**L5 Civil society**

**Civil Society: Key components**

1. the arena outside of family, government, and the market
2. the arena of uncoerced collective actions around shared interests, purposes and values
3. composed of the totality of many voluntary social relationships, civic and social organizations, and institutions

**Characteristics of Civil Society**

related to citizenship/public interests

Non-governmental (independent)

Voluntary

Non-profit

Associational

Self-organized/autonomous

**What does “civil society” include?**

1. Resident

maintains residency (domicile) in a given place

A non-political identity

1. People

“We” implication

Ideological meanings granted by regime

1. Citizen

Recognized by law with rights and duties

Thomas Marshall on citizenship:

Civil rights (equality before the law/freedom of speech/protest/self-organize)

Political rights (universal suffrage/being elected)

Social rights (economic welfare and security/all members of a polity ought to enjoy and to share at least a basic level of social-economic and cultural well-being)

**Community: Self-Organization**

Self-organization (also known as civil society organizations) is the center piece for sustaining civil society.

**Public Sphere**

Definition: A virtual or imaginary community which does not necessarily exist in an identifiable space.

Can facilitate: Public debates, Problem articulation, Acquisition of Information, Potential to play a watchdog role.

**Government**

Exists between citizens and the state.

Connects citizen to governmental officials

Consultation exercises

**Business**

An undervalued partner in civil society.

Social Entrepreneurship

Corporate social responsibility

**Why is Civil Society Important?**

1. In general

A strong civil society alters the balance of power between the state and society, disciplines and monitors the state, redefines the rules of the political game along democratic lines, and acts as an intermediary between the state and society. (MA 2008)

1. In democratic transition
2. Resurrection (復活) of civil society leads to mobilization, forcing authoritative openings.
3. Supplement the role of political parties in stimulating political participation, increasing political efficacy, and promoting democratic citizenship.
4. Help inculcate tolerance, willingness to compromise, and respect for opposing viewpoints, all deemed vital attitudes and values to a functioning democracy.

**Strong Civil Society ≠ Democratic Society**

1. The democratic role of civil society is a necessary but not a sufficient condition for democratization.
2. The democratizing effect of civil society also depends on:
3. political opportunity
4. different stages of political development
5. Healthy discourse between state and civil society

**Assessing the State of Civil Society: Civil Society Index (CSI)**

1. Structure:

What is the internal make-up of civil society?

How large is civil society in terms of institutions, organizations, networks and individuals; what are its component parts; and what resources does it command?

Central Reference: organizational infrastructure

1. breadth and depth of citizen participation
2. diversity within civil society
3. level of organization
4. inter-relations
5. resources possessed
6. Environment:

What is the political, socio-economic, cultural and legal environment in which civil society exists?

What is the legal and political space within the larger regulatory environment in which civil society operates; and what laws and policies enable or inhibit its development?

Central Reference: governance & regulatory system

1. political context
2. basic freedoms and rights
3. socioeconomic contexts
4. socio-cultural context
5. legal environment
6. state-civil society relations
7. private sector-civil society relations
8. Values:

Does civil society practice and promote positive social values?

What values underlie civil society; what values, norms and attitudes does it represent; how inclusive and exclusive are they; and what areas of consensus and dissent emerge?

Central Reference: value system

1. Democracy
2. Transparency
3. Tolerance
4. Non-violence
5. Gender equity
6. Poverty eradication
7. Environmental sustainability
8. Impact:

What is the impact of civil society on governance & development?

What is the contribution of civil society to specific social, economic and political problems?

Central Reference: Development & Achievements

1. influencing public policy
2. holding state and private corporations accountable
3. responding to social interests
4. empowering citizens
5. meeting societal needs

**L6 The rise of civil society in HK and mainland China**

**Collective or Social Memory**

A process of remembering and forgetting through which we “give shape to our experience, thought and imagination in terms of past, present and future” (Brockmeier, 2002)

Collective frameworks provide memory cues for individuals.

Collective memory constitutes a major part of a sense of belonging to a community.

