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The Legal Aspects of Social Safety of Senior Citizens in Bangladesh

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Abstract

This paper explores the vulnerability and sufferings of the old-age people of Bangladesh in respect to health care, economic, and social protections. The article presents an analytical and conceptual approach to the socio-economic status of old-aged people in Bangladesh while focusing on the global context. The numbers of old-aged persons are increasing in the last years due to decreasing mortality rate and increasing life expectancy of the people as a result of improvement of the health sector in Bangladesh. Older persons need food with nutrient, proper and regular healthcare, adequate and comfortable living place, access to law, if necessary, proper recreation and more significantly the company of others which is very crucial in old age. Development of the so-called nucleus family in today's modern society, which means a family staying away from their parents, put the aged persons in very miserable conditions in our society. The right to enjoyment of the basic rights by the elderly people is recognized by the Constitution of the People's Republic of Bangladesh. This paper focuses on analyzing the National Policy and legal framework for upholding and protecting the rights, socio-economic development, and welfare concerns of elderly people in Bangladesh. There is an endeavor to explore the challenges which are standing as obstacles in ensuring the protection of the rights of old-age people and the development of their socio-economic condition in Bangladesh. Research methods used in this paper are documentation, analytical, comparative, and logical method. Authors tried to show that senior citizen of the society should get legal and moral protection from the family, society, and the state.

Keywords: Senior citizen, old-age home, maintenance, health care, old-age allowance, legal protection

1. Introduction

Bangladesh is currently experiencing the emerging challenge of population aging bearing more than ten millions (1.4 crores) of senior citizens and they are increasing by 4.41 percent every year (National Policy of Older Persons, 2013). The older people are about 8 percent of the country's total population and the number will grow to 5 crores by 2050 (UNDP, 2018). The old people will occupy 19 percent of the total population in developing countries within the next 50 years (National Policy of Older Persons, 2013). This demographic conversion will affect severely the personal, social, national, and socio-economic life of the people. Old age is one of the problems of the world as the older people suffer a lot from age-related problems. Therefore, the older people are growing faster than other age groups. They are more vulnerable, especially the women, as a result of socio-economic conditions. Many countries are facing economic and political pressures regarding the public system of health care, pension, and social protections for the older section of people (UNDP, Bangladesh, 2018). This issue is becoming a big concern in regards to the fiscal demands of the government. Human rights issues of older persons are often neglected in the national plan, policies, actions, and laws (Hossain, 2018).

2. Who are the Senior Citizens in the Society?

Old age is the later part of life after youth and middle age. It comes in a natural way. Scientists determine old age on the criterion of age considering the physical, psychological, behavioral, social, and cultural issues of the people (National Policy of Older Persons, 2013). However, we do not find any universal definition of old people though the United Nations considers older persons to be 60 years and above (UN, 2019). In most of the literatures, the sixty plus years is regarded as the mark of elderly people. The Madrid International Plan of Action on Aging considered someone who is at the age of 60 years or more as an old person (Art. 2, 2002). In most developed western countries, the age of 60-65 is considered as eligibility criteria to get the old-age social security benefits (Barry, wikipedia, 2020). In majority of those countries, people generally retire at 60-65 when the persons enter into old age segment. The National Policy of Older Persons (2013) specifies the mark of 60 years or more to recognize a person to be older. In the last few years, old persons are increasing day by day due to decreasing mortality rate and increasing life expectancy of the people for the improvement of the health sector in Bangladesh. The older persons were 6.1 percent of the population in the year 2001, and it will be 20 percent in 2050 (National Policy of Older Persons, 2013).

3. A Trend of Change in Social Respect to Elder Persons

There was a culture of respecting elder persons in Bangladesh as well as in other countries of the Indian Sub-continent irrespective of their religions and social status. The seniors were given priority in taking decisions on different social matters as well as in family matters. They were respected by

any unknown persons even with different social greetings. The older unknown people were often addressed by any young person who is a stranger by the socially respecting words, such as, 'uncle', 'aunt', 'grandfather', 'grandmother', etc. (Siddiqui, 2013). Even slightly older persons were referred to as an 'elder brother' or 'elder sister'. This social and cultural value of honoring the elders was very strong especially in the rural areas of the country. The families were united and there was strong family bonding among the members. They would care, help, and co-operate with each other in every psychological, financial, physical and social needs. Recently, the culture of honor towards the older persons is changing, especially in the urban areas, and families are disintegrating. The new younger generation prefers western culture of nucleus family, i.e., living away from their parents (Siddiqui, 2013). They are now becoming less caring about the elderly persons of the family. Many older persons are even not getting their basic necessities from their family members. Thus, this new style of the society is pushing the senior persons into miserable situations.

4. Problems Faced by Older People

Older people oftentimes lose their physical ability. For this reason, they develop physical and mental illness, decreased mobility, loss of sight and hearing, and weaker muscle and strength. They become too much sensitive to cold and hot weather. The old body becomes vulnerable to any rough situation. Osteoporosis, Arthritis, Heart Disease, Obesity, Diabetes, Hypertension, Stroke, etc. are the common diseases for old people. So, older persons are in need of regular health care. Nonetheless, many elder members do not get proper and adequate medical care from the society and they suffer untreated illness. This makes them go through an unbearable physical sufferings and finally to untreated-death. The elder citizens of the developed countries are now facing another problem of increased longevity. A long life of eighty or ninety years without proper care and support from the family members again creates other mental problems, such as, Dementia, Depression, and Loneliness.

Again, due to inability to work, millions of seniors experience chronic poverty. Poverty and unemployment make the older persons helpless to the others and this situation creates other problems, such as homelessness or inadequate shelter, lack of nutrient food, isolation, no access to law, etc. However, there is no available scope to use the seniors' experience in the job market. So, most of the older persons remain unemployed. Sometimes, the older persons require the help of the law to establish their proprietary rights. Nevertheless, unemployment associated with lack of company discourages or makes the older persons unable to take legal assistance. The senior citizens of Bangladesh do not have access to recreation or leisure time. Most of the recreation centers are occupied by the children and young people. The culture of dedicated recreation center for the elders has not grown in Bangladesh. There is no or very little special facility in the transportation and traffic system for the old persons in Bangladesh. The constructions of the roads are not

designed keeping the special needs of the aged persons in mind. The recent trend of small family culture has created another big problem in Bangladesh. The senior citizens are not getting adequate company from the family members or from other persons in the society. They are becoming isolated from the family as well as from the society which force them to face loneliness. The old parents are sometimes abandoned by the family members. Many times, the old parents become homeless. The elders are forced to stay in the old-age homes in wealthy families. Sometimes, the old members are forced to live separately from the family members. This new system of society makes the seniors very lonely, which results to unhappiness, hopelessness, physical and mental sickness, and finally unwanted and unpleasant early death.

5. The Legal Framework Protecting the Older Section of the Society

As the problems of old age are increasing day by day in every society, some steps have been taken both globally and at the national levels. Bangladesh has also come forward to adopt some legal framework. Some of the legal rules in the country are solid in nature in regards to the implementation aspect, and many are not specifically easy to implement. Thus, these laws and policies are shown below.

