Constructing and Contesting the ‘Order’ Imagery in Media Discourse: Implications for Civil Society in Hong Kong
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This article examines the role of the mass media in the discursive field of civil society in Hong Kong with reference to three case studies. The civil space is defined and redefined through the interplay between a dominant discourse of order versus chaos on the one hand and an opposition discourse of civil society on the other, the latter being mixed with certain ideological, pragmatic and marketing considerations by the mass media.

Keywords: Civil Society; Mass Media; Law and Order; Hong Kong

In post-handover Hong Kong, the space of civil autonomy has been subject to much negotiation and contestation through state practices and civil struggles (Ku, 2004). More specifically, the signification of events in the mass media provides a major terrain where consent to the hegemony is won or lost (Hall, 1982; Hall, Jefferson, Clarke, & Roberts, 1978).

For the purpose of this special issue, this article pays particular attention to the role of the mass media in the larger discursive field with reference to three case studies. Generally speaking, the local commercial newspapers present different marketing strategies that span the spectrum from elite appeal, with a claim to professional objectivity, to mass appeal (Lee & Lin, 2006). For example, Ming Pao, Economic Journal, and South China Morning Post are more elite-based, and Apple Daily and Oriental Daily are more oriented to the mass. Between the latter two, Apple Daily adopts a critical or even oppositional stance regarding the government whereas Oriental Daily is more pro-government. The three case studies that follow—regarding the disputes over the right of abode in 1999, the Public Order Ordinance...
in 2000 and national security in 2003—presented three of the most significant episodes relating to civil rights after the handover. All the three cases have been discussed in some length in the author’s earlier works, and in this article the details will be skipped but a new comparative angle will be brought to bear on the cases to illustrate the varied and changing roles of the mass media within this wide spectrum *vis-à-vis* the state, civil society and the ideological hegemony. More specifically, under the ideology of law and order, a discourse of ‘order versus chaos’ has become quite dominant in society. And yet it does not remain uncontested. The questions are, how was this ideological framework asserted in the discursive field that put limits on our political possibilities, and through what political, discursive and dramaturgical practices might the civil space be set free from such an ideological restraint in particular political moments?

The Right of Abode Saga in 1999: The Double Loss of Civil Society

*The Event: Dual Implications for Civil Society*

The Basic Law, which has come into effect upon China’s resumption of Hong Kong on July 1, 1997, guarantees right of abode to all persons, among others, of Chinese nationality born to Hong Kong residents regardless of their place of birth. The controversy was raised when, immediately after July 1, 1997, hundreds of mainland-China-born children of Hong Kong residents who had either overstayed upon expiry of their temporary permits or entered the territory illegally made a public claim to their right of abode, and when the government redefined and curtailed the rights of these people through legal amendment. It then resulted in a tortuous process of legal and political battle between the state and civil society for more than two years until 1999. Finally, although the Court of Final Appeal (CFA) in Hong Kong affirmed the constitutional right of abode of all mainland-born children of Hong Kong residents, the government resorted to the Standing Committee of the National People’s Congress for constitutional interpretation, which resulted in some important modifications of the CFA ruling. The controversy over the right of abode in 1999 merits attention as it brings together two facets of civil society in one drama, namely, inclusion versus exclusion and civil autonomy (rule of law) versus state power.

The Basic Law has delineated the normative and institutional boundary of a local civil society in legal-formal terms and yet it vests final interpretive authority over laws pertaining to Hong Kong in the Standing Committee of the National People’s Congress in China. In the right of abode event, the law played a double-edged role in serving as both a tool of political domination by the state and a weapon of struggle by civil society against the state. In the context of ‘one country, two systems’, the court ruling was subjected, upon the invitation of the local government, to a process of political interpretation by the National People’s Congress in China. In the public sphere, two competing legal discourses arose as two possible solutions to the impasse, namely, ‘rule of law’ versus ‘rule by law’. The latter stressed authority of the law over
the rights of citizenry, which was tantamount to the ruling ideology of law and order. The government subordinated the former to the latter as a more immediate solution by means of a creation of social panic (Ku, 2001).