**History:1960s**

1. Significant civil activism:

1967 riots

Background: Cultural Revolution in mainland China

Left-wing activists supported by the Communist Party

Originated as a minor labor dispute, the tensions later grew into large scale demonstrations against British colonial rule.

1. Force the colonial government to reflect and seek for reform:

Improve communication with local people

Home Affairs Department (1968)

**History:1970s**

1. Significant civil activism:

The Chinese Language Movement (1968-1971) – the adoption of Chinese as official language in 1974

Defend Diaoyutai Island Campaigns (1971-1972) -- pressure for Chinese government for taking diplomatic actions

Arrest of students by the UK police force but the British police offers did not face any penalty

The crusade against corruption of the British Police Force (1970-1974) – ICAC(廉政公署) in 1974

Strike concerning salaries for teachers at the Certificate Master level (1971-1973) – new salary scheme in 1974

1. The government set up advisory boards, funded mutual aid committees in housing blocks (Home Affairs Department) and sought to involve local leaders in decision-making.

政府成立諮詢委員會，資助住宅區互助委員會（民政事務總署），並尋求地方領導人參與決策。

1. But this was very much a civil society constructed by the state. In terms of our definition, there was no independence of civil society because:
2. Civilians did not engage in public activity
3. Unions were fragmented and not very strong
4. Pressure groups focused more on serving the vulnerable but not on policy-making and protecting civil rights

**Rise: the end of 1970s to early 1980s**

1. There were several serious strikes. Some important interest groups (e.g., Oxfam in1976) began to emerge.
2. Contributing Factors:
3. Hong Kong was becoming more prosperous and people were beginning to ask questions about how their society was being organized
4. Reforms of the 1970s produced a more educated society
5. Increasing concern about the resumption of Chinese sovereignty

**Further growth of civil society (1980s - 1990s)**

1. Impetus: attitudes of the British and Chinese governments toward the transition
2. British: pushing for Hong Kong’s democratization
3. China: draft the Basic Law without much input from Hong Kong people

The two failed to reach any agreement

1989 Tiananmen Square massacre further scares Hong Kong people

1. Local identification further reinforces and motivates voicing out

**Post-handover: Civil Disobedience(公民抗命) (1997-Present)**

1. Background

Economic recession: Asian Financial Crisis (1997) & SARS (2003)

Strong state power: One country > Two systems  
Weak political institutions

1. Civil society further develops in the opposition to the state

**Turning Point**

1. March Against Article 23

Civil society became more active and more diversified

1. Landmark: Umbrella Movement

Protest initiated by student activist groups

1. The 2019–20 Hong Kong protests led to an increasing desire within some pro-Beijing lawmakers for Hong Kong to legislate Article 23 of the Basic Law.

**Post-2019**

1. 30 June 2020: Activation of a partially equivalent security law on Hong Kong covering secession and subversion under Article 18 of the Basic Law.

It set up the legal framework to prevent and punish subversion, terrorism, separatism and foreign interference.

The areas of treason, sedition and theft of state secrets are not covered by the new Article 18 law, and remain to be implemented under Article 23 by the Hong Kong SAR.

1. 12 January 2022: Chief Executive Carrie Lam announced at the first session of the new legislature that new "local legislation" would be created to meet the requirements of Article 23.
2. Changes in the legislation made the environment more restrictive to the operation of international NGOs.

Meanwhile, new challenges Stemmed from arising social issues need to be tackled by local NGOs.

**CSI Methodology**

1. Secondary data (data from door-to-door surveys and others)
2. Media review (content analysis of media content)
3. Stakeholder (利益相關者) consultations

Representatives of 28 organizations under 14 categories

1. Fact finding (policy case studies)
2. Surveys with community samples

**Civil Society Diamond for HK**

1. Structure: the weakest dimension

Lack of depth in citizen participation (e.g., charitable giving, volunteering, membership activities can be improved.)