5.1. International Initiatives for the Protection of the Rights of the Elderly People

There are 703 million people aged 65 years or more in the world in 2019 and this number is projected to more than double reaching more than 1.5 billion within 2050 (UN, 2020). The 1st of October is celebrated as the International Day of Older Persons as per the United Nations General Assembly Resolution in 1990 (Resolution 45/106, 1990). The first international initiative was the Vienna International Plan of Action on Ageing (1982), which places emphasis on the old age, health problem, inability to work, isolation from families, loneliness, etc. of the older people of the world. Thereafter, the United Nations adopted the Principles for the Older Persons in 1991 (Resolution 46/91, 1990). The Second World Assembly on Aging was held in 2002 with the participation of 159 countries adopting the Madrid International Plan of Action on Aging to respond to the challenges of current population ageing and to promote the development of a society for all ages. It focuses on three priority areas, such as, (a) older persons and development, (b) advancing health and well-being into old age, and (c) ensuring enabling and supportive environment (Art. 1, 2002). This conference tried to link the question of aging to other framework of social and economic development and human rights. The government can find it as a resource in enacting laws and policy.

5.2. Constitutional Safeguards for the Elderly People in Bangladesh

The Constitution has given an obligation to the government to introduce social security programs for the insolvent elderly people of the country. Article 15 (d) of the Constitution clearly declares that securing the

right to social security and the provision of the basic necessities of life of the elderly people and other disadvantaged people is the fundamental duty of the state. This constitutional provision covers all the citizens in getting their basic needs such as food, clothing, shelter, education and medical treatment, and other rights. Irrespective of this provision, a particular focus is given to the aged persons. Although the above article is placed on the second part (Article. 15 d) of the constitution which is not judicially enforceable, the state is morally bound to fulfill this obligation. So, the supreme law of the country recognizes the rights of the elderly people to enjoy some basic rights from the state. Under the constitutional obligations, the government has framed the National Policy for the Elderly 2006 for the safety and welfare of the elders. 'The Maintenance of Parents Act, 2013' is an important legislation for securing the basic necessities of the hopeless parents. Articles 17, 19, 20, 27, 28, and 29 of the constitution ensure the equal rights and opportunities of citizens including the older people. The state is responsible for removing illiteracy and to ensure free and compulsory education (Article. 17). It will ensure equal opportunities for all the citizens (Article 19). Employment opportunity for all citizens has been confirmed in Article 20 of the constitution. The constitution has declared the equality before the law and equal protection of the law for all the citizens (Article 27). No discrimination guaranty on the grounds of religion, race, caste, sex, and place of birth is confirmed by Article 28, while Article 29 ensures equality of opportunities in public employment. Likewise, other general rights and guaranties of the citizens enshrined in Articles 31-44 ensuring, especially, that the right to protection of law, life and personal liberty, against arbitrary arrest and detention, in respect of trial and punishment, freedom of movement, of assembly, of association, of speech, of occupation, of religion, property, etc. are also applicable for the senior citizens.

5.3. National Policy on Elderly People

Bangladesh has approved a national policy on older persons in 2013 for upholding the rights, socio-economic development, and total welfare of the elderly persons of the country in the line of Madrid International Plan of Action. The Ministry of Social Welfare is dedicated for implementing the welfare programs for the senior people. The goal of the policy is to ensure the respectful, poverty-free, active, healthy, and safe social life of the older persons. The government has declared older persons above 60 years to be senior citizens of the country as per the policy, and they accepted a plan of action to execute the policy mainly focusing on the health, transportation, and accommodation of the senior citizens. Some of the objectives set in the policy are: inclusion of aging issue in different national policies, facilitate the participation of older persons in local government, development process, enterprises and institutions, protection by making and implementing laws, priority of older person in health services, promotion of older person friendly housing and infrastructures, etc. To fulfill the goals and objectives, the policy includes, among others, the following principles as the obligations of the state:

to recognize the old persons as the 'senior citizens' and introducing identity card for them, preserving seats in public transport and separate ticket counters, establishment of 'day care center' and 'old home', ensuring human rights, providing legal aids, ensuring enjoyment of property rights of elders, ensuring safety by law enforcing agencies, reduction of poverty, ensuring financial security through short and long term programs, introducing universal and non-contributory pension schemes, ensuring priority and special health care in government and private medical centers, introducing health service card and Geriatric Care and Medicine in the curricula of medical education, introducing education for the old persons, and implementing the policy through different committees under the Ministry of Social Welfare in association with private organizations and individuals. The priority and older-friendly construction of roads, public vehicles and the traffic system, recreations of the seniors, priority in utility services, extra benefits in saving schemes, and proper nutrition of the elderly people have been neglected in the policy which could make the elders' life more secured and comfortable.

5.4. The Law for the Maintenance of Parents

Parliament has enacted a new law 'The Maintenance of Parents Act, 2013' ensuring punishment for children who do not provide maintenance and proper care to their parents. As per provision of this law, the criminal court can compel the guilty son or daughter to take care of the parents by inflicting fine or imprisonment. This law may be used as a shield by the helpless parents as it provides proper remedy against society's new trend of separate living. A draft of 'Rules' has been framed titled 'The Maintenance of Parents Rules, 2017' under this law which is yet to be effective.

5.4.1. A Wider Definition of Maintenance

This law is not confined to include the traditional definition of maintenance, i.e., food, clothing, treatment and lodging, but rather it extends the meaning of maintenance to include company and care for the parents. Every adult son or daughter should regularly take care of the health condition of his/her father and mother and should arrange for their proper and necessary medical treatment. The term 'care' includes cleaning, toileting, feeding, medicining, medicating, exercising, etc. If the son cannot take care of his parents by himself for any practical and reasonable ground, he is expected to make arrangement for proper care by any family member or any caregiver (The Maintenance of Parents Rules, 2017 (draft), Rule 18). The son or daughter must take his/her parent to the doctor at least once a year and he/she should arrange for necessary diagnostic tests (The Maintenance of Parents Rules, 2017 (draft), Rule 17). A son living separately from his parents due to job or any other reasonable ground must give a reasonable amount of money to his parents (The Maintenance of Parents Act, 2013, Sec. 3). The law states that every son must live with his parents in the same residence and he cannot compel his parents to live in an 'old age home' or in a separate place (The Maintenance of Parents Act, 2013, Sec. 3). The parent's place of living should

be clean with proper ventilation for air and light (The Maintenance of Parents Rules, 2017 (draft), Rule 16). In case of separate living for some practical reasons, for example, for job, business and education purpose, the son must allow his parents to live with him in the same place and when a son reasonably lives away from the parents, he must meet with his parents regularly (The Maintenance of Parents Act, 2013, Sec.3). Here, the term ‘regularly’ should be explained taking into consideration the distance of the child’s place from his parents’ residence, physical-mental-financial condition of parents, ability of child, child’s sex, etc. Also, the daughter may be relaxed to perform this duty because according to the existing culture, a married daughter generally is dependent on her husband for her subsistence and movement in most families in Bangladesh (Mamun, 2017). The children must spend regular time and company with their parents. In the case of living away from the parents for a reasonable cause, the children must meet at least twice a year and must continue their communication and staying in touch with the parents using modern technology (The Maintenance of Parents Rules, 2017 (draft), Rule 19). The children will arrange adequate recreation including television, computer, newspaper, books, club, library, park, etc. as per the desires of the parents and according to the ability of the children (The Maintenance of Parents Rules, 2017 (draft), Rule 20).

5.4.2. Punishment to Ensure Maintenance

The aggrieved parent can file a complaint register criminal case to a judicial magistrate to establish his/her rights under this law (The Maintenance of Parents Act, 2013, Sec. 7). If the son does not provide maintenance or does not take care of his parent(s), he will be punished with fine which may extend to one lac taka. Thus, the non-payment may cause the son to be punished by imprisonment which may extend to three (3) months (The Maintenance of Parents Act, 2013, Sec. 5). The wife or any other relative, who instigates for non-maintaining the parents, will also be liable for the same punishment (The Maintenance of Parents Act, 2013, Sec. 5). This punishment may act as an effective tool to compel the ungrateful son to provide proper maintenance for his parents. However, this limited fine seems to be inadequate for the rich and wealthy sons or daughters who mainly do not take proper care of or give adequate time and company to their old parents. The law would be more fruitful and effective if it gives power to determine the amount of maintenance as an alternative to the family court (Mamun, 2017).