Co-producing a Discourse of ‘Threat to Social Order’ by the Government and the Mass Media: Displacing the Claims to the Rule of Law and Human Rights

The flip side of order is chaos. Under the hegemonic framework of order, the creation of social panic is a powerful means of persuasion that often entails the identification of particular groups of people as the cause for chaos (Hall et al., 1978). In the right of abode event, a sense of social panic was produced that identified the mainland-born children as a threat to social order as well as burden on society. The panic was constructed through the interplay of a number of cultural factors and institutional mechanisms: a hegemonic sense of identity around the values of prosperity and stability as well as a pre-existing cultural framework that defined mainlander as a cultural other; construction of the ‘fact’ of threat to social stability under the guise of objective statistics; and the spiraling effect of the news media.

In April and May 1999, the Secretary for Security and the various policy bureaus released two sets of figures that showed that with the Court of Final Appeal ruling, an estimated 1.67 million people might cross the border costing taxpayers HK$710 billion (approximately US$91 billion) in 10 years in the areas of housing, education, medicine and social welfare and pushing unemployment rate up to as high as 18%. The statistical figures were quite problematic. In the first place, since the government monopolized information about the design and details of the survey, there was no way to confirm the validity of the estimation of incoming migrants. In the second place, underlying the statistical projection of expenses was an assumption that the mainland-born children would all be unemployed, welfare-dependent and making no contribution to the economy. The message was that mass migration of mainlanders would pull down the standard of living and thin out the resources for economic development and improvement of living conditions in Hong Kong.

One critical question is, how did the mass media help sustain the generation of the social panic? The notion of ‘signification spiral’ (Hall et al., 1978, p. 223) underlines the role of the mass media in both subscribing to the idea of threat as propagated by the dominant group and escalating the sense of threat through signification and representation. In the earlier stage of the event, the newspapers signified the event in terms of the framework of ‘order versus chaos’. Such a juxtaposition laid the basis for generating a sense of danger about disorder or loss of control in the later stages of the event. After the release of the statistics by the government, evidence of the news media contributing to the spiraling effect abounded in news headlines, either through a simple reiteration of official figures as if they were facts or through sensational intensification of the projected effects:

Right of abode causing a population disaster; 1.67 million of mainlanders storming into Hong Kong. (Oriental Daily, April 29, 1999)
Official assessment of the impact ... unemployment rate will rise up to 18%. (Ming Daily, April 30, 1999)

Ruling raises squatter fears. (South China Morning Post, May 3, 1999)

1.67 million new migrants costing HK$710 billion; the economy collapsing, livelihood deteriorating to a dismal state, and the Hong Kong government surrendering itself to it. (Oriental Daily, May 7, 1999)

People flooding into Hong Kong—an unbearable burden. (Apple Daily, May 7, 1999)

In all the newspapers, the government’s statistics were simply reiterated without being questioned. Noticeably, Ming Daily and SCMP appeared to adhere to the norm of professional objectivity by using less emotive words. However, in reiterating the official statistics, they could add rhetorical weight about the immense scale of the problem as if it were an indisputable ‘fact’. Among the mass-oriented newspapers such as Apple Daily and Oriental Daily, strongly-loaded words like ‘disaster’, ‘storming’, ‘collapsing’, and ‘surrendering’, ‘flooding’ and ‘unbearable’ further added up to convey a scary sense of a doomsday scenario. As far as symbolic mechanisms were concerned, the construction of panic would necessarily call forth a quick and resolute decision to resolve the crisis. For example, in mid May 1999, opinion polls showed that 83.8% of the respondents were in favor of blocking the mass influx through decisive action. The invocation of public opinion then became a powerful political weapon for the government while putting restraints on the movement alliance. As it developed, the successful creation of social panic worked to the favor of the government’s proposal for constitutional interpretation, an option that for all likelihood would undermine the rule of law.