Loose organization

Lack of inter-organization connections

Lack of funding, labor, technology, knowledge, and infrastructures

1. Environment: weak

Basic rights and freedom are guaranteed by law

Aloof or unreceptive civil society’s relationships with private sector and the government

Media’s self-censorship and different political leanings

1. Values: moderate

The values of non-violence, tolerance, poverty eradication, environmental sustainability and gender equity are upheld.

Instances of corruption within civil society are rare.

Lack of uniform interpretation of democracy among different social groups.

Lack of understanding of corporate transparency.

1. Impact: strongest dimension

Effective in meeting societal needs, particularly for marginalized groups.

Effective in responding to social interests, setting public agenda and challenging public policy.

However, limited effort and effectiveness in holding private corporations accountable.

**The case of CHRF (民間人權陣線)**

It was very successful in mobilizing 500,000 people to come into the streets on July 1, 2003, to oppose the impending enactment of the National Security Bill – a benchmark event for the rise civil society in Hong Kong.

However, when the democrats tried to turn the CHRF into a more formal organization after the 2003 march to coordinate the democracy movement, the alliance quickly fell apart.

**Strength and Weakness**

1. Hong Kong civil society is active, and is an very important power for democratization.
2. Its structure is loose and underdeveloped.
3. It lacks an environment conducive to further development: Changing legal and societal environment presents new uncertainty.
4. Mixture of values – reflecting diversified appeals.
5. Effective impact in the short term, how about long-term impact?

**Another evaluative framework: Three Discourses of Civil Society** **(Chan & Chan, 2017)**

Citizens (1st discourse): Social mobilization and self-defense (moderately strong)

HK’s CS played major roles in demonstrations, rallies, petitions, tensions between mainlanders and Hongkongers.

Private sector (2nd discourse): civil society in the service of others (growing strong)

Mushrooming of social enterprises

Individual civil society actors (e.g., Philanthropists)

Government (3rd discourse): partnership in governance in disarray (weak)

The public consultation system for policy development remains under-developed

**The Rise of Civil society in Mainland China**

**Critical Difference from HK (Environmental Dimension)**

1. Democratic society:

civil society organizations have a legitimate role.

certain means of dealing with political problems are institutionalized as an accommodation between state and society.

1. Authoritarian:

No or pseudo acceptance of these means.

There are CS organizations subordinated to the state and established by the regime in power.

Heavy regulations on the operation of civil society organizations.

A culture for establishing role models of how people ought to behave.

**Civil Society in mainland China: Overview**

1. A nascent civil society within a transforming environment.
2. Since 1978, Civil society in China has greatly benefited from reform and opening-up policies in the economic and social spheres.
3. The Chinese government’s aim is to promote a “civil society with Chinese characteristics” within the framework of consultative authoritarianism and the strong influence of the Chinese Communist Party.

**Civil Society in China**

1. Legal environment
2. China’s Charity Law (since 2016)

Regulates Chinese nonprofit organizations.

Widely regarded as a step forward in modernizing legislation on the nonprofit sector and increasing fundraising opportunities, including for online charities.

1. The Law of the People’s Republic of China on Administration of Activities of Overseas Nongovernmental Organizations in the Mainland of China (since 2017)

Regulates international nonprofits that operate in China.

Imposed a cumbersome registration and approval procedure on international NGOs, including those which had already operated in China for many years.

Despite this, most major international NGOs, including the World Wildlife Fund, Save the Children, The Asia Foundation, as well as the German political foundations, have been able to get their registration through.

1. An increasing role of civil society activities

Over 800,000 registered social organizations by 2019

5,545 registered Foundations by 2016

1. Wide range of issues, particularly well-represented in the fields of environmental protection, poverty alleviation, trade promotion and community development.

**Civil Society Diamond for mainland China**

1. Structure: weakness in structure is due to limited citizen participation, low levels of CS membership and the inadequacy of resources.
2. Impact: stronger influence on society than the structure would support.
3. Environment: low score due to the lack of political plurality, focus on social cohesion & harmony, and legal constraints regarding the establishment of civil powers.
4. Values: high score driven by good practices in gender equity, non-violence, poverty eradication and tolerance; less prominent in sensitive areas (democracy & government transparency).