5.4.3. Rules of Conduct for the Children

A ‘rules of conduct’ has been prepared in the draft rules framed by the government to regulate the behaviors of the children towards their parents (The Maintenance of Parents Rules, 2017 (draft), Rule 13). This ‘rules’ will be finally made under the power given in section 9 of the Maintenance of Parents Act, 2013. There are twelve point rules of conduct set for the sons and daughters. Therefore, these include: (a) respectful behavior towards parents, (b) priority of the opinions of the parents, (c) arranging treatment and proper

medication, (d) maintaining property and other rights of the parents, (e) ensuring opportunity of utilizing the experience and ability of the parents, (f) no misuse of the properties of the parents, (g) no misappropriation of other heirs' rights in the inheritance of the parents, (h) no blame to parents for having no property, (i) trying to maintain the goodwill, status and family traditions of the parents, (j) managing financial saving scheme for the parents, (k) ensuring the presence of the parents in family and social programs, (l) ensuring enjoyment of other civil and political rights of the parents. Subsequently, there will be monitoring committees to regulate the maintenance matters of the parents under the law in the national, district, upajela, city, municipal, and union levels (The Maintenance of Parents Rules, 2017 (draft), Rule 3-9).

5.4.4. Parents' Care Center

The draft 'rules' requires the government to establish necessary Parents' Care Centers for ensuring maintenance of the old parents who do not get proper care and maintenance from the family members (The Maintenance of Parents Rules, 2017 (draft), Chapter 5). The government can declare any institution to act as the Parents' Care Center. The center will have two corners, namely: 'Day Care Center' and 'Night Shelter'. The children who cannot take proper care of them during the day time due to their professional business can keep their parents in the 'Day Care Center', while the children who cannot take adequate care of their parents at night, due to their professional business or for special illness of the parents or for any other reasons, can ensure the proper care of their parents by keeping them in the 'Night Shelter'. The care in this center is regarded to be the last resort for the children to take care of their parents. However, this kind of center may be established privately also with permission from the government. The center will provide adequate and proper maintenance of the old parents, such as food, living components, treatment, safety and security measures, healthy environment and other necessities things. The center will be financed by the government and through private donations.

5.5. The Personal Laws and Family Courts for the Maintenance

There are family courts in every district of Bangladesh which have power, among others, to determine the maintenance of the parents according to the personal laws of the citizens. The parent can file a law suit under section 5(d) of the Family Court Ordinance (1985) for maintenance. In this case, '*Jamila Khatun v. Roostom Ali*' reported in 48 DLR (AD) 110. In addition, the highest court of Bangladesh opined that as per the provisions of the Muslim Law, the poor parents can file a suit for maintenance against the opulent children under the Ordinance of 1985. These courts have the jurisdiction to settle the matter amicably using the process of 'reconciliation' or 'compromise' given as judgment by the court on the maintenance after hearing from both the parties (Family Courts Ordinance, 1985, Sec. 10&13).

5.6. Free Legal support to the Older Persons

Most of the older people of the country do not have adequate financial control to get legal assistance from the courts and the lawyers, and also to establish their necessary legal rights. Sometimes, they need to take legal actions against the family members for establishing the property rights and personal rights. In those situations, they become helpless and hopeless for want of money and other equipment. The legal Aid Act (2000) and the Legal Aid Rules (2014) provide free legal support to the poor old persons. The older persons who receive old-age allowance from the government and any insolvent or unemployed old persons can be provided legal aid from the government (Legal Aid Rules, 2014, Rule 2(2)(g), (m), (o) & Rule 2(1) (a), (b)). The legal aid covers court fees, lawyers' remunerations, and other relevant fees to the litigation (Legal Aid Act, 2000, Sec. 2). This enactment covers all the insolvent senior citizens providing the free legal help as per the obligations mentioned in Article 15(d) of the constitution and in the national policy on the elderly people adopted in 2013.

5.7. Aging Issue in other Soft Instruments of Bangladesh

The issues of the elderly people have been directly or indirectly included in different policy of Bangladesh. The National Health Policy (2011) provides the basic health care to every citizen of the country including the older persons. It gives special focus on the health problems of the older section of the population (National Health Policy, 2011, Principle 3). One of the plans of action of the government is that it will provide special health care programs for the older people (National Health Policy, 2011, Plan of Action 31). The National Social Welfare Policy (2005) has been adopted with an objective to prevent the problems, empowerment, and development of the older people among others (National Social Welfare Policy, 2005, Preamble 1.3). A working strategy set in the policy for ensuring the social security of the elderly people is to provide financial assistance to the older persons of the country (National Social Welfare Policy, 2005, Principle 6.1.1). The policy reiterates to provide medical facilities, shelter, training, and rehabilitation to the poor older persons (National Social Welfare Policy, 2005, Principle 6.2.1). One of the chapters in the National Education Policy (2010) has been dedicated to the adult and non-formal education (National Education Policy, 2010, Chapter 3). The policy has provided objects and strategies of adult education with a goal to make all the adult persons literate. The aim of adult education is to create in the older persons a minimum level of understanding about health education, environment, accounts, human virtues, and professional skills. The government aims to include the private institutions, civil society, educated students, local educated persons and radio-television in the adult education movement to eradicate illiteracy from the country. Consequently, there is a National Population Policy (2012) which obliges the government to undertake special priority programs for the elderly people of the country with regard to health, education, and social security (National Population Policy, 2010, para. 5.10).

6. Old-age Allowance in Bangladesh

Bangladesh is implementing programs to provide old age allowance since 1998 for the welfare and socio-economic protection of the old people (National Policy of Older Persons, 2013). The government is providing this financial benefit to the older persons of the country from the obligations enshrined in the Constitution, the National Policy on Older Persons (2013), and the National Social Welfare Policy (2005). The Department of Social Services is assigned to manage the old-age allowance program. Initially, 120 million taka was distributed among 0.40 beneficiaries at 100 taka per month in the 1997-1998 fiscal years. After then, the allocation increased to 18900 million taka among 3.1 million older persons in the year 2016-2017 at the rate of 500 taka per month. The male at the age of 65 and the female at 62 will be eligible to get the allowance (Implementation Manual for Old Age Allowance, 2013, p.2). The government has allocated Tk. 2640 crore (2.64 billion) taka for 4.4 million (44 lakhs) people with the same rate in this regard in the fiscal year of 2018-2019. A number of 4.9 million (49 lakhs) of older persons will receive the old-age allowance at the rate of 500 taka per month in the fiscal year 2020-2021, and the government has recently taken initiatives to send the old-age allowances through mobile banking system. This digitalization will surely minimize the difficulty, harassment, and corruption of the project. The government has allotted 2940 crores (2.940 billion) taka in the fiscal year 2020-2021 to cover the said 4.9 million (49 lakhs) older persons. The introduction of old-age allowance is a very good initiative in response to the social security of the senior citizens of the country, but the coverage of the number of older person is very little in comparison to the number of existing insolvent older people of the country. Besides, the monthly amount of allowance is as laughably low as a drop to an ocean. An old person can meet very little of his basic necessities with five hundred taka only.