After creating a sense of population crisis, the government immediately called for a quick and drastic resolution. The resolution was to first reduce the whole problem to a matter of legal means and speed—constitutional amendment through the local legislature (slow) versus constitutional interpretation by the Standing Committee of the National People’s Congress (quick). The former conformed to the rule of law tradition whereas the latter was based on the legal tradition in China. Finally, by means of the latter, the government succeeded in overturning part of the ruling of the Court of Final Appeal in Hong Kong. It justified the move on the grounds of legality, speed and effective population control. Apparently, the government’s turn to national law was overlaid with a concern about ‘law and order’ that privileged political and administrative expediency.

Between the two competing legal discourses, the rule of law discourse was displaced under the government’s larger hegemonic framework, namely, stability and prosperity, which was further reinforced via a discourse of sovereignty that sought to subordinate the rule of law. And in the process of struggle, the moral rights claim to family reunion was marginalized as the legal discourses began to dominate public debates. Through the mass media, the established framework not only set the terms
of public debate but also defined the form of linguistic capital (Bourdieu, 1991)—for example, legal knowledge—required for public discourse, which differentiated between competent and non-competent speakers in the field of discursive struggle. Opposition voices falling short of the necessary linguistic or cultural capital were trivialized and neglected in the mass media. As a result, the moral rights claim to family reunion by the rights claimants as well as their parents was further displaced.

As we have seen, the construction of social panic had the effect of enabling the government to justify its decision to go for constitutional interpretation, which undermined the rule of law and gave rise to discriminatory and exclusionary outcomes. A related question perhaps is, why did the mass media participate in the process of co-producing the social panic? At least two explanations may be postulated. First, institutionally, the political media tended to rely on the government for news and would therefore be prone to reiterating official information, views or frames, especially when they had some common interests or shared the same ideological outlook. This brings us to the second point, which is, ideologically, the government successfully played on the hegemonic values of prosperity and stability that were embodied in the sense of Hong Kong identity (vis-à-vis the mainlanders), and the mass media largely shared such values even at the expense of the rule of law and human rights. This case study testified to the ideological limits in our discursive field of civil society as mediated through the mass media. Still, the rule of law discourse was not entirely marginalized and it continued to remain a significant opposition discourse by the pro-rights groups, the effects of which might vary from situation to situation, as shown in the following two cases.

The Public Order Ordinance\textsuperscript{4} Disputes in 2000: Defining and Redefining the Boundary between Rightful Activism and Institutional Order

The event over the Public Order Ordinance in 2000, which involved a campaign of civil disobedience against the law, took place amidst increasing state–society tensions over the issues of law, right and constitutionality after the right of abode controversy. The struggle against the Ordinance was not planned beforehand but broke out by accident during a demonstration over the right of abode issue on June 26, 2000, in which scuffles were resulted between the protesters and the police. In the end, a total of 16 people including seven university students were arrested over the June demonstration as well as an earlier demonstration in April. They were accused of taking part and assisting in the organization of an unlawful assembly and obstructing police in the execution of their duties. The arrests subsequently developed into a public drama of intense civil conflicts around two related issues: one about the excessive power of the police, and the other about the legitimacy of the Ordinance. As for the role of the mass media, despite the government’s appeal to law and order, they contravened official lines in this instance and showed sympathy for the students, which helped expand civil space at the start. However, in the course of the event, they shifted their stance in very subtle ways. The following discussion will show how the
press helped mobilize public support for the campaign of civil disobedience in the earlier stages of the event and how they played a role in engineering a ‘meaning shift’ in the process under a variation of the ‘order versus chaos’ theme, namely, institution versus activism. This not only brought an end to the campaign but also brought politics back to the track of an authoritarian order that dissipated politics in civil society. This case study will demonstrate both the possibilities for and limits to the struggle for civil rights.