**HK-Mainland Collaboration**

There is increasingly close exchange in civil actions between Hong Kong and Mainland China.

Global and local NGOs take advantage of HK’s location and close connection to mainland.

**L7 Cyberspace and Civic Participation**

**Ideal Speech Situation (Froomkin, 2003)**

1. Rational, knowledgeable, active and interested participants.
2. Focus on the common good over self-interest.
3. Willingness to evaluate each other’s assertions solely on the basis of reason and evidence.
4. Willingness to change their views in light of better evidence.
5. Goal: obtain rational consensus.

**Deliberative Democracy**

1. A form of democracy in which deliberation (as opposed to voting) is the key to decision-making.

Public sphere will be inclusive and anyone can participate regardless of social status.

Participants give one another reasons that are mutually acceptable and generally accessible.

Only the better argument determines the “yes” and “no” responses of the participants.

Decisions reached are binding to all.

1. Four requirements (Gutmann & Thompson)
2. Reciprocal (對等的): The reasons should be acceptable to free and equal persons seeking fair terms of cooperation.
3. Accessible: The reasons provided must be comprehensible to the relevant audience.
4. Binding: The reason-giving process leads to law that will be enacted for some time.
5. Dynamic/Provisional: The laws are open to be challenged in the future through a reason-giving process.
6. Strengths
7. Fosters the generation of impartiality (公正), rationality and knowledge of the relevant facts.
8. Reduces partisanship (extreme attitudes) on social issues.
9. Breeds sympathy toward opposing views.
10. Greater commitment to laws generated from consensus.
11. Weaknesses
12. Too ideal; Difficult to exercise.
13. James Fishkin (1991): deliberative opinion poll(?)

Select a representative sample of the population, discuss the issue, and vote.

1. Encourages an adversarial (對抗性) relationship between state and society.

**Cyberspace as Public Sphere**

1. Diverse formats:

Early platforms: UseNet/BBS/Forums

Social media: Blogs/SNS

1. Key Activities:

Look for political and civic info

Share and discuss social issues

Participate online petitions or donations

Contact politicians, organizations, local or national governments online

**Global Public Sphere: the online public sphere is free of boundaries** (Castells (2009))

Networks of communication that relates many-to-many in a multimodal form of communication, bypasses mass media and often escapes government control.

The emergence of an online public sphere signifies a shift of previously territorially-bound public spheres to a public sphere constituted around media systems.

**Hybrid Public Sphere**

1. Cellphones (particularly smart-phones): spreading information and feelings in physical encounters.
2. Social network sites: recruiting & engaging participants; spreading information via social network sites.
3. No separations between digital/virtual and physical/real as the citizens use these two social environments simultaneously.

People discuss hot social issues online and offline simultaneously.

Mass media interact with the public sphere in the process.

1. Masspersonal Communication: describes the intersection and increasingly blurred line between mass communication and interpersonal communication processes.
2. Engage in interpersonal and mass communication processes at the same time (e.g., discussing about social issues with your friends while watching the news).
3. Using interpersonal communication channels for mass communication (e.g., sending information to a mass audience through instant messaging or social network sites).
4. Mass communication channels display interpersonal conversations (e.g., having a conversation with your friend under your FB status update).
5. The emergence of the masspersonal communication dynamic has profound implications over the public sphere.

**To conclude: Cyberactivism**

1. Social technologies are used to coordinate in-person protests and meet-ups.
2. Social media increase the efficiency by replacing many in-person planning processes: general assemblies, meetings, strategy planning.
3. Livestreams, Tweets, Facebook events become outlets for citizen-driven news and also help to mobilize more participants.

**Cyberspace = Public Sphere?**

Online space provides the expanse that allows the public sphere to convene, but it does not guarantee a healthy public sphere (Papacharissi, 2008).