7. Social Safety Laws in Different Countries for Older Persons

Our neighboring country, India, has enacted the Maintenance and Welfare of Parents and Senior Citizens Act (2007) which creates obligations on children and heirs to provide maintenance to parents and senior citizens. Thus, the failure to do so will make the person liable to suffer criminal penalty from court by a speedy, simple, and inexpensive mechanism. The state governments are obliged to establish old-age home in every district. Nepal has the Senior Citizens Act (2006) which requires each family member to maintain and care for the senior citizens according to the economic status and prestige of the member. Sri Lanka enacted the Protection of the Rights of Elders Act (2000) for the establishment of a National Council for Elders for the promotion and protection of the welfare and rights of the elders. The Elderly Rights Law (2013) of China requires the grown children to care and visit their aging parents frequently and ensure their financial and spiritual needs are met or to face fines or jail. Vietnam has the Law on the elderly (2009) and Taiwan enacted the Employment Services Act (2007) and Human Rights Act (1993) for the protection of the rights of the elderly people. The developed countries

also ensure the rights and welfare of the older people through different laws, regulations, and programs.

8. Conclusion

We have adequate policies for the protection of the rights and social security of the older people in Bangladesh. As per its nature, these cannot be claimed as rights until the law is enacted in support of it. The constitutional provisions have also been placed in the second part of it which cannot be executed by courts according to the constitutional provisions. The government should be more sensitized and active to fully implement the national policy on the older persons and other related policies. The maintenance law should be made more popular amidst the older people, and the judges and the social leaders should be sensitized by the government and non-government organizations working on this issue about the rights of the senior citizens. Steps should be taken to enact more laws to bring the letters into actions. The senior citizens are the architects of the civilization. It is our obligation to recognize their contributions towards the society. The society should be responsible for looking after the welfare and security of the older section of the population. They should not be treated as a burden to the society. As per the culture of the Asian nature, generally the elders dedicate their lives and all properties for their next generation. So, they deserve proper respect and care from the family members, the society, and the state. The old-age allowance should cover almost all the senior citizens of the country and the amount of monthly allowance should reasonably be increased to meet the basic needs of a person. The construction of roads and the traffic system should be made friendly to the old people. The human rights organizations should create awareness in the society and among the older people about the rights and protections of the elderly persons.

References

1. Barry Patricia (2020). “Medicare Eligibility Requirements-How to Qualify for Medicare.” *AARP Everw...AARP mentioned in en.wikipedia.org/wiki/Old...age*. Constitution of the People’s Republic of Bangladesh. Family Courts Ordinance (1985).
2. Hossain Mohammad Didar (2018). Constitutional, “Legal and Policy Framework of Human Rights for Older Persons in Bangladesh”, 3rd Annual Conference “*Narrating Human Rights: Issues of Migration, Discrimination, and Protection of Human Rights in Southeast Asia*”, University of Jember, East Java, Indonesia. Implementation Manual for Old Age Allowance Program Revised (2013).
3. Mamun, MD. & Abdullah, AL. (2017). “The Maintenance of Parents Act: A Protection Mechanism for Elderly People”, in *New Dimension of Law: Analysis of Selected Laws of Bangladesh*. Edited by Abdullah Al Faruque & M. Jasim Ali Chowdhury, published by HEQEP, CP-3156, May, pg. 67, Faculty of Law, University of Chittagong.
4. National Education Policy (2010).
5. National Health Policy (2011).
6. National Population Policy (2012).
7. National Policy of Older Persons (2013).
8. National Social Welfare Policy (2005).
9. Political Declaration and Madrid International Plan of Action on Aging (2002).
10. Siddiqui, M.S. (2013). “Legal and Social Protection of Senior Citizens”. *The Financial Express*, 25 January, pg. 13.
11. The Legal Aid Act (2000).
12. The Legal Aid Rules (2014).
13. The Maintenance of Parents Act (2013).
14. The Maintenance of Parents Rules (2017) (Draft). UN General Assembly Resolution 45/106.
15. UN General Assembly Resolution 46/91.
www.bd.undp.org/content/bangladesh/en/home/presscenter/pressreleases/2018/10/18/society_responsible_for_senior_citizens.html, last visited on 21 August 2020.
16. www.bd.undp.org/content/bangladesh/en/home/presscenter/pressreleases/2018/10/18/society_responsible_for_senior_citizens.html, last visited on 21 August 2020.
17. www.un.org/en/events/olderpersonsday/. last visited on 16 August 2020.
18. www.un.org/development/desa/ageing/international-day-of-older-persons-homepage.html. last visited on 17 August 2020¹ Resolution 45/106.
19. [www.unescap.org/sites/default/files/2.%20MIPAA%20Focal%20Point%20Presentation1%20\(Bangladesh\).pdf](http://www.unescap.org/sites/default/files/2.%20MIPAA%20Focal%20Point%20Presentation1%20(Bangladesh).pdf). last visited on 22 August 2020.
20. [www.unescap.org/sites/default/files/2.%20MIPAA%20Focal%20Point%20Presentation1%20\(Bangladesh\).pdf](http://www.unescap.org/sites/default/files/2.%20MIPAA%20Focal%20Point%20Presentation1%20(Bangladesh).pdf). last visited on 22 August 2020.
21. www.dss.gov.bd/site/page/7314930b-3f4b-4f90-9605-886c36ff423a, last visited on 1 September 2020.
22. www.dss.gov.bd/site/page/7314930b-3f4b-4f90-9605-886c36ff423a, last visited on 1 September 2020.

Linguistic Movements in Hong Kong: Linguistic Nationalism and Cultural Hegemony

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Abstract

This paper focuses on exploring the Hong Kong's Linguistic Nationalism and localist linguistics movements, including First 'Chinese' Movement from 1967 to 1970, Second 'Chinese' Movement in 1978 in Hong Kong British-Colonial Governance and Anti-Putonghua, and Pro-Cantonese Movement from 2008 in HKSAR governance.

Keywords: Hong Kong, Linguistic Nationalism, First 'Chinese' Movement, Second 'Chinese' Movement, Pro-Cantonese Movement

Introduction

This paper aims to explore the Hong Kong's Linguistic Nationalism and localist linguistics movements, including First 'Chinese' Movement (1967 to 1970), Second 'Chinese' Movement (1978) in Hong Kong British-Colonial Governance and Anti-Putonghua, and Pro-Cantonese Movement from 2008 in HKSAR governance. This was achieved by using a framework that incorporated the theoretical discussion on Gramsci's cultural hegemony and Anderson's paradigm on linguistic nationalism. This paper shows the importance of Cantonese as a culture combination of Hong Kong ethnicity's ancient history and myth because of its linguistic territory and the cultural hegemony through tremendous influence on official nationalism's impacts that is shaping the identity determination of most Hongkonger.

Theoretical Framework: Linguistic Nationalism and Cultural Hegemony

Anderson's ideas on the linguistics of 'simultaneity inhomogeneous empty time' (Anderson, 1991) creates the simultaneity of the imagination of the ethnic groups. It is 'a simultaneity of past and future in an instantaneous present. An idea of homogenous, empty time in which simultaneity is, as it

were, transverse, cross time, marked not by prefiguring and fulfillment, but by temporal coincidence, and measured by clock and calendar.’ (Anderson, 1991). Ethnic group members may not know each other, but through same linguistic, they will feel they are connected and related to one another in simultaneity inhomogeneous empty time. An example is their same reaction and collective memories in reading the context novels by same linguistic. Therefore, this means that the ethnic groups will develop “We” concepts of us and “Our” linguistics in the meanwhile, but distinguish the “They” concepts of them and “Their” linguistics from reading and speaking.

