

The Establishment of the People's Republic of China in 1949, the National Anthem and the National Flag

Communist troops occupied Nanjing in April 1949. This milestone represented the end of the Chinese Civil War and the withdrawal of the Nationalist Party (Hsu, 2000, p. 633). Mao Zedong assembled the New Political Consultative Conference on 12th September 1949, to prepare for a new government. On 1st October 1949, Mao Zedong, Chairman of the "Chinese Communist Party", proclaimed the establishment of the People's Republic of China and the new capital of Peking at Tiananmen Square (Spence, 2013, p. 459). The Nationalists fled to Taiwan, and the Communists took over the whole of mainland China (Hsu, 2000, p. 633).

On 27th September 1949, the Chinese People's Political Consultative Conference decided to adopt the song *March of the Volunteers* as the provisional national anthem of the People's Republic of China (PRC), the Five-star Red Flag as the national flag, which symbolizes the great unity of the Chinese people under the leadership of the Chinese Communist Party. *The March of the Volunteers* was written in 1935, with lyrics by the noted poet Tian Han and music by the famous composer

Nie Er. Moving and powerful, the *March of the Volunteers* gave voice to the Chinese people's determination to sacrifice themselves for national liberation, and expressed China's admirable tradition of courage, resolution and unity in fighting foreign aggression. On 4th December 1982, the Fifth Plenary Session of the Fifth National People's Congress officially decided to adopt the song as the National Anthem of the PRC. On 14th March 2004, the Second Plenary Session of the Tenth National People's Congress passed the "Constitution (Amendment)", officially endowing the national anthem with constitutional status. Like the national flag and national emblem, the national anthem is a symbol of the country (The State Council, PRC, 2021)

The National Anthem Ordinance (NAO) was published in the Gazette and came into effect on 12th June 2020, signifying the HKSAR Government's fulfilment of its constitutional responsibility to implement the National Anthem Law locally in accordance with the Basic Law. According to the HKSAR government, "The core legislative principle of the NAO is to

promote respect for the national anthem, which is the symbol and sign of the country, and provide guidance on the standard, etiquette, and occasions for playing and singing of the national anthem. The NAO prohibits and imposes penalties to the misuse of the national anthem or the lyrics or score of the national anthem, and public and intentional acts with an intent to insult the national anthem" (The Government of HKSAR, 2020).

The National Flag and National Emblem (Amendment) Ordinance (Amendment Ordinance) was published in the Gazette and came into effect on 8th October 2021. According to HKSAR government, "The fundamental principle and spirit of this legislative amendment is 'respect' - respect our country and respect the national flag and national emblem, which are the symbols and signs of our country; and provides for the use, etiquette, education and promotion in relation to the national flag and national emblem. Targeting persons who conduct public and intentional acts with intent to desecrate the national flag or national emblem, the Amendment Ordinance has

	maintained and clarified the provisions regarding offences and penalties, as punishment and deterrent" (The Government of HKSAR, 2021).
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References:

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