**Various Constrains**

1. Individual constrains (e.g., personal relevance, political interests/knowledge, motivation, etc.)
2. Technological constrains (e.g., digital divide, digital literacy by groups)
3. Political/environmental constrains

**Individual Constrains**

1. Davis (2010): The paradox of online participation
2. Early enthusiasm: Direct democracy: more inclusive public participation and deliberative exchange between ordinary citizens and political elites.
3. Unequal participation leading to elite polyarchy:

Politicians, parties and government institutions have been slow to adopt online deliberative tools.

New media is more likely to be viewed as an alternative tool for political organization or service delivery, or an additional one-to-many promotional medium.

A further distancing effect for the citizens

1. Individual Differences in Technology Usage

Most citizens fall into categories along a continuum from motivated to apathetic.

Digital natives: People exposed and immersed in technology from a young age (Prensky, 2001)

Digital immigrants: People exposed to technology at older ages (Prensky, 2001)

1. Online Aggression/Trolling

Social identity model of deindividuation effects (SIDE): In visually anonymous online environments, it is easy for people to feel deindividuated. As a result, you temporarily see yourself as a member of a social group rather than a unique individual. Such categorization process of others often leads to online aggression and trolling behaviors.

Ingroup members & Outgroup members

**Benefits of Politician-citizen Interactions Online**

1. Lee & Jang (2013)

Disclosing about personal life on an interactive online platform increases voters’ impression of a politician and their voting intentions.

The potential for interaction is enough to make people feel positive about a politician.

1. Dai & Walther (2019)

Participants felt more positively about a politician after observing the politician’s reply to another netizen, especially if the netizen being replied to belongs to the opposing political party to the politicians.

Participants’ impressions of the politician were even more positive if the netizen being replied shares the same politician affiliation with the participants.

**Political Constrains**

Censorship: The act or system of practice suppressing, limiting, or deleting opinions or other types of public communication.

The target could be any objectionable, harmful, sensitive, or inconvenient as determined by a government, media outlet, or other controlling body.

It ranges from prohibiting expressions to heavy legal punishments (e.g., put someone into jail)

**L8 Media and Democracy**

**Democracy: definition**

A government “of, by, and for the people”: A functioning system of government in which all the people have equal participation in the decisions that affect their lives.

**Democracy - major principles**

1. Citizen Participation

Participation via voting, deliberation, group/community memberships, paying taxes, activism etc.

1. Equality

Equal opportunity and no discrimination because of race, religion, ethnic group, gender or sexual orientation.

1. Political Tolerance

Respect and tolerate different views

1. Accountability

Elected and appointed officials are accountable to the people.

1. Transparency

The press and the people are able to get information about what decisions are being made, by whom and why.

1. Human Rights

Values that reflect respect for human life and human dignity.

1. Rule of Laws

No one is above the law

**Is Democracy Good?**

1. According to Aristotle’s argument in Politics: the best form of government was monarchy, if the monarch was a virtuous person.
2. U.S. Chief Justice John Marshall: “Between a balanced republic and democracy, the difference is like that between order and chaos.”
3. Sir Winston Churchill (Hansard, November 11th, 1947): “Many forms of government have been tried, and will be tried in this world of sin and woe. No one pretends that democracy is perfect or all-wise. Indeed it has been said that democracy is the worst form of government except all those other forms that have been tried from time to time.”
4. Others have argued that democracy is superior both:

Instrumentally: fair procedure.

Intrinsically: fair competition of ideas, ruled by many.

1. Two key values of democracy: Freedom & Equality

**Medieval society**

1. Feudalism (political system)

Form of government based on landholding. 以土地所有製為基礎的政府形式

Alliances between lords and vassals. 領主和附庸之間的聯盟

Oaths of loyalty in exchange for land and military service. 以忠誠誓言換取土地和兵役

Ranking of power and authority.

1. Economic system: Manors

Lord’s estates.

Set of rights and obligations between serfs and lords.

Self-sufficient community producing a variety of goods.

1. Chivalry騎士精神

Displays of courage and valor (英勇) in combat.

Devotion to a feudal lord.

Respect toward women.

1. Belief system: The church教會

Unifying force of Christian faith.

Power over people’s everyday lives.

Involvement in political affairs.