In Benedict Anderson’s explanation, Novels and Newspapers were the media of imagination to create ‘simultaneity’ of ethnic group (Anderson, 1991). For Novels, Anderson stated that the imagination of the ethnicity would be bounded by the context of their experiences. No matter the novels that have been described, it will create a social space to let the ethnic group feel the similar backgrounds. This is because it was written the way an ethnic group is familiar with, which is the same language that they are both using day to day. The ‘socioscape’ in the novels and the protagonist, as Anderson describes, are pointing to the image as ‘our’ society and ‘our generation young man’ by the readers of the same languages. Similar to novels, newspapers are also functioning as a medium of the imagination of ethnicity. When the newspaper readers are reading, Anderson describes it as a ‘historically clocked’ imagination community creation. The ‘simultaneity’ will happen in every reader’s mind as the newspaper will create the territory of provinciality that mentions the daily happenings of that which is in certain ‘spaces,’ of which most are related to ‘our’ society. The imagination of the ethnicity community is rooted in the imagination of the daily society. Another one is ‘plurality,’ referring to where and what the newspaper's reporters choose to report. This matters since the pictures they want to project are similar to the locals’ ethnicity’s daily. That is why there are ‘reading coalition’ formed by the languages to share a similar experience. The printed languages have helped certain thousands of readers to understand each other’s thought. Anderson describes it as ‘national printed languages’ since it showed a national writing system and own languages’ publications. Of course, due to technological development, he added that radio and television was another kind of medium to express the ‘simultaneity’ of the ethnicity. The linguistic nationalism will further have created populist nationalism movements and is the beginning of the creation of an imagined community.

In his books, Anderson (1991) also mentioned the official nationalism through government policy. For instance, in language policy, the appointment of government official and education to youth is related to the linguistic imagination of the ethnicity and will thus create a stronger nationalist movement. The official nationalism launched through government policy is the reaction to and is the counter back to the rise of ethnicity linguistic nationalism. It can be divided into two main streams: successful or not

triumphant official nationalism. The triumphant official nationalism can assimilate the ethnicity to become part of their mother-colonial countries nationality members. For not triumphant official nationalism, in the government appointment, ethnicity will always be exempted at the top tier of the colonial motherland-government official position. Therefore, in his words, 'the end of the educational/administrative route' of the local ethnicity is the territory that they lived. The youth can only be imagined getting into the best colonial-university on their colonial land. Their route in administration is also only on their colonial-land. More importantly, the language policy of the government will eliminate the other languages in the basic education system. It is the 'anticipatory strategy' of the government to prevent their 'domination group in the country' being marginalized because of the rise of linguistic nationalism. However, in the meanwhile, due to the needs of setting up for the local colonial governance, the bilingual talents would be trained through the dominate-education system. These bilingual youths under colonial governance are majorly a part of the imagined community as they will break down the racism critiques. Through bilingual, they can use mother-colonial languages to transform the media's readers, which can be colonizers, to become a part of ethnicity members. Therefore, in summary, the official nationalism in government appointment and education policy will only let the youth and the ethnicity to imagine that their colonial land is the destination of their places in life. Hence, the territory was created. The dominant colonial language policy will also create the chance of counter back from the local ethnicity as the bilingual talents will be trained. Also, they can spread the colonial's oppression in bilingual, resulting to the rise of the nationalist movement and nationalism.

Furthermore, official nationalism contained the cultural hegemony by the government. In Gramsci's explanation, hegemony is seen as a 'dominance or power over' or 'the leadership of a class over allies' in Marxist perspective. He thought of cultural hegemony as a non-coercive means of maintaining bourgeois dominance in capitalist societies. 'Superior culture' would be created in such circumstances. However, the alliances and coalitions are also made and remade in those creating process. These processes presuppose not merely the articulation but, crucially, the aggregation of interests. Gramsci mentioned that languages are critical because it cannot be separated from all aspects of social life. That is why the cultural hegemony will try to control the languages of schools, newspapers, popular and artist-writers, cinema, radio and religious group (Francese, 2013). Therefore, cultural hegemony is tremendously influenced by the linguistic hegemony, i.e., the official nationalism.

In sociology literature, the term "nationalism" has two main perspectives, including liberal nationalism and ethnic nationalism. These perspectives is influenced deeply by anthropologist Benedict Anderson's work entitled 'Imagined Communities.' As Smith (2010, p.10-16) stated,

ethnic nationalism refers to ‘territory and ethnicity’ as a ‘religion’ of public culture to draw boundaries between each other. The culture such as languages, religion, customs, institutions, laws, folklore, architecture, dress, food, music, arts even color, and physique are all parts of the ancient history and myths of each ethnicity since the people share collective memories and tied members together to separate them from outsiders (Smith, 2010). As Smith (2010) argued, culture can be able to build a collective identity and sense of belongings on the ethnicity’s ‘homeland,’ and people are willing to undergo self-sacrifice to protect it. The liberal nationalism provides an internationalist perspective to explain the making of nationalism (Smith, 2010). The identity construction based on the belonging of political life in nations respect the liberal values such as freedom, peace, social justice, the rule of law, and equity of human rights. Thus, their concern will focus on the political values of citizens. That is why the liberal nationalist believed in the possibility of building a melting pot of political, cultural, and ethnic identity such as the USA, Canada, and France. However, the liberal nationalism have failed to explain the culture’s uniqueness of each ethnic groups. In the meanwhile, the ethnic nationalism also ignores the Xenophobia and exclusionary critiques. Therefore, from this paper’s perspectives, Benedict Anderson’s approach to linguistic nationalism has become the ‘Third Route’ between liberal nationalism and ethnic nationalism. Table 1 illustrates the difference between liberal, ethnic, and linguistic nationalism.

As Anderson (1991) insisted, the collective name, common myth, shared history, shared culture, territory, and sense of solidarity has a strong sense of belongings and are transited into the same linguistics. This is because the words in writing and speaking in ethnicity included all the myths, histories, and all of the above cultures to experience the inheritance of the ethnicity by each families. Linguistic nationalism not only inherited Ethnic nationalism but was also impacted by the political values of Liberal Nationalism. This also include the political identity and the universal values of freedom, peace, social justice, the rule of law and equity of human rights. The will to sacrifice time in learning linguistic is already a proof to sacrifice for the ethnicity. Anderson’s ‘Third Road’ of linguistic nationalism argues that linguistic would not be xenophobia and exclusionary since it is inclusive when the outsiders are willing to learn linguistics; as a result, they will enter the same imagined communities of the ethnicity (Anderson, 1991). Secondly, linguistic can still be bounded as ‘them’ versus ‘us’ to highlight the culture’s uniqueness as it will bring the outsiders into a different world of culture (Anderson, 2016).

Therefore, this paper focuses on showing that the Benedict Anderson’s works' contribution on the relationship between Linguistic and Nationalism have seldom been discussed. Additionally, this approach is not yet being applied in the recent works, especially in Hong Kong’s nationalism discussion. This study can contribute to “The Third Road” of

nationalism discussion other than Liberal nationalism and Ethnic nationalism in Hong Kong. This paper also attempt to show that the Linguistic Nationalism in Hong Kong have already started from the British colonial rule, and the Linguistics nationalist movements in Hong Kong have always been resisting the official nationalism (Britishlization before 1997; Mainlandlization after 1997). Politically speaking, Linguistic nationalist movements in Hong Kong is the counter back against the cultural hegemony from the government's official nationalism. Socially speaking, Linguistic nationalist movements in Hong Kong is protecting the linguistic autonomy of ethnicity. Culturally speaking, Linguistic nationalist movements in Hong Kong is defending mother-tongue linguistics.