In Support of a Campaign of Civil Disobedience

At the outset, the government defined the protesters as non-law-abiding citizens, but the opposition discourse managed to gain sway and soon developed into a successful performance of civil disobedience. Public opinion was not one-sidedly supportive, yet by and large, newspaper editorials, commentaries and public opinion surveys showed much sympathy for the students, while support was mobilized from academics, ex-student movement leaders, the legal profession, pro-democracy legislators, and other civic groups in society. The resistance movement gathered momentum around late September and early October when the government pursued the second arrests of five students over an April demonstration. It was at this juncture that a coalition of student activists, pro-rights groups, ex-student movement leaders and other social groups mounted a campaign of civil disobedience. The interesting question is, in view of the government’s frame of ‘illegality’, how did the opposition discourse come to establish its meaning and credibility as a rightful course?

The dramaturgy for the discourses of rights and rule of law was grounded at the outset through a more or less consensual construction in the public sphere: the police using excessive force against peaceful demonstrations. What made this alternative, consensual construction more plausible was the performance by the protesters—the orderly, non-violent, and non-provoking manner in which the rallies were held. This was followed by an ensemble of political, discursive and dramaturgical practices that paved way for a battle against the legitimacy of the Ordinance itself. First, the government was seen as posing serious threats to civil liberties, both real and symbolic. These included the use of coercive force by the police against the students, the capricious arrests of the protesters, and also the unsympathetic and provocative style of the Secretary for Security, Regina Ip. Second, emboldened with public support, the students began to shift from the role of victim to hero in a performance of civil disobedience through speeches and actions that conveyed a spirit of defiance, self-sacrifice and respect for justice. Third, the students were enthroned with a special sacred status that added symbolic weight in the civil struggle, as a result of public construction via the mass media and their supporters (Ku, 2004).

Regarding the last point above, the mass media showed support for the student protesters by highlighting the latter’s moral role as credible fighter. It was most evident from the fact that public discourse, opinion surveys and supportive collective action had focused only on students to the exclusion of other non-student arrestees.
Apart from calls for lenience by university heads and professors, a narrative celebrating student-hood or student activism as a symbol of idealism was given a most succinct account in an editorial in *Economic Journal* that characterized students, especially student leaders, as generally embodying the ‘conscience of society’:

(S)tudents are pure, empathetic and righteous, and they hate vices. Student leaders often represent and reflect the superb qualities of the students; they embody and reflect the conscience of society ... (August 28, 2000)

Apart from the mass media, the sanctity of the social category of student was further enhanced through a symbolic link with the long tradition of student activism as ex-student movement leaders initiated a campaign in support of the students on October 8. By then, a campaign of civil disobedience was effectively conducted through scripting, role enactment, symbolic expressions, and activation of tradition within the discourses of rights, rule of law, and constitutionality.


As the event developed, two interrelated processes were at work in bringing about a new turn that worked to the advantage of the government. First, the government finally decided to drop the prosecution; second, the government remained firm as the guardian of law and order, a role taken up primarily by the Secretary for Security in its defense of the Ordinance. Regarding the first point, as the government dropped the prosecution, the anti-Ordinance campaign began to lose steam. Among others, the end of the anti-prosecution campaign set in process a concerted call to turn to institutional procedure for a legislative resolution, not only among the pro-rights legislators and the legal profession but also among the press. Politically it seemed to be a logical course to take, but the shift was also mediated through a process of meaning reconstruction in public discourse that began to denigrate street activism. A deeper look at the multiplicity of sub-discourses reveals how public sympathy for the students embodied nuanced differences over the ideas of rights, civic propriety, and student-hood which both reinforced and fragmented the narrative of civil disobedience. This made way for a re-scripting process whereby street activism gave way to institutional politics as the new center stage, which had significant symbolic and political impacts on the final outcome.