**Democracy across the World Today**

**Models of Democracy**

1. Direct Democracy (直接民主) Referendum (全民公決):
2. Emphasizes the role of ‘the citizen’.
3. Equal rights, duties and engagement of all citizens.
4. The rule of the majority (at the expense of minority rights?).
5. Representative/Liberal Democracy (代議民主/自由民主)
6. Representative government and accountability: Elected people representing people, as opposed to direct democracy.
7. Respect the majority rule and seek for common good, but also try to recognize the individual rights and minority rights.
8. Pluralist Democracy (多元民主)
9. Power is vested in three or more persons
10. A system “for arriving at political decisions in which individuals acquire the power to decide by means of a competitive struggle for the people’s vote”.
11. Polyarchy (多頭政治): Participation and Opposition - doubt the existence of common good.
12. Modern democracy; particularly associated with post - war era and focus on elite groups.

**Media’s Role in Democracy**

1. As a Informer:

It should supply information in true and unbiased (不偏不倚) form and let the public choose, what may be the best in their interest.

1. As a facilitator of public opinion:

Media should create public spheres where individuals can come together to freely discuss and identify societal problems, and through that discussion influence political action.

Freedom of Speech: individuals can speak/think freely without censorship.

Freedom of the press: freely communicate and express through vehicles including various electronic media and published materials

**Media consolidation: may lead to self-censorship of media**

1. The news coverage will be heavily influenced by corporate ownerships, including political standings, pleasing the market, concerns of advertisements, fear of repression壓制 & sanction制裁.
2. Consequences:

Media become political actors, constructing or even slanting their news so they can actively shape what the public sees and hears.

Failure to report the truth.

Failure to protect the whistleblowers.

Absence of check and balance.

Submission to radicals for propaganda.

**Hong Kong’s Case: different forces that influence media in Hong Kong**

1. Re-nationalization
2. Since the handover (移交), the relationship between the local/national government and media has been undergoing constant redefinition and negotiation.

To facilitate the handover, Beijing invited local elites for participation (e.g., drafting Basic Laws and granting them positions NPC).

The same cooptation (籠絡) strategy on media elites in exchange for goodwill and support.

1. Cooptation of Media Ownership

Several media owners in Hong Kong (e.g., Peter Woo, Charles Ho) are members of the Chinese People’s Political Consultative Committee.

Chinese corporations owning Hong Kong media, e.g., Sing Pao

Some media owners have substantial business interests in mainland China, e.g., SCMP (now owned by Alibaba)

Media ownership is concentrated in the hands of business people sharing the same interests.

1. Globalization
2. National city vs. international city:

Free market economy highly dependent on international trade.

Diversified population

International media institutions: over 100 sub-agencies, over 30 international media printed or broadcasting in HK

Media have to reflect a variety of interests

1. The introduction of key values: rule of law, protecting human rights, freedom, and even democracy.

Liberal journalistic values – media as the 4th estate, public sphere

1. Professionalism: Media Resistance to self-censorship
2. Journalistic values:

Autonomy: The belief that media should be independent.

Distinct professional norms: Factual and objective reporting.

Public service orientation: The belief that media should serve the public.

1. Professionalism in practice:

Juxtaposition (並列) of positive and negative point of views.

Borrowing the authority of academics, poll (民調) findings.

Verifying facts with multiple sources.

Shifting the political risks to columnists (專欄作家).

1. Professionalism as self-defense in the public arena - even just as strategic rituals (戰略儀式) (Lee, 2000).
2. However...citizen journalists who are at the forefront of producing and disseminating information about controversial issues often do not adequately exercise these due to the lack of professional training.
3. Commercialism
4. Political stance as a selling point以政治立場為看點

Apple Daily was considered as a strong supporter of the local democracy movement. It’s political stance distinguished it from its competitors and contributes to its commercial success.

1. Expansion in oversea markets

Ming Pao publishes North American editions in Vancouver, Toronto, San Francisco, and New York.

Apple Daily has a growing readership in Taiwan.

Investing overseas balances a news outlet’s stance by decreasing the influence of a single market.