Case Analysis

The following three cases were picked as examples of linguistic nationalist and localist movement in Hong Kong as they both shared the similarities of the nationalist movement in defending mother-tongue linguistics, the linguistic autonomy of ethnicity, and the counter back of cultural hegemony through government's official nationalism.

Anti-Putonghua and Pro-Cantonese Movement in HKSAR Governance

Anti-Putonghua and Pro-Cantonese Movements in HKSAR governance have been the symbol of Hong Kong Nationalism and one of the localist movements. These movements are to explore in-depth theoretical nationalism discussion in Hong Kong. As So (2015) thought that the rise of Hong Kong Nationalism is due to the influx of Chinese mainland immigrants and tourists, social inequality and the anti-mainland protests, the similarities of these factors is yet to be identified. Linguistics posed as a symbol of cultural differentiation between the Chinese mainland and Hong Kong. The usage of the Traditional Chinese or speaking Cantonese has meanwhile become the way to define "Are you one of them or us?" Therefore, the significance of linguistic movements in Hong Kong has always been a lens of Hong Kong Nationalism.

Two years after the 1997 handover, the Overview Report on the Hong Kong School Curriculum from the HKSAR Curriculum Development Council already proposed that it is necessary to 'add the learning elements of Putonghua to the overall Chinese language curriculum and put "Teach Chinese in Putonghua" as the remote target.' HKSAR Standing Committee on Language Education and Research was sponsored using 2 billion dollars to launch the Teaching Chinese Languages in Putonghua Program which started from 2008 to 2014. 'The support scheme will be carried out in four phases, providing support to 30 primary schools and 10 secondary schools in each phase. A total of 160 schools will benefit. Each participating school will receive support for three years, including on-site visits by mainland professionals and local consultants in the first year to assist the formulation of

a school-based programme of using Putonghua to teach Chinese. Local consultants will continue to provide sustained support in subsequent years' (Education Bureau, 2008). Although the final report of the program commissioned by the EdUHK indicated that there is no clear evidence of a positive or negative impact on the effectiveness of Teaching Chinese Languages in Putonghua, the Education Bureau still published an article entitled "Language Learning Support" on its website on January 24, 2014. One of the paragraphs said that 'Although the "Basic Law" requires bilingual Chinese and English as the official language, it is close to 97% of the local population, including some newcomers to Hong Kong. Cantonese (a dialect of Chinese language that is not an official legal language) is used as a common language for home and daily communication. As for the official language of the People's Republic of China, the use of Putonghua is widely used, reflecting the close economic relationship between the Mainland and Hong Kong and the close ties between cultures.'" Thus, this created controversies among Hong Kong locals as the government seemed to lower the status of Cantonese Chinese. In 2015, the HKSAR Curriculum Development Council's Consultation Paper titled 'Renewal of Chinese Language Education Program (P.1-S.6)' stated that the government would continue to implement Putonghua Teaching Chinese in a school-based format. In addition, they will provide students with more Practical Learning Opportunities of Putonghua. Also, the document also advocates that 'students should have the ability to read simplified characters after mastering traditional characters.'

These education and languages policies created great sentiment from the Hong Kong locals, especially the youth, and many new popular Pro-Cantonese or Anti-Putonghua organizations were being set up during the controversies period (Table 2). They allied with the existing teachers and student organizations, like Progressive Teachers' Alliance, HKFS, Scholarism, Student Unions from CUHK, EdUHK, and HKU, and later organized Protect Cantonese Campaign through street and internet propaganda. For example, in February 2016, Scholarism, Societas Linguistica Hongkongensis, and Scholars said no to PMI and petitioned an open letter to Education Bureau that 'Displaces mother tongue in education cannot be tolerated...After a few generations, the culture will not exist. The reason the Government planned to implement simplified Chinese characters is no doubt paving the way for a cultural change and is also breaking the distinction between China and Hong Kong. When this move is accompanied by increasingly rampant Teaching Chinese in Putonghua, Hong Kong education became in line with China's education.' The movements are still on-going, although the government has removed that controversies article in 2014 and clarified that the government 'does not plan to regulate the learning of simplified Chinese characters at the primary and secondary levels. It does not review textbooks that use simplified Chinese characters, but it does not mean to replace traditional Chinese characters with simplified characters, or to "integrate" or dispel traditional characters.' In 2016, Teaching Chinese in

Putonghua is still the remote target of the government. As a result, government continuously provide funding support to encourage local school use Putonghua in teaching Chinese.

Why does the conflict between Cantonese and Mandarin matter? In the Hong Kong context, ‘Chinese’ can be divided into Cantonese Chinese and Mandarin Chinese. Pang (2005) and Qian (2010)’s research already told us that Chinese Cantonese and Mandarin Chinese speaking is different. Hsu pointed out that even in writing, Hong Kong Chinese is still different from the Modern Chinese from Mandarin (Hsu, 2009; Shek, 2006). Thus, different Hong Kong linguistics scholars like Cheung (2002), Cheng(1998), Tse (1997), and Leung (1997) also pointed out that there are tone differences between the speaking of Guangdong Cantonese and Hong Kong Cantonese. The modern Hong Kong Cantonese speaking is created in a context of the colonial governance’s long-term English-Cantonese mixed usage and ancient history of folk customs. However, that is why some of the Hong Kong Cantonese vocabularies are unique to the other Cantonese in China and have historical meaning of the Hong Kong ethnicity shared memories (Cheng, 1998; Cheung, 2002; Tse, 1997; Leung, 1997). Therefore, we could further put this context into Anderson and Gramsci’s explanation of cultural hegemony and linguistic nationalism. In Anderson’s words, as Cantonese usage in Hong Kong has been a long history, many of the languages nouns and adjectives already have been contained with myth and ancient history of the ethnicity, like a crooking sexual pervert, Mantis Shrimp, and Moron. The printed capitalism in newspapers, novels, books, radio, and television through Cantonese’s long history have drawn boundaries from creating ‘us’ and ‘them’ imagined communities.

Moreover, First and Second ‘Chinese’ movements in Hong Kong British Colonial Governance have fought the recognition of the ‘Chinese’ in official communication and mother-tongue Cantonese Chinese in the education system. Chinese in regards to official communication was successfully established in 1974, while mother-tongue Cantonese Chinese in the education system was successfully established in the 1990s. Due to the successful two ‘Chinese’ movement in the British colonial period, Cantonese Chinese has always been the medium of instruction in the education system. Also, it is regarded as the official status of Chinese in the formal communication. Therefore, the boundaries of linguistics, the foundation of Hong Kong Nationalism, have started and has always been reinforced by these two movements.

First ‘Chinese’ Movement in Hong Kong British-Colonial Governance

These two movements were anti-colonial governance campaigns from the Hong Kong locals. It mainly proposed that ‘Chinese’ should be national and official languages in Hong Kong. The Cantonese Chinese, which is the mother tongue of Hong Kong people, should be taught through the education

system by using traditional characters and in Hong Kong's context usage of vocabularies.

In Law's articles, he stated that, in the 1960s, the British-colonial government formed alliances with local elite Chinese and were appointed as executives and parliament. However, this still limited the elected seats in parliament to ensure the dominance of executive-legislative power and the political closure to local Hong Kong people. Therefore, the channels that reflect opinions to the government is also only limited to few English-speakers leaders in Hong Kong, which refers to only the foreigners or bilingual elites Chinese. These political structures influenced the Hong Kong society. These structures could be seen as the cultural hegemony to promote the official nationalism from Britain as English was the only medium of languages in official communication papers and high education system.