Both *Ming Pao* and *SCMP*, which were elite-oriented and adhered to the norm of professional objectivity, shifted their stance towards the framework of order via different discursive strategies. For instance, there was a fine line between asking the government for lenience and forbearance and a heroic assertion of rights and resistance. An editorial in *SCMP* wrote,

So few protesters were involved in the arrests, and at an age when rebellion is to be expected. Since there is a lot at stake in their futures, and because they are more than likely to become tomorrow's respectable and law-abiding citizens, it is unfortunate that the police did not feel disposed to show a little more forbearance. (October 6, 2000)
In this account, forbearance towards the students was the theme, and students were conceived not so much as the ‘conscience of society’ in a discourse of heroic resistance, as a particular rebellious age group and the future respectable and law-abiding citizens in a framework of law and order. This account exemplified how underlying the same demand for non-prosecution could be a discourse that added weight to the opposition discourse at one point of time and yet diverged from it once the cause for sympathy (the possibility of prosecution) was removed:

Activism has set that process in motion … However … the SAR is founded on the rule of law and thrives because of it. People cannot pick and choose which sections of the law they want to obey. When laws are repressive, they can be challenged, but a free society has legal means of bringing about change. That is the better cause. In a democracy, public pressure should influence government without resorting to law-breaking. (SCMP, October 26, 2000)

The idea was that street activism had played a significant role in stage one but needed not outlive it. A discourse of rule of law presuming institutional pluralism as well as an idea of law-abidingness was at work to underscore a necessary transition from activism to legislative politics. Likewise with an appeal to calmness and reason, the editorial in Ming Pao proposed that the government ‘take back the initiative by proposing a legal review … with a cool-off period of two to three months first, so that we can have a rational and objective discussion’ (October 26, 2000).

The underlying ideas were rational discussion versus broil, institutional order versus unresolved chaos. In the midst of increasing calls for a legislative resolution in public discourse, what happened was that the government later appropriated the appeal to reason and usurped the idea of legal review while standing firm against any amendment of the law.

The next set of strategic moves by the government was taken up primarily by the Security Bureau under Regina Ip, who quickly tabled a motion in support of the Ordinance in the Legislative Council. The intended dramaturgy of this move was to present a strong and effective government taking the initiative to resolve the disputes through reasoned debates, public consultation and legislative support. Despite the charge of hypocrisy, the Secretary for Security was able to command the stage of legislative debates and thereby seize media attention by giving a well-rehearsed, provocative and elaborate speech in a Legislative Council meeting that was dense with uncommon metaphorical references about chaos, disorder and danger associated with unregulated and emotional mass gathering. Under the given institutional structure, it was she who, with her frame of mind and domineering profile, personified the law and order ideology, seized back the center stage of the drama from street activism to institutional politics, and finally successfully kept the Ordinance unchanged.

In sum, this case showed that the mass media—Ming Pao and SCMP in particular—played a rather inconsistent role in defending civil autonomy. They supported the protesters’ cause for civil disobedience at the beginning when the protesters were under arrest by the government but they quickly yielded to the
rationality of institutional order when the impending possibility of prosecution diminished, even though it was an undemocratic institution. Apparently, their concern for civil autonomy was mixed with and compromised by such other considerations as student-hood, practicality and institutional order.

The First of July Demonstration in 2003: A Civil Society in Unity and in Tensions

As the two previous cases showed, the ruling bloc was in an advantageous position that enabled itself to win over public consent to the hegemonic framework of law and order despite resistance. Nevertheless, public support for resistance was not entirely absent, as in the early stages of the Public Order Ordinance disputes. On July 1, 2003, some 500,000 people took to the street to protest against the local government, which was unprecedented in Hong Kong. A strong impetus against the government or the state was at work in the society at large in bringing about the event. Put briefly, the government was seen undermining the rule of law and becoming increasingly overbearing, especially regarding the proposed legislation on national security—Article 23 of the Basic Law. More specifically, its refusal to concede to the strong public demand for publishing a white paper on the details of the proposed law underscored a tinge of resolute authoritarianism that undermined the role of civil society in the political process. With an added dramaturgical effect, the security chief, Regina Ip, increasingly cast herself as an unyielding agent of state power. Other factors such as a worsening economy after the Asian financial crisis in 1997 and the SARS crisis in the spring of 2003 added fuel to popular discontents against the government. Unlike the previous two cases, the event bespoke a rare instance of massive resistance in society against the government. In the following, I will examine how the mass media played a role in bringing about this spectacular challenge against state power that opened up new possibilities for civil society, and whether or not such possibilities were translated into strong political claims regarding democracy and participation.

