of the stone (only in the context of Figure 2), is the Chinese territory.

Nonetheless, this photograph is a literal manifestation of the "One Country, Two Systems" on a local level, giving insight into how Mainland China is expanding its influence over Hong Kong territory post hand-over. After Hong Kong was handed over back to China, Chung Ying Street was designated by the government of Hong Kong as an FCA, in which Hong Kong citizens, to this day, are not allowed to enter this space unless a permit is administered to them by the government. A permit can only be received if Hong Kongers have family members who still live in the Sha Tau Kok village. This is not the case for the PRC, however, in that Chung Ying Street has become a tourist hub for mainlanders. While the street is still restricted to mainland Chinese citizens, permits to enter can be easily purchased for 10 RMB. Due to the influx of Chinese tourists entering Chung Ying Street, the street has become commercialized. Shopping malls, and a historical museum, have opened up on the street (Michelle et al., 2013). This phenomenon is significant in the context of the Hong Kong-China border regime in that the boundary stone delineating the division between Hong Kong and China has officially lost its

political significance as a border marker. Because Hong Kong is now under the federal jurisdiction of the PRC, Chun Yin Street has technically become China's property. And given that there are less restrictions for Mainland Chinese to enter Chun Ying Street compared to the restrictions on Hong Kongers, the asymmetrical access to the space illustrates the PRC's subtle coercion of power over Hong Kong territory -- thus manifesting the "Mainlandization" effect.

Figure 3



Sha Tau Kok border before the 1950s, depicted by the boundary stone (Forman, 1949)

Figure 4



Sha Tau Kok border in 2015, depicted by the fortified control point (Cheung, 2015)

The last two photos I will be analyzing and comparing are the Sha Tau Kok border point in the mid-20th century (Figure 3) and the Sha Tau Kok Control Point now (Figure 4). As one can see, while the two border points depicted share the same function of delineating boundaries between Hong Kong and China, they look nothing alike. While the border between the former British colony and China is ambiguously delineated by the boundary stone in the left photo, the border between Hong Kong and China in the right photo is depicted as a formalized control point - one with customs agents, toll booths, and conventional border infrastructure. Cross-analyzing these two photos provides a deep insight on how the natural Hong Kong-China border has been fortified and militarized under the State.

As mentioned above, the border crossing stone separating China and Hong Kong has lost its political significance after Hong Kong was handed over back to China. Even though the stone does not signify a formal border -- one represented by fencing or walls -- between the two entities, a Sha Tau Kok border still exists. The Sha Tau Kok Control point now, illustrated in the right photo, is located close, but outside of Chun Ying Street. What this literally indicates is that the border between the two countries has been arbitrarily moved to a different location. The most practical reason as to why the border could have moved to its current location is that it is closest and most easily accessible to Guangdong, China. Looking at the photo on the right, the high-rise buildings that exist beyond the control point illustrate the city of Tianen - a city in Guangdong. Thus, it could potentially be that this control point provides the fastest access to the city center of Tianen. However, there is not information available on this control point to fully grasp the main reason.

As previously mentioned, there were no physical barriers that separated the two sides of Chun Ying Street in the mid-20th century. Depicted in the left photo, the rock stands in the

center of the road, with the same amount of urban development on either side. Because there is no fencing and border patrol agents in sight, the lady in the black is able to freely migrate across the border. Given that Sha Tau Kok is a unique exception to the politicization of border control points along the Shenzhen River in the 1950s, it is clear that the border stone held no tangible geopolitical significance in which cross-boundary mobility was not the main concern for military personnel deployed there at the time. However, this is not the case in the present, in which the creation of a formal control point at the Hong Kong-China border has political and legal connotations. Because the control point is located in the FCA, a Closed Road Permit is necessary if drivers want to cross the border (Hong Kong Transport Department, 2018). Cross-boundary car and bus services authorized by the Hong Kong government are also available if travelers want to cross the border using public transportation. This institutionalization of transportation across the Sha Tau Kok border is an example of how politicized the border is now, in that the State regulates and controls all activity that occurs there through an increase in bureaucratic practices. Likewise, the creation of a formal border port is also necessary for the Hong Kong government to legitimize its boundaries as an autonomous entity separate from China, reinforcing the “One Country, Two Systems” regime.

Conclusion

Analyzing the history of the Hong Kong-China border regime from pre-Colonial British rule to post-Colonial British rule, and unpacking its nuances through my analysis on the Sha Tau Kok border, I have come to a variety of conclusions. The first conclusion is that the Hong Kong-China border became politicized due to the migration of Mainlanders into Hong Kong. Within the context of World War II and the Cold War, the social and political conditions produced in

mainland China has resulted in massive influxes of refugees into Hong Kong which lead to the beginning stages of border militarization and fortification. The second conclusion of this study is that while war and conquest set the foundation for the Hong Kong-China border regime to exist, it is the radical changes in history that has propagated the development and advancement of the border. Changes such as the decolonization of Hong Kong and the creation of a “One Country, Two Systems” government regime has given the border a new meaning. What once was a natural boundary between two regions, has now become a frontier that separates two distinct political and economic systems from one another. The final conclusion, encompassing the previous conclusions, is that the PRC will continue to exercise their power in different ways -- subtle and blatant - to ensure that by 2047, Hong Kong will be completely integrated into China. Whether it's through the creation of new cross-national bridges and public transportation or the arbitrary relocation of the border at Sha Tau Kok, the PRC is taking direct measures to dismantle its border with Hong Kong. However, despite the PRC's actions to integrate Hong Kong, Hong Kong continues to make efforts to protect its border, and thus, its identity as a distinct autonomous body.

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