Law further stated that since Hong Kong 1997 future problem has not yet settled, the colonial government also created severe corruption and the economic inequality in society. Furthermore, the 1967 riot is the trigger point to make the anti-colonial sentiment to explode in public. After it, the anti-colonial sentiment continued and walked the traditional route. The university student's organizations, notably the HKU & CUHK Student Press and newspaper's critiques, played the leading role to write disclosures in pushing the government to give in. For example, Lau Nai-Keung, prominent pro-PRC supporter now, has written an article as a university student at that time, 'An autonomous government is undoubtedly the ideal goals (of us), if the authorities can legislate to recognize Chinese as the official language, it will be all-performing and harmless.' The student's alliances 'Fight for Chinese to Become an Official Language Association' also formed a committee with Workers Unions called 'Student-Workers Alliance' to discuss the possibility of launching student's strikes and worker's strikes in a bid to give government more pressures (Law, 2016; Lee, 2015). Law quoted Councilor Dr. Denny Mong-hwa Huang's speech at a public forum on 1st September 1970, '98% of the Hong Kong people today are dominated by a small number of privileged people who use English as the official language. The dominant is a manifestation of inequality. Therefore, the promotion of Chinese as the official language is a human rights movement.' At last, in 1971, the Hong Kong colonial government established the "Committee on the Use of Chinese in Public Affairs" and published four reports, which ultimately gave Chinese and English equal statutory status. In 1974, the colonial government officially revised the Official Languages Ordinance, and Chinese became the official language.

Second 'Chinese' Movement in Hong Kong British-Colonial Governance

The Second 'Chinese' movement, different from the First 'Chinese' movement's anti-colonial sentiment atmosphere, was the continuation of enthusiastic nationalist leftward Baodiao movement in the late 1960s to early 1970s, and it is influenced by the disappointment atmosphere from the end of

Cultural Revolution in PRC.

Lee (2015) has analyzed that the fuse of the second Chinese movement was the public examination requirement announced by the Hong Kong British government in 1978. The Examinations Authority announced that the government would take over the entrance examinations of the University of Hong Kong and the Chinese University of Hong Kong. Officials announced the required qualifications of the University entrance examinations is the pass in English and any other language, that means, Chinese is not the compulsorily required languages to pass. The university student's organizations such as The Chinese University of Hong Kong Student's Union announced statement that 'requiring that both the English and the Chinese language qualifications be qualified at the same time, and the status of Chinese language should not be dwarfed.' In November 1978, The Chinese University of Hong Kong Student's Union organized a "Teaching in Chinese Open Forum" and launched the "Significance of Cantonese Chinese Education" Signature Campaign for teachers and students in the university. Later, they allied with thirty-four cultural, educational, student and workers unions, and formed 'Chinese Campaign Joint Committee' to propose the three primary aims: 1. encourage the authorities to improve further the social status of Chinese, 2. implement mother-tongue Chinese teaching in secondary schools, 3. comprehensively improve the quality of Chinese teaching in secondary schools. Although at last, the British colonial government neglected the above three demands, it only changed back the requirements of the higher-level examinations to the pass in both Chinese and English in the late 1978. Thus, this is the first time Hong Kong people demanded mother tongue Cantonese Chinese, and it should be taught in the official education system in Hong Kong. Mother tongue Cantonese Chinese was officially established in the 1990s by the colonial government.

The official nationalism from the British government of pursuing high status and superior culture of 'English' could be seen as cultural hegemony by keeping the lower status of 'Chinese' in First 'Chinese' Movement. In Second 'Chinese' Movement, the colonial government tried to ensure the elites graduate from the universities allies with the ruling power by their local-elites cooperation and absorption governing strategies. From Gramsci's words, those cultural hegemony strategies are 'as a non-coercive means of maintaining bourgeois dominance in capitalist societies, made and remade the alliances and coalitions in the aggregation of interest's process.'

Furthermore, the undemocratic restriction of Hong Kong locals in participating in parliament and executive government created the political closure of colonial government. It made 'the end of the administrative route' of the local ethnicity in Anderson's words. That means the ethnicity of Hong Kong can only be imagined that Hong Kong is the destination of their places in life since the locals had no chance to elect any seats in mother 'colonial executive or legislative government.' They only could imagine Hong Kong as their final places of administration. In these circumstances, the territory of Hong Kong locals' imagination was created; also, the Hong Kong locals will

further see themselves as an ethnicity imagined community.

The dominant colonial language policy in English will also create the chance of counter-back from the Hong Kong local's elite. The bilingual talents such as university students and local elites like teachers will be trained, and they can spread the British colonial's oppression in bilingual. These could explain why the First and Second 'Chinese' movements are led by the bilingual youths, which are mostly university students in Hong Kong. In Anderson's explanation, these bilingual youths under colonial governance are majorly part of the imagined community as they will break down the government critiques of pursuing 'fascist racism.' Through learning bilingual, the youths can use mother-colonial government's languages to transform the media's readers, which can be colonizers, to gain support and be part of ethnicity members. Just like Gramsci stated, the youths through the use of bilingual would break the cultural hegemony of the languages, including the languages of schools, newspapers, popular and artist-writers, cinema, radio and religious group by influencing the administrative elites or locals elites within the British-local alliances.

Although the Great Chinese nationalist will argue that the sentiment from 'First Chinese Movement' is risen from the Chinese Patriotism after the 1967 riots, Law (2015), in fact, stated that the pro-CCP's Leftists attitude at that time towards the 'First Chinese movement' is extremely cynical. Thus, he quoted in an article 'About Chinese Status' in Wen Wei Po on 22-08-1970, 'In the "Official Languages", they scored "First Class" and "Second Class". At last, the Chinese were only "Secondary Languages," it became the foil of "First Languages" in English. Is this respect for Chinese? Do not see it. The social movement is just a tattered display of colonialist "democratic" windows.' The rise of 'Second Chinese Movement' also was a great counter-argument to the Great Chinese nationalist since enthusiastic nationalist leftard Baodiao movement in the late 1960s to early 1970s is also being influenced and is going downwards by the disappointment atmosphere from the failure of Cultural Revolution in PRC. Enthusiastic Great Chinese nationalist only played catalyst's role, but the central role is still the disappointment experienced due to Cultural Revolution.

The success of these two Chinese Movements has been the evidence to prove the setting up of Cantonese 'Chinese' to become one of the official languages in 1974 and that 'mother-tongue' Cantonese Chinese education in the basic education system in the 1990s is the victory of Hong Kong's locals. The success is a significant leap improvement in the ethnicity-building of Hong Kong as the linguistic nationalism of Hong Kong people is already being accepted by the colonial government.

Anti-Putonghua and Pro-Cantonese Movements in HKSAR governance are the continuations of First and Second 'Chinese' Movement. Once the Hong Kong ethnicity have built up their linguistic nationalism successfully and are accepted by the colonial government, another 'New'

official nationalism from HKSAR local government from China is likely to prevent the populist linguistic nationalism from the Hong Kong ethnicity through government's necessary educational policies again.

In political structure, HKSAR local government respected and obeyed PRC central government. Putonghua as Medium Instruction (PMI) in Chinese can be seen as the spread of official nationalism and culture hegemony from PRC, the new governor of Hong Kong. Since Putonghua is the official communication medium of PRC government, PMI should be encouraged in Chinese by the name of 'close economic relationship between the Mainland and Hong Kong.' Moreover, the close ties between cultures' and 'Cantonese is a dialect of Chinese language that is not an official legal language' by the HKSAR government aims to lower the status of Cantonese and create a superior culture of Putonghua. In Gramsci's explanation, HKSAR government want to build alliances with PRC government's officials among the 'close economic relationship and culture' interactions. Therefore, changing basic education policies into Pro-PRC policies, PMI in Chinese, have been the tool for the government's alliance made and remade process.