The Press as an Agent of Political Mobilization against the State

Journalists were among the strong pro-rights voices as direct interests were at stake, namely press freedom. In opposition to the government, they, alongside other rights concern groups, stressed the rule of law and evoked the Johannesburg Principles as the international standards to be incorporated into the legislation for rights protection. Toward July 1, 2003, as the government showed no signs of concessions, a spirit of solidarity and empowerment was being nurtured among the people. Political, social, religious, and professional groups and trade unions called on the public to join the march through radio phone-in programs, the press, and the Internet. The mass media not only served as a rallying point for public communication that reached a boiling point in such unusual moments, they also played a critical role as an advocate and agent of political mobilization. Apple Daily,
in particular, made no pretence about neutrality in presenting such highly emotive and rousing headlines as ‘Hong Kong people come united against Article 23. History will be made tomorrow’ (June 30, 2003).

The role of Apple Daily as an agent of political mobilization was also marked on the day of the demonstration. During the demonstration, the people experienced a catharsis in a spirit of endurance as well as power. Puppets and cartoons bearing the images of Tung Chee-hwa and Regina Ip were a common sight; people shouted slogans and waved banners calling for the Chief Executive to step down. In a most eye-catching way, Apple Daily provided a ready prop for many people with its cover and inside pages posting such words (as well as a big picture of the Chief Executive slapped with a cake on his face): ‘Article 23 doing harm to Hong Kong +6 years of miserable days = We don’t want Tung Chee Hwa’. In this way, it helped reinforce the idea that the scope of political struggle was not confined to the agenda of Article 23. The occasion became a genuinely participatory political theatre capable of stirring up mass emotions. The march, as repeatedly shown in the mass media, became the most spectacular icon in and of the event. The people looked upon themselves as agents who collectively made history through the march.

The Making of Consensus: Discursive Convergence among Newspapers

That Apple Daily stood so strongly in opposition against the government might come as no surprise. A more interesting question is, why and how did the more conservative newspapers shift their stance that helped bring about a generalized discursive consensus among the press? The scale and intensity of the event brought about what Chan and Lee (2006) call an ‘energized state of public opinion’. In such an unusual moment, the general public sentiments were so strong that a consensus was forged in the discursive field to the extent that the press had to accommodate these shared sentiments. As a result, the newspapers with different ideological and marketing orientations—ranging from Apple Daily to Ming Pao, Oriental Daily and even Wen Wei Pao—showed a rare convergence in their discursive stances during the event. For example, before the demonstration, Oriental Daily attributed the causes for the event to ‘reckless politicians’ and ‘foreign forces’ but such discourses disappeared from the newspaper altogether during the event. It put the blame instead on the SAR government, and in making such a shift it converged with the discursive stances of Apple Daily. However, just as the energized state of public opinion was rather short-lived, its effect on discursive shift and convergence among the conservative newspapers stayed on the more superficial level given their respective ideological positions. For instance, a deeper analysis of the newspaper’s discourse after the event revealed that Oriental Daily advocated administrative reform, rather than democratic reform, as the solution to the political crisis, which contrasted with Apple Daily that tied the event closely to the democratic cause. This nonetheless did not mean that the effect of the event was negligible. As pointed out by Chan and Lee (2006) new discursive consensus emerged across the newspapers in the process
regarding at least two issues: first, a state of generalized discontents with the government as well as the need for reform; second, the high civic quality of the people as shown during the demonstration.

Regarding the issue of civic quality, a sense of empowerment and solidarity was heightened in society giving rise to a self-congratulatory discourse of a rising civil society. In the process of reconstructing the meaning of the event, however, competing representations arose over who the chief protagonist was. More specifically, mainstream discourses saw a shift from an interpellation of the ‘people’ to the ‘middle class’ as the chief agent in the mobilization, which later triggered a counter-discourse of ‘grassroots community’ by a multitude of small groups and radical activists within civil society (Ku, forthcoming). The contestation brings to light some hidden tensions in society that are often glossed over in the mainstream media.

**Constructing a Middle-class Discourse of Civicness: A Variant of the ‘Order’ Theme**

In the aftermath of the event, disputes were raised within civil society over the question of political agency. Competing frames were forged over who the chief protagonist was. On the one hand, the agency of the event was signified with reference to an inclusive category of ‘the people’, which was consonant with the idea of ‘civil society against the state’. It underlined a generalized usage of Hong Kong people as a collectivity and contained an everyday sense to mean ordinary people from all walks of life. On the other hand, a competing discursive frame was forged when the public began to anchor its focus to identify the chief actors. This entailed the construction of a set of minute differentiating devices that classified the participants into different socio-economic categories. Newspaper editors, political analysts and academics, as shown in the local press, mostly highlighted the agency and participation of the middle-class professionals in the mass demonstrations. For example, *Ming Pao*’s headline read ‘Half of the participants have post-secondary school qualifications’, with elaborations of the details in the news report as follows:

> During the mass rally (on 9 July), 457 participants were interviewed in a survey... Most of the interviewees were intellectuals, with 50.8% of the participants having a college degree or above, and 30% are even professionals... The survey results are quite close to the findings collated by the Chinese University and the University of Hong Kong during the big march on 1 July. (July 10, 2004)

On the whole, the representation of the movement was subsumed under a new ‘middle-class’ discourse. The discourse was stitched together through a number of elements: (i) survey findings that showed educated, middle-class people made up a significant portion of the participants, (ii) public discourse that transposed the event into one showing the leadership of the middle-class professionals as well as the virtuous qualities of rationality characteristic of the middle class, and (iii) public
discourse that further extended the logic to stress the significance of the middle class as the pillar of effective governance in society (Ku, forthcoming).

Within civil society, the middle-class discourse was much contested by the more grassroots organizations. The grassroots community did not dispute the role of the middle class in the mobilizations but challenged the middle-class discourse by pointing out some ungrounded assumptions in its reasoning. It stressed that the voices and participation of the grassroots community were overlooked and slighted by the mainstream media. The emergent counter-discourse not only presented a new way of representation but also carried radical implications for the strategies and tactics used in subsequent mobilizations. For instance, it was decided that the grassroots organizations were to take the lead in the subsequent mobilization on January 1, 2004. This distinction between grassroots or minority organizations and the more established middle class indeed laid the basis for some further tensions and splits within the camp and among the supporters when it came to the demonstration on July 1, 2005. 6

In a nutshell, the event presented a rare instance of massive resistance against the government regarding the issue of civil right, though other issues were also at stake. The mass media played a role in mobilizing public sentiments and in shaping the political agenda while they were also subject to the influence of the generalized sentiments in society, which gave rise to an unusual moment of discursive convergence among the newspapers. A consensus was forged among the press but the consensus was also overlaid with different stances regarding democratic reform. At the same time, a powerful sense of unity was conveyed to the people through the mass media, which was in part grounded in the experience of catharsis during the demonstration, but such a sense was constructed in the image of the middle class that glossed over different voices from the grassroots community.