Official nationalism is another similar perspective, although scholars from EdUHK already stated that there is no clear evidence of a positive or negative impact on the effectiveness of Teaching Chinese Languages in Putonghua. Consequently, the official nationalism through languages policy changing is continuing. In Anderson's explanation, official nationalism through HKSAR government languages policy changing is the reaction to and the counter-back to the Hong Kong linguistic nationalism, the official languages of Cantonese 'Chinese' and setting up of 'mother tongue education,' which already developed in previous 'Chinese Movement.' If it is successful, official nationalism can assimilate the ethnicity to become part of their mother-colonial countries nationality members. However, the administrative route of Hong Kong locals is still restricted in HKSAR government. It is so difficult for Hong Kong people to become government officials in China PRC government. The PRC government still neglected the problems of Hong Kong locals in 2018's National People's Congress and the National Committee of the Chinese People's Political Consultative Conference. Same as the 1970s youths in Hong Kong, Scholars Liu (2018) stated that Hong Kong people are 'sub-national' of China. The counter back of the Hong Kong youth movements have proved the developed ethnicity imagined community bonding of the linguistics. Pro-Cantonese, therefore, became one of the symbols of defending own cultures, myth and history of the Hong Kong ethnicity, and the symbol of linguistic nationalism. Unfortunately, the bilingual youth's impacts from Anderson's perspectives is yet still not happening in Hong Kong. Even the Pro-Chinese Movement had characteristics of 'Putonghua Hatred.' As the languages movement is on-going, researchers should still pay more attention to it.

Conclusion

In conclusion, this paper tries to quote Benedict Anderson's works, Linguistic Nationalism, and Gramsci's cultural hegemony as an explanation of Hong Kong's Linguistics nationalist movements. In the Hong Kong context, the nationalism shared similar but stronger localism forms. It is not only focused on local ownership of supplies but also responded to the demands of ethnicity nation ownership. Although the Hong Kong scholars still debate on the rise of the Hong Kong nationalism, this paper insisted that the Benedict Anderson's linguistic nationalism and Gramsci's culture hegemony explain how and why Hong Kong's nationalist movements happen in HKSAR governance such as Anti-Putonghua and Pro-Cantonese Movements. The reason is that Hong Kong locals is defending mother-tongue linguistics, the linguistic autonomy of ethnicity, and the counter-back to cultural hegemony in government's official nationalism since the First and Second 'Chinese Movement in Hong Kong British Colonial governance. The effects of the linguistics movements, for example, Chinese as one of the official languages and Cantonese as official teaching languages, has reinforced the linguistic nationalism in Hong Kong to counter-back the official nationalism of cultural-linguistic hegemony. This study shows that nationalism and localist movements are not always xenophobic, but it serves as a way to strengthen their imagined community of the ethnicity and defend their ethnicity. Since it shows the importance of Cantonese as a culture combination of Hong Kong ethnicity's ancient history and myth, the nationalism may be raised from the linguistic usage of the territory and the cultural hegemony in official nationalism's impacts.

References

- 1.Anderson, B. (1991). *Imagined communities: reflections on the origin and spread of nationalism*, Verso, London
- 2.Anderson, B.(2016). *A life beyond boundaries*, Verso, London
- 3.Calzada, I. (2017). “Metropolitan and city-regional politics in the urban age: why does “(smart) devolution” matter?”, *Palgrave Communications*, 3: 17094.
- 4.Cheung H Samuel (2002). “21 Shìjì de xiānggǎng yuèyǔ yīgè xīn yǔyīn xìtǒng de xíngchéng (Hong Kong in the 21st century Cantonese: The formation of a new voice system) ” 《*Jinan Journal*》。24.2: 25-40。
- 5.Cheung, T. (2015). “Father” of Hong Kong nationalism? A critical review of Wan Chin’s city-state theory. *Asian Education and Development Studies*. Vol. 4 Issue: 4, pp.460-470, <https://doi.org/10.1108/AEDS-07-2015-0032>
- Curriculum Development Council (2015). “hok6haau6 fo3cing4 ci4zuk6 gang1san1 : zeoi6ziu1 、 sam1faa3 、 ci4zuk6 gang1san1 zung1gwok3 jyu5man4 gaau3juk6hok6 zaap6 ling5wik6 fo3cing4 (siu2 — jat1 zi3 zung1 luk6) zi1seon1 gaan2 gaai3(The school curriculum is continuously updated. Focusing, deepening and continually updating the curriculum of Chinese language education and learning (Primary1 to Secondary6). Hong Kong Education Bureau. Available at:http://www.edb.gov.hk/attachment/tc/curriculum-development/renewal/CLE/brief_CLE%20KLA.pdf
- Curriculum Development Council (1999). “A Holistic Review of the Hong Kong School Curriculum Proposed Reforms.” HKSAR Education Bureau. Available at: <http://www.edb.gov.hk/tc/curriculum-development/cs-curriculum-doc-report/holistic-review/index.html>
- 6.Education Bureau (2008). “ SCOLAR intensifies support for schools to teach Chinese in Putonghua.” Standing Committee on Language Education and Research. Available at: <http://www.info.gov.hk/gia/general/200801/03/P200801030085.htm>
- 7.Francese, J. (2013). *Perspectives on Gramsci politics, culture and social theory*, Routledge, London.
- 8.Hong Kong Education Bureau (2016). “Fán jiǎn zì wèn tí zhèng miàn dì zhèngcè zhèng miàn dì(The problem of traditional or simplified Chinese characters is positive Policy is positive). Press Release 。 Available at:<http://www.edb.gov.hk/tc/about-edb/press/cleartheair/20160213.ht>
- 9.Keating, M. (2016). “Contesting European regions,” *Regional Studies*, 51(1), pp.9-18
- 10.Leung-Leung & Li Li Lily (1997). “Xiānggǎng yuèyǔ yǔ xiānggǎng wénhuà de guānxì (The relationship between Hong Kong Cantonese and Hong Kong culture) ” 《*Dialect*》。1997 (3), P. 183-186。
- 11.Lo, KC. (2017). “What’s Love Got to Do with Ethnic Tensions in Hong Kong?. In: Erni J. (eds) *Visuality, Emotions and Minority Culture*”. *The*

Humanities in Asia, vol 3. Springer, Berlin, Heidelberg

12.Loo, J.H.C. (2018). A localist's critique of Hong Kong's political development. *Asian Education and Development Studies*.

13.Smith, A. D. (1995). *Nations and nationalism in a global era*, Polity Press, Mass, Cambridge

14.Smith, A. D.(2010). *Nationalism*, Polity Press, Mass, Cambridge

15.Sonny Lo (2007). "The Mainlandization and Recolonization of Hong Kong: A Triumph of Convergence over Divergence with Mainland China," in Joseph Cheng (ed.), *The Hong Kong Special Administrative Region in its First Decade* (Hong Kong: City University Press), pp. 179-232.

16.So, A. Y. (2011). "One country, two systems" and Hong Kong-China national integration: A crisis-transformation perspective. *Journal of Contemporary Asia*, 41(1), 99-116.

17.Tse, YK. (1997). "Xiānggǎng de duō wénhuà xiàxiàng yǔ gǎng shì zhōngwén(Hong Kong's multicultural phenomenon and Hong Kong-style Chinese)" 。《Dialect》。1997.(3)

18.Veg, S. (2017). "The Rise of 'Localism' and Civic Identity in Post-handover Hong Kong: Questioning the Chinese Nation-state," *The China Quarterly*. Cambridge University Press, 230, pp. 323–347. doi: 10.1017/S0305741017000571.