Conclusion

In a minimal sense, the idea of civil society is predicated upon a principle of freedom from the state through the rule of law. The state and civil society are often entangled in complex relations of cooperation, tension and conflict, which are mediated through an intricate interplay between culture and politics. From a Gramscian or post-Gramscian perspective, the idea of hegemony underlies a domain of cultural and ideological practices where consent is forged for the governance of the state (at the service of certain dominant interests). In Hong Kong, the government as well as its supporters has adhered to a ruling ideology of law and order that restrains our civil space. As the three case studies in this article have shown, the mass media were not unsupportive of the idea of civil liberty — they would show sympathy for the cause as in the Public Order Ordinance disputes and stand firm on the principle of press freedom as in the Article 23 disputes — but their stances were not consistent and could be compromised by other considerations under the appeal of order.
In the case of the right of abode saga, the imagery of social order was most marked through the production of social panic, which resulted in the subordination of the rule of law and human rights. As has been suggested, the media tended to reiterate official information and frames especially when they shared the same hegemonic interests as well as ideological outlook, which was embodied in the sense of Hong Kong identity vis-à-vis the mainlanders in this instance. As a result, the government was able to play up the imagery of social crisis quite successfully with the aid of the mass media. In the case of the Public Order Ordinance disputes, the media showed support for the student protesters at the outset as the issues of civil rights and the rule of law were at stake while the construction of student-hood also aroused some sympathy. However, the imagery of order reappeared when public discourse shifted from support for street activism to a call for institutional resolution, which resulted in a reassertion of state power. This shows that the media’s concern for civil autonomy was mixed with and compromised by such other considerations as practicality and institutional order.

The First of July march presented a rare instance of massive resistance against the government in the name of rights and participation, which opened up new possibilities for civil society. In this case, the Beijing factor was certainly part of the cause for worry regarding local civil rights, but the Hong Kong people also had more immediate grudges against the SAR government in its way of handling the Article 23 issue. The proposed legislation summoned up a united call in defense of civil liberty among a wide array of social sectors ranging from established religions to informal Internet groups. Media interests were directly involved as the legislation of Article 23 might pose a threat to press freedom. The mass media were therefore among the firm supporters for the cause in the forefront, which also bode well with the public sentiments. Through the mainstream media, a new discourse of an empowered civil society arose in the image of the middle class as representing reason, self-restraint and discipline. In one sense, it could be considered as an appropriation of the ‘order’ imagery whereby civil society presented a creditable challenge against state power; in another sense, it was also observed that the mainstream discourse tended to play down internal differences, inequalities and conflicts within civil society.7

On the whole, the three cases put in comparative lights have revealed the dynamics of the discursive field of civil society in post-1997 Hong Kong in complex ways. The two competing discourses of ‘civil society’ and of ‘law and order’ delineate the general boundaries of possibilities and constraints within which contestation and negotiation are played out. We would therefore caution against any overly optimistic or overly pessimistic reading of Hong Kong politics. Much discussion has focused on the empowering effect of the mass demonstration in 2003 as a signal of the rise of civil society. On a cautionary note, however, our case discussion shows that the effects of the hegemonic framework of ‘order versus chaos’ have remained strong in delimiting our political discursive field after 1997. Nevertheless, contestation against the ideology of law and order is not impossible, which is often contingent upon the
interplay among discourse, dramaturgy and politics in particular political moments. The discourse of civil society—with an emphasis on rights, the rule of law and citizen participation—has been quite consistently articulated in different instances and it will not recede from the public sphere as an opposition discourse, though it is often mixed with or compromised by certain ideological, pragmatic and marketing considerations by the mass media.

Notes

[3] Media coverage of the family talks was scant and it disappeared in a few days altogether. See South China Morning Post (July 4, 1997, July 18, 1997), and Oriental Daily (July 13, 1997, July 18, 1997).
[4] In July 1997, the provisional legislature amended the Public Order Ordinance which stipulated, among others, that marches of more than 30 people or sit-ins of more than 50 people required a seven-day advance notification to, as well as a notice of no objection from the police. Non-conformance to such legal requirements would subject the protesters to criminal punishment. The police, moreover, were empowered to regulate demonstrations and consider banning them on the grounds of ‘national security’ and ‘rights and freedom of other people’, on top of ‘public safety’ and ‘public order’.
[6] The crux of the public debates concerned whether the object of struggle should be about democracy or democracy with livelihood concerns, and whether the homosexual groups, among other grassroots groups, should take the lead in the demonstration. From another angle, at stake was the meaning of democracy: a conventional conception of formal representative democracy, as opposed to a broader conception of inclusive and participatory democracy that aims to respect differences and minority rights on an equal footing